119TH CONGRESS
2D SESSION

S. _____

To amend title 38, United States Code, to improve presumptions of toxic exposure, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. DUCKWORTH (for herself, Mr. BLUMENTHAL, Mr. KING, Mr. SANDERS, Mr. KELLY, Mr. WELCH, Mr. BENNET, Mrs. MURRAY, Mr. FETTERMAN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 38, United States Code, to improve presumptions of toxic exposure, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New PACT for Iran Veterans Act''.

SEC. 2. IMPROVING DEPARTMENT OF VETERANS AFFAIRS PRESUMPTIONS OF TOXIC EXPOSURE.

(a) PRESUMPTIONS OF TOXIC EXPOSURE FOR SERVICE IN IRAN.—Section 1119(c)(1)(B) of title 38, United States Code, is amended—

(1) by redesignating clauses (iv) through (ix) as clauses (v) through (x), respectively; and

(2) by inserting after clause (iii) the following new clause (iv):

''(iv) Iran;''.

(b) REVIEWS OF LOCATIONS OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—Section 1172 of such title is amended—

(A) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(B) by inserting after subsection (c) the following new subsection (d):

''(d) REVIEWS OF LOCATIONS OUTSIDE THE UNITED STATES.—(1)(A) The Working Group shall, not less frequently than once every five years, conduct a review of each location outside the United States where a member of the Armed Forces was assigned or stationed in active military, naval, air, or space service.

"(B) For each review of a location under subparagraph (A), the Working Group shall conduct an assessment under subsection (c)(1) of any case of toxic exposure of a veteran and their dependent that occurred during active military, naval, air, or space service at the location.

"(2)(A) In addition to conducting quinquennial reviews under paragraph (1), the Working Group shall, not later than 180 days after the date of the commencement of any contingency operation, commence a review of each location—

"(i) involved in the contingency operation where a member of the Armed Forces was assigned or stationed at any point during the contingency operation; or

"(ii) at which a member of the Armed Forces participated as a member of the Armed Forces in the contingency operation.

"(B) For each review of a location under subparagraph (A), the Working Group shall conduct an assessment under subsection (c)(1) of any case of toxic exposure of a veteran and their dependent that occurred during active military, naval, air, or space service at the location.

"(3) In this subsection, the term 'contingency operation' has the meaning given that term in section 101(a) of title 10.".

(2) REPORTS.—Subsection (f) of such section, as redesignated by paragraph (1)(A), is amended by inserting ''and not later than 90 days after the completion of each review conducted under subsection (d)'' after ''once each year''.

(3) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (f)(1), as redesignated by paragraph (1)(A), by striking ''under subsection (d)'' and inserting ''under subsection (e)''; and

(B) in subsection (g), as redesignated by paragraph (1)(A), by striking ''under subsection (e)'' and inserting ''under subsection (f)''.

(c) IMPROVED PUBLICATION OF JUSTIFICATIONS FOR NOT ESTABLISHING PRESUMPTIONS.—Subsection (a)(2) of section 1174 of such title is amended by inserting ''and a website of the Department that is publicly available'' after ''Federal Register''.

(d) PUBLICATION OF JUSTIFICATIONS FOR REMOVAL OF PRESUMPTIONS.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

''(3) Whenever the Secretary issues a regulation under paragraph (1)(A) for a removal, the Secretary shall publish on a website of the Department that is publicly

available a notice of the regulation, including the reasons supporting the removal.''.