

117TH CONGRESS
1ST SESSION

H. R. 3368

To amend title 38, United States Code, to provide for a presumption of service-connection for certain veterans exposed to certain herbicides while serving in the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mr. SAN NICOLAS (for himself, Mr. BILIRAKIS, Ms. CHU, Mr. DEFazio, Mrs. DEMINGS, Ms. ESCOBAR, Mr. FOSTER, Mr. GALLEGRO, Mr. HARDER of California, Mr. KATKO, Mr. KILMER, Mr. KIM of New Jersey, Mrs. KIRKPATRICK, Mr. MAST, Ms. NORTON, Ms. OMAR, Mr. PALLONE, Mr. PAPPAS, Ms. PRESSLEY, Mrs. RADEWAGEN, Mr. RUSH, Mr. RUTHERFORD, Mr. RYAN, Mr. SOTO, Ms. SPANBERGER, Mr. SUOZZI, Mr. THOMPSON of California, Ms. TLAIB, Mr. VEASEY, Mr. WELCH, Mr. ZELDIN, Mr. MASSIE, Mrs. AXNE, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for a presumption of service-connection for certain veterans exposed to certain herbicides while serving in the Armed Forces, 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 “Lonnie Kilpatrick Cen-
5 tral Pacific Relief Act”.

1 **SEC. 2. PRESUMPTIONS OF SERVICE-CONNECTION FOR**
2 **CERTAIN VETERANS EXPOSED TO CERTAIN**
3 **HERBICIDES WHILE SERVING IN THE ARMED**
4 **FORCES.**

5 (a) **EXPANSION OF PRESUMPTIONS.**—Section
6 1116(a)(1) of title 38, United States Code, is amended—

7 (1) in subparagraph (A), by inserting after
8 “1975” the following: “, served on Guam or Amer-
9 ican Samoa, or in the territorial waters thereof, dur-
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26
ing the period beginning on January 9, 1962, and
ending on July 31, 1980, or served on Johnston
Atoll or on a ship that called at Johnston Atoll dur-
ing the period beginning on January 1, 1972, and
ending on September 30, 1977”; and

(2) in subparagraph (B), by inserting after
“1975” the following: “, served on Guam or Amer-
ican Samoa, or in the territorial waters thereof, dur-
ing the period beginning on January 9, 1962, and
ending on July 31, 1980, or served on Johnston
Atoll or on a ship that called at Johnston Atoll dur-
ing the period beginning on January 1, 1972, and
ending on September 30, 1977.”.

(b) **ELIGIBILITY FOR HOSPITAL CARE AND MEDICAL**
24 **SERVICES.**—Section 1710(e)(4) is amended by striking
25 subparagraph (A) and inserting the following new sub-
26 paragraph (A):

1 “(A) The term ‘Vietnam-era herbicide-exposed
2 veteran’ means a veteran who—

3 “(i) served on active duty—

4 “(I) in the Republic of Vietnam dur-
5 ing the period beginning on January 9,
6 1962, and ending on May 7, 1975;

7 “(II) on Guam or American Samoa,
8 or in the territorial waters thereof, the pe-
9 riod beginning on January 9, 1962, and
10 ending on July 31, 1980; or

11 “(III) on Johnston Atoll or on a ship
12 that called at Johnston Atoll during the
13 period beginning on January 1, 1972, and
14 ending on September 30, 1977; and

15 “(ii) the Secretary finds may have been ex-
16 posed during such service to dioxin or was ex-
17 posed during such service to a toxic substance
18 found in a herbicide or defoliant used for mili-
19 tary purposes during such period.”.

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