

115TH CONGRESS
2D SESSION

S. 3175

To amend title 38, United States Code, to provide health care, vocational training and rehabilitation, and monetary allowance to children suffering from spina bifida whose parents are veterans who served in Thailand and were exposed to herbicide agents, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2018

Mrs. MCCASKILL (for herself and Mr. BLUNT) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide health care, vocational training and rehabilitation, and monetary allowance to children suffering from spina bifida whose parents are veterans who served in Thailand and were exposed to herbicide agents, 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 “Thailand Veteran
5 Agent Orange Parity Act of 2018”.

1 **SEC. 2. BENEFITS FOR CHILDREN OF CERTAIN THAILAND**
 2 **SERVICE VETERANS BORN WITH SPINA**
 3 **BIFIDA.**

4 (a) IN GENERAL.—Subchapter III of chapter 18 of
 5 title 38, United States Code, is amended by adding at the
 6 end the following new section:

7 **“§ 1822. Benefits for children of certain Thailand**
 8 **service veterans born with spina bifida**

9 “(a) BENEFITS AUTHORIZED.—The Secretary may
 10 provide to any child of a veteran of covered service in
 11 Thailand who is suffering from spina bifida the health
 12 care, vocational training and rehabilitation, and monetary
 13 allowance required to be paid to a child of a Vietnam vet-
 14 eran who is suffering from spina bifida under subchapter
 15 I of this chapter as if such child of a veteran of covered
 16 service in Thailand were a child of a Vietnam veteran who
 17 is suffering from spina bifida under such subchapter.

18 “(b) SPINA BIFIDA CONDITIONS COVERED.—This
 19 section applies with respect to all forms and manifesta-
 20 tions of spina bifida, except spina bifida occulta.

21 “(c) VETERAN OF COVERED SERVICE IN THAI-
 22 LAND.—For purposes of this section, a veteran of covered
 23 service in Thailand is any individual, without regard to
 24 the characterization of that individual’s service, who—

25 “(1) served in the active military, naval, or air
 26 service in Thailand, as determined by the Secretary

1 in consultation with the Secretary of Defense, dur-
2 ing the period beginning on January 9, 1962, and
3 ending on May 7, 1975; and

4 “(2) is determined by the Secretary, in con-
5 sultation with the Secretary of Defense, to have been
6 exposed to a herbicide agent during such service in
7 Thailand.

8 “(d) HERBICIDE AGENT.—For purposes of this sec-
9 tion, the term ‘herbicide agent’ means a chemical in a her-
10 bicide used in support of United States and allied military
11 operations in Thailand, as determined by the Secretary in
12 consultation with the Secretary of Defense, during the pe-
13 riod beginning on January 9, 1962, and ending on May
14 7, 1975.”.

15 (b) CONFORMING AMENDMENT TO DEFINITION OF
16 CHILD.—Section 1831(1) of such title is amended—

17 (1) in subparagraph (B)—

18 (A) in the matter before clause (i), by
19 striking “subchapter III of this chapter” and
20 inserting “section 1821 of this title”; and

21 (B) in clause (i), by striking “section 1821
22 of this title” and inserting “such section”; and

23 (2) by adding at the end the following new sub-
24 paragraph:

1 “(C) For purposes of section 1822 of this title,
2 an individual, regardless of age or marital status,
3 who—

4 “(i) is the natural child of a veteran of
5 covered service in Thailand (as determined for
6 purposes of such section); and

7 “(ii) was conceived after the date on which
8 that veteran first entered service described in
9 subsection (c) of such section.”.

10 (c) CLERICAL AMENDMENTS.—

11 (1) SUBCHAPTER HEADING.—The heading for
12 subchapter III of chapter 18 of such title is amend-
13 ed by inserting “AND THAILAND” after
14 “KOREA”.

15 (2) TABLE OF SECTIONS.—The table of sections
16 at the beginning of chapter 18 of such title is
17 amended—

18 (A) by striking the item relating to sub-
19 chapter III and inserting the following new
20 item:

 “SUBCHAPTER III—CHILDREN OF CERTAIN KOREA AND THAILAND SERVICE
 VETERANS BORN WITH SPINA BIFIDA”;

21 and

22 (B) by inserting after the item relating to
23 section 1821 the following new item:

 “1822. Benefits for children of certain Thailand service veterans born with spina
 bifida.”.

1 (d) **EFFECTIVE DATE.**—The amendments made by
2 this section shall take effect on the date that is one year
3 after the date of the enactment of this Act.

○