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	IN	THE	SENA	ATE	OF	THE	UNI	TED	STATE	$\mathbf{S}$

Mr. Moran (for himself, Mr. Tester, Mr. Blunt, Ms. Warren, Mr. Cramer, Mr. Blumenthal, Mr. Brown, Ms. Collins, Mr. Menendez, Mr. Merkley, Mr. King, Ms. Baldwin, 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 provide for a presumption of herbicide exposure for certain veterans who served in Korea, 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 "Fairness for Korean
- 5 DMZ Veterans Act of 2019".

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- 1	SEC 9	DREGIMDTION	OF HEBBICIDE	EXPOSURE FOR	CFR.
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- 2 TAIN VETERANS WHO SERVED IN KOREA.
- 3 (a) IN GENERAL.—Chapter 11 of title 38, United
- 4 States Code, is amended by inserting after section 1116
- 5 the following new section:

## 6 "§ 1116A. Presumption of herbicide exposure for cer-

## 7 tain veterans who served in Korea

- 8 "(a) Presumption of Service-Connection.—(1)
- 9 For the purposes of section 1110 of this title, and subject
- 10 to section 1113 of this title, a disease specified in sub-
- 11 section (b) that becomes manifest as specified in that sub-
- 12 section in a veteran described in paragraph (2) shall be
- 13 considered to have been incurred or aggravated in the line
- 14 of duty in the active military, naval, or air service, not-
- 15 withstanding that there is no record of evidence of such
- 16 disease during the period of such service.
- 17 "(2) A veteran described in this paragraph is a vet-
- 18 eran who, during active military, naval, or air service,
- 19 served in or near the Korean demilitarized zone (DMZ),
- 20 during the period beginning on September 1, 1967, and
- 21 ending on August 31, 1971.
- 22 "(b) Diseases.—A disease specified in this sub-
- 23 section is—
- 24 "(1) a disease specified in paragraph (2) of
- subsection (a) of section 1116 of this title that be-
- comes manifest as specified in that paragraph; or

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1	"(2) any additional disease that—
2	"(A) the Secretary determines in regula-
3	tions warrants a presumption of service-connec-
4	tion by reason of having positive association
5	with exposure to an herbicide agent; and
6	"(B) becomes manifest within any period
7	prescribed in such regulations.
8	"(c) Herbicide Agent.—For purposes of this sec-
9	tion, the term 'herbicide agent' has the meaning given
10	such term in section 1821(d) of this title.".
11	(b) Clerical Amendment.—The table of sections
12	at the beginning of such chapter is amended by inserting
13	after the item relating to section 1116 the following new
14	item:
	"1116A. Presumption of herbicide exposure for certain veterans who served in Korea.".