To amend title 38, United States Code, to provide a presumption of service connection for the occurrence of certain diseases related to exposure to herbicides or other environmental hazards or conditions in veterans who served in Southeast Asia during the Vietnam era.

IN THE HOUSE OF REPRESENTATIVES

Mr. DASCHLE introduced the following bill; which was referred to the Committee on Veterans Affairs.

A BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That this Act may be cited as the "Vietnam Veterans Agent Orange Relief Act".

SEC. 2. The Congress finds that

(1) certain adverse health effects occurring among persons who served in the Armed Forces in Southeast Asia during the Vietnam era, and certain birth defects occurring among the children of such persons, may be the result of the exposure of such persons during such service to phenoxy herbicides (including the herbicide known as Agent Orange) and the class of chemicals known as the dioxins produced during the manufacture of such herbicides or to other factors involved in such service including exposure to other herbicides, chemicals, medications, or environmental hazards or conditions; and

(2) a comprehensive review and scientific analysis of the literature covering studies relating to whether there may be long-term adverse health effects in humans from exposure to any of the class of chemicals known as the dioxins produced during the manufacture of the various phenoxy herbicides (including the herbicide known as Agent Orange), as required by section 307(a)(1)(B) of Public Law 96-151, has been completed and submitted to the Veterans' Administration.

SEC. 3. Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:
For the purposes of section 310 of this title and subject to the provisions of section 313 of this title, in the case of a veteran who served in Southeast Asia during the Vietnam era and who after such service suffers from a disease described in paragraph (2)(A) of this subsection, such disease shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of evidence of such disease during the period of service.

The diseases referred to in paragraph (1) of this subsection are the following:

(i) Soft-tissue sarcomas.

(ii) Porphyria cutanea tarda.

(iii) Active and residual chloracne and chloracneform lesions.

(iv) A disease listed in a regulation prescribed by the Administrator under subparagraph (B) of this paragraph.

The Administrator may determine, and prescribe by regulation, diseases (in addition to those listed in subparagraph (A) of this paragraph) that medical research has shown may be due to exposure to herbicides, chemicals, medications, or environmental hazards or conditions. The Administrator shall include in such regulations a specification of the standards used by the Administrator in
making such determination.

(3) Paragraph (1) of this subsection shall terminate on the first day of the first month beginning after the end of the one-year period beginning on the date the Administrator submits to the appropriate Committees of Congress the first report required by section 307(b)(2) of the Veterans Health Programs Extension and Improvement Act of 1979 (Public Law 96-151; 93 Stat. 1098)."
Mr. Daschle (for himself, Mr. Panetta, Mr. Bonior, Mr. Edgar, Mr. Long, Mr. Williams of Ohio, Mr. Richardson, Mr. Applegate, Mr. Garcia, Mr. Kastenmeier, Mr. Olin, Mr. Smith of New Jersey, Mr. Moakley, Mr. Ottinger, Mr. Whitehurst, Mr. Barnes, Mr. Kasich, Mr. Leland, Mr. Feighan, Mr. Ratchford, Mr. Duncan, Mr. Ford of Michigan, Mr. Smith of Florida, Mr. Frank, Mr. Tallon, Mr. Young of Alaska, Mr. Murtha, Mr. Stark, Mr. Morrison of Connecticut, Mr. Owens, Mr. Simon, Mr. Roe, Mr. Fauntroy, Mr. Mitchell, Mr. Scheuer, Mr. Studds, Mr. Dorgan, Mr. LaFalce, Mr. Erdreich, Mr. Corrada, Mr. Eckart, Mr. Ford of Tennessee, Mr. Traxler, Mr. Spratt, Mr. Williams of Montana, Mr. Oberstar, Mrs. Mikulski, Mr. Perkins, Mr. Lowry of Washington, Mr. McKinney, Mr. Hertell, Mr. Wirth, Mrs. Schneider, Mr. Lantos, Mr. Martinez, Mr. Berman, Mr. Shannon, Mr. Kildee, Mr. D'Amours, Mrs. Collins, Mr. Foglietta, Mr. Levine of California, Mr. Weiss, Mr. Harrison, Mr. Fazio, Mr. Mineta, Mr. Stokes, Mr. Dwyer, Mr. Murphy, Mr. Weaver, Mr. McHugh, Mr. Howard, Mr. Durbin, Mr. Markey, Mr. Bates, Mr. Seiberling, Mr. Vento, Mr. Borski, Mr. Donnelly, Mr. Sunia, Mr. Mrazek, Mr. Addabbo, Mr. Rodino, Mrs. Kennedy, Mr. Bereuter, Mr. Dellums, Mrs. Boxer, Mr. Edwards of California, Mr. Jeffords, Mr. Brown of California, Mr. Sharp, Mr. Penny, Mr. Fish, Mr. Aspin, Mr. Kemp, Mr. Florio, Mrs. Oakar, Mr. Gore, Mr. Harkin, Mr. Oxley, Mr. Deluga, Mr. McCloskey, Mr. Gunderson, Mr. Gilman, Mr. Kogovsek, Mr. Torricelli, Mr. Horton, Mr. Dixon, Mr. Evans of Illinois, Mr. Miller of California, Mr. Wolpe...