

111TH CONGRESS
1ST SESSION

S. 1939

To amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 2009

Mrs. GILLIBRAND (for herself, Mr. SPECTER, Mr. SCHUMER, Mr. TESTER, and Ms. LANDRIEU) 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 clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, 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 “Agent Orange Equity
5 Act of 2009”.

1 **SEC. 2. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE**
2 **FOR VETERANS WHO SERVED IN THE VICIN-**
3 **ITY OF THE REPUBLIC OF VIETNAM.**

4 (a) CLARIFICATION.—Section 1116 of title 38,
5 United States Code, is amended—

6 (1) in subsections (a)(1) and (f), by striking “a
7 veteran who, during active military, naval, or air
8 service, served in the Republic of Vietnam during
9 the period beginning on January 9, 1962, and end-
10 ing on May 7, 1975” and inserting “a veteran de-
11 scribed in subsection (g)”;

12 (2) by adding at the end the following new sub-
13 section:

14 “(g) A veteran described in this subsection is a vet-
15 eran who—

16 “(1) during active military, naval, or air serv-
17 ice—

18 “(A) served in the Republic of Vietnam
19 (including the inland waterways, ports, and har-
20 bors of such Republic, the waters offshore of
21 such Republic, and the airspace above such Re-
22 public) during the period beginning on January
23 9, 1962, and ending on May 7, 1975; or

24 “(B) served in Johnston Island during the
25 period beginning on April 1, 1972, and ending
26 on September 30, 1977; or

1 “(2) received the Vietnam Service Medal or the
2 Vietnam Campaign Medal.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall take effect as of September 25, 1985.

○