

117TH CONGRESS
1ST SESSION

H. R. 3852

To amend title 38, United States Code, to provide for a presumption of toxic exposure for certain veterans who, while serving in the Armed Forces, were consistently exposed to jet fuel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2021

Ms. SPANBERGER (for herself and Mr. BACON) 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 toxic exposure for certain veterans who, while serving in the Armed Forces, were consistently exposed to jet fuel, 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 “William Collins Jet
5 Fuel Exposure Recognition Act”.

1 **SEC. 2. PRESUMPTIONS OF TOXIC EXPOSURE.**

2 (a) IN GENERAL.—Subchapter II of chapter 11 of
3 title 38, United States Code, is amended by adding at the
4 end the following new section:

5 **“§ 1119. Presumptions of toxic exposure**

6 “(a) IN GENERAL.—The Secretary shall, for pur-
7 poses of section 1110 and chapter 17 of this title, presume
8 that any covered veteran was exposed to toxic substances,
9 chemicals, and airborne hazards during the service of the
10 covered veteran, unless there is affirmative evidence to es-
11 tablish that the covered veteran was not exposed to any
12 such substances, chemicals, or hazards in connection with
13 such service.

14 “(b) ADJUDICATION OF CLAIMS.—If a covered vet-
15 eran submits to the Secretary a claim for compensation
16 for a service-connected disability related to jet fuel expo-
17 sure under section 1110 of this title with evidence of a
18 disability and a presumption of toxic exposure under sub-
19 section (a) that occurred during active military, naval, or
20 air service, the Secretary shall, in adjudicating such
21 claim—

22 “(1) provide a medical examination and request
23 a medical opinion for service connection; and

24 “(2) direct a medical provider providing such a
25 medical examination to consider—

1 “(A) the exposure of the veteran to toxic
2 substances during all military deployments; and

3 “(B) the synergistic effect of all combined
4 toxic substances through inhalation, dermal ex-
5 posure, and ingestion.

6 “(c) COVERED VETERAN.—The term ‘covered vet-
7 eran’ means any veteran who, while serving in the active
8 military, naval, or air service, worked for a cumulative pe-
9 riod of at least two years in a military occupational spe-
10 cialty that involved consistent exposure to jet fuel.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 11 is amended by inserting
13 after the item relating to section 1118 the following new
14 item:

 “1119. Presumptions of toxic exposure.”.

15 (c) BIENNIAL REPORT.—

16 (1) IN GENERAL.—Not later than one year
17 after the date of the enactment of this Act, and bi-
18 ennially thereafter during the subsequent eight-year
19 period, the Secretary of Veterans Affairs shall sub-
20 mit to the Committees on Veterans’ Affairs of the
21 Senate and House of Representatives, and make
22 publicly available, a report that includes—

23 (A) a discussion of the effect of various
24 different types of jet fuels used by the Armed

1 Forces on the health of individuals by length of
2 exposure;

3 (B) an identification of the immediate
4 symptoms of jet fuel exposure that may indicate
5 future health risks;

6 (C) a chronology of health safeguards im-
7 plemented by the Armed Forces intended to re-
8 duce the exposure of members of the Armed
9 Forces to jet fuel; and

10 (D) an identification of any areas relating
11 to jet fuel exposure about which new research
12 needs to be done.

13 (2) USE OF FINDINGS.—In evaluating claims
14 for compensation for service-connected disabilities
15 submitted by veterans who were exposed to jet fuel,
16 the Secretary shall take into consideration the find-
17 ings of the reports under this subsection.

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