

104TH CONGRESS  
1ST SESSION

# S. 338

To amend title 38, United States Code, to extend the period of eligibility for inpatient care for veterans exposed to toxic substances, radiation, or environmental hazards, to extend the period of eligibility for outpatient care for veterans exposed to such substances or hazards during service in the Persian Gulf, and to expand the eligibility of veterans exposed to toxic substances or radiation for outpatient care.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 2 (legislative day, JANUARY 30), 1995

Mr. DASCHLE (for himself, Mr. ROCKEFELLER, Mr. AKAKA, Mr. KERREY, Mr. DORGAN, and Mr. CAMPBELL) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to extend the period of eligibility for inpatient care for veterans exposed to toxic substances, radiation, or environmental hazards, to extend the period of eligibility for outpatient care for veterans exposed to such substances or hazards during service in the Persian Gulf, and to expand the eligibility of veterans exposed to toxic substances or radiation for outpatient care.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF PERIOD OF ELIGIBILITY FOR**  
2 **INPATIENT CARE.**

3 (a) CARE FOR EXPOSURE TO TOXIC SUBSTANCES  
4 AND IONIZING RADIATION.—Section 1710(e)(3) of title  
5 38, United States Code, is amended by striking out “June  
6 30, 1995,” and inserting in lieu thereof “December 31,  
7 2003,”.

8 (b) CARE FOR EXPOSURE DURING PERSIAN GULF  
9 SERVICE.—Such section is further amended by striking  
10 out “December 31, 1995” and inserting in lieu thereof  
11 “December 31, 2003”.

12 **SEC. 2. EXTENSION AND EXPANSION OF ELIGIBILITY FOR**  
13 **OUTPATIENT CARE.**

14 (a) EXTENSION OF ELIGIBILITY FOR EXPOSURE  
15 DURING PERSIAN GULF SERVICE.—Paragraph (1)(D) of  
16 section 1712(a) of title 38, United States Code, is amend-  
17 ed by striking out “December 31, 1995,” and inserting  
18 in lieu thereof “December 31, 2003,”.

19 (b) EXPANSION OF ELIGIBILITY TO COVER TOXIC  
20 SUBSTANCES AND IONIZING RADIATION.—Such section is  
21 further amended—

22 (1) in paragraph (1)—

23 (A) by striking out “and” at the end of  
24 subparagraph (C);

1 (B) by striking out the period at the end  
2 of subparagraph (D) and inserting in lieu there-  
3 of a semicolon; and

4 (C) by adding at the end the following new  
5 subparagraphs:

6 “(E) during the period before December 31,  
7 2003, for any disability in the case of a veteran who  
8 served on active duty in the Republic of Vietnam  
9 during the Vietnam era and who the Secretary finds  
10 may have been exposed during such service to dioxin  
11 or was exposed during such service to a toxic sub-  
12 stance found in a herbicide or defoliant used in con-  
13 nection with military purposes during such era, not-  
14 withstanding that there is insufficient medical evi-  
15 dence to conclude that the disability may be associ-  
16 ated with such exposure; and

17 “(F) during the period before December 31,  
18 2003, for any disability in the case of a veteran who  
19 the Secretary finds was exposed while serving on ac-  
20 tive duty to ionizing radiation from the detonation of  
21 a nuclear device in connection with such veteran’s  
22 participation in the test of such a device or with the  
23 American occupation of Hiroshima and Nagasaki,  
24 Japan, during the period beginning on September  
25 11, 1945, and ending on July 1, 1946, notwith-

1 standing that there is insufficient medical evidence  
2 to conclude that the disability may be associated  
3 with such exposure.”; and

4 (2) in paragraph (7)—

5 (A) by striking out “under paragraph  
6 (1)(D)” and inserting in lieu thereof “under  
7 subparagraph (D), (E), or (F) of paragraph (1)  
8 of this subsection”; and

9 (B) by striking out “in that paragraph”  
10 and inserting in lieu thereof “in the applicable  
11 subparagraph”.

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