

109TH CONGRESS
1ST SESSION

H. R. 4183

To improve the availability of benefits for veterans and the surviving spouses of veterans who were exposed while in military service to ionizing radiation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2005

Mr. FILNER introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the availability of benefits for veterans and the surviving spouses of veterans who were exposed while in military service to ionizing radiation, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recognition of Forgot-
5 ten Atomic Veterans and their Surviving Spouses Act of
6 2005”.

1 **SEC. 2. IMPROVED ACCESS FOR VETERANS AND SURVIVING**
2 **SPOUSES TO BENEFITS UNDER RADIATION**
3 **EXPOSURE COMPENSATION ACT.**

4 (a) IDENTIFICATION OF LIVING ATOMIC VETERANS
5 AND SURVIVING SPOUSES OF DECEASED ATOMIC VET-
6 ERANS.—The Attorney General shall—

7 (1) obtain from the files of the Operations Of-
8 fice of the Department of Energy in Nevada records
9 showing the identity of all atomic veterans;

10 (2) with respect to each atomic veteran for
11 whom records are obtained under paragraph (1), use
12 the service serial number of that veteran to obtain
13 the veteran's social security number;

14 (3) with respect to each such atomic veteran
15 who is living—

16 (A) use that veteran's social security num-
17 ber to locate the veteran; and

18 (B) advise that veteran of the provisions of
19 the Radiation Exposure Compensation Act, in-
20 cluding the right of the veteran to file a claim
21 under that Act; and

22 (4) with respect to each such atomic veteran
23 who is deceased—

24 (A) use that veteran's social security num-
25 ber to locate the surviving spouse of the veteran
26 (if any); and

1 (B) if a surviving spouse is located, advise
2 that surviving spouse of the provisions of the
3 Radiation Exposure Compensation Act, includ-
4 ing the right of the surviving spouse to file a
5 claim under that Act.

6 (b) ASSISTANCE IN FILING CLAIMS.—The Attorney
7 General shall assist any atomic veteran or surviving
8 spouse identified under subsection (a)(3) or (a)(4), respec-
9 tively, in filing a claim under the Radiation Exposure
10 Compensation Act, if the atomic veteran or surviving
11 spouse requests such assistance.

12 (c) ASSISTANCE FROM OTHER AGENCIES.—The heads
13 of other Departments and agencies of the United States
14 shall assist the Attorney General as necessary to enable
15 the Attorney General to carry out the provisions of this
16 section, including assistance in providing access to records
17 needed for the Attorney General to carry out this section.

18 (d) ATOMIC VETERANS.—For purposes of this sec-
19 tion, the term “atomic veteran” means a person who while
20 serving in the Armed Forces was exposed to ionizing radi-
21 ation or fallout from the atmospheric detonation of a nu-
22 clear device.

1 **SEC. 3. ADDITIONAL CONDITIONS PRESUMED TO BE SERV-**
2 **ICE-CONNECTED WHEN APPEARING IN RADI-**
3 **ATION-EXPOSED VETERANS.**

4 For purposes of paragraph (1) of section 1112(c) of
5 title 38, United States Code, any disease covered as of
6 the date of the enactment of this Act under section 3.309
7 or 3.311 of title 38 of the Code of Federal Regulations
8 shall be considered to be a disease specified in paragraph
9 (2) of section 1112(c) of title 38, United States Code.

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