

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2910

To amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2005

Ms. BORDALLO introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, 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. DEFINITION OF AFFECTED AREA TO INCLUDE**  
4 **ADDITIONAL DOWNWIND AREA EXPOSED TO**  
5 **RADIATION.**

6 Section 4(b)(1) of the Radiation Exposure Com-  
7 pensation Act (42 U.S.C. 2210 note) is amended—

1 (1) by striking “and” at the end of subpara-  
2 graph (B); and

3 (2) by adding at the end the following:

4 “(D) the Territory of Guam; and”.

5 **SEC. 2. ELIGIBILITY TO FILE A CLAIM BASED ON PRESENCE**  
6 **DURING PERIOD OF TESTING.**

7 (a) CLAIMS RELATING TO LEUKEMIA.—Section  
8 4(a)(1)(A)(i) of the Radiation Exposure Compensation  
9 Act (42 U.S.C. 2210 note) is amended—

10 (1) in subclauses (I) and (II), by inserting “de-  
11 scribed in subparagraph (A), (B), or (C) of sub-  
12 section (b)(1)” after “affected area”;

13 (2) in subclause (II)—

14 (A) by striking “in the” before “affected  
15 area” and inserting “in an”; and

16 (B) by striking “or” at the end;

17 (3) by redesignating subclause (III) as sub-  
18 clause (V); and

19 (4) by inserting after subclause (II) the fol-  
20 lowing:

21 “(III) was physically present in  
22 the affected area described in sub-  
23 section (b)(1)(D) for a period of at  
24 least 1 year during the period begin-

1                   ning on June 30, 1946, and ending on  
2                   August 18, 1958;

3                   “(IV) was physically present in  
4                   the affected area described in sub-  
5                   section (b)(1)(D) for the period begin-  
6                   ning on April 25, 1962, and ending  
7                   on November 4, 1962; or”.

8           (b) CLAIMS RELATING TO SPECIFIED DISEASES.—  
9 Section 4(a)(2) of the Radiation Exposure Compensation  
10 Act (42 U.S.C. 2210 note) is amended—

11           (1) in subparagraphs (A) and (B)—

12                   (A) by striking “in the” before “affected  
13                   area” and inserting “in an”; and

14                   (B) by inserting “described in subpara-  
15                   graph (A), (B), or (C) of subsection (b)(1)”  
16                   after “affected area”;

17           (2) in subparagraph (B), by striking “or” at  
18           the end;

19           (3) by redesignating subparagraph (C) as sub-  
20           paragraph (E); and

21           (4) by inserting after subparagraph (B) the fol-  
22           lowing:

23                   “(C) was physically present in the affected  
24                   area described in subsection (b)(1)(D) for a pe-  
25                   riod of at least 2 years during the period begin-

1           ning on June 30, 1946, and ending on August  
2           18, 1958,

3           “(D) was physically present in the affected  
4           area described in subsection (b)(1)(D) for the  
5           period beginning on April 25, 1962, and ending  
6           on November 4, 1962, or”.

7   **SEC. 3. CONFORMING AMENDMENTS.**

8           (a) CLAIMS RELATING TO LEUKEMIA.—Section  
9   4(a)(1) of the Radiation Exposure Compensation Act (42  
10 U.S.C. 2210 note) is amended—

11           (1) in subparagraphs (A)(ii)(I) and (B)(i), by  
12           striking “in subclause (I) or (II)” and inserting “in  
13           subclause (I), (II), (III), or (IV)”;

14           (2) in subparagraph (A)(ii)(I), by striking “in  
15           clause (i)(III)” and inserting “in clause (i)(V)”;

16           (3) in subparagraph (B)(ii), by striking “in  
17           subclause (III)” and inserting “in subclause (V)”.

18           (b) CLAIMS RELATING TO SPECIFIED DISEASES.—  
19   Section 4(a)(2) of the Radiation Exposure Compensation  
20   Act (42 U.S.C. 2210 note) is amended—

21           (1) by striking “in subparagraph (A) or (B))”  
22           and inserting “in subparagraph (A), (B), (C), or  
23           (D))”; and

24           (2) by striking “in subparagraph (C))” and in-  
25           serting “in subparagraph (E))”.

1           (c) DETERMINATION AND PAYMENT OF CLAIMS.—  
2 Section 6 of the Radiation Exposure Compensation Act  
3 (42 U.S.C. 2210 note) is amended—

4           (1) in subsections (b)(2)(C) and (c)(2)(B), by  
5 striking “under section 4(a)(2)(C)” and inserting  
6 “under section 4(a)(2)(E)”; and

7           (2) in subsections (c)(2)(A) and (e), by striking  
8 “or (a)(2)(B) of section 4” each place that it ap-  
9 pears and inserting “(a)(2)(B), (a)(2)(C), or  
10 (a)(2)(D) of section 4”.

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