

111TH CONGRESS
1ST SESSION

S. 919

To amend section 1154 of title 38, United States Code, to clarify the additional requirements for consideration to be afforded time, place, and circumstances of service in determinations regarding service-connected disabilities.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2009

Mr. AKAKA introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend section 1154 of title 38, United States Code, to clarify the additional requirements for consideration to be afforded time, place, and circumstances of service in determinations regarding service-connected disabilities.

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 “Clarification of Char-
5 acteristics of Combat Service Act of 2009”.

1 **SEC. 2. CLARIFICATION OF ADDITIONAL REQUIREMENTS**
2 **FOR CONSIDERATION TO BE AFFORDED**
3 **TIME, PLACE, AND CIRCUMSTANCES OF**
4 **SERVICE IN DETERMINATIONS REGARDING**
5 **SERVICE-CONNECTED DISABILITIES.**

6 Subsection (a) of section 1154 of title 38, United
7 States Code, is amended to read as follows:

8 “(a)(1) The Secretary shall include in the regulations
9 pertaining to service-connection of disabilities the fol-
10 lowing:

11 “(A) Additional provisions in effect requiring
12 that in each case where a veteran is seeking service-
13 connection for any disability due consideration shall
14 be given to the places, types, and circumstances of
15 such veteran’s service as shown by such veteran’s
16 service record, the official history of each organiza-
17 tion in which such veteran served, such veteran’s
18 medical records, and all pertinent medical and lay
19 evidence.

20 “(B) Additional provisions specifying that, in
21 the case of a veteran who served in a particular com-
22 bat zone, the Secretary shall accept credible lay or
23 other evidence as sufficient proof that the veteran
24 encountered an event that the Secretary specifies in
25 such regulations as associated with service in par-
26 ticular locations where the veteran served or in par-

1 ticular circumstances under which the veteran served
2 in such combat zone.

3 “(C) The provisions required by section 5 of the
4 Veterans’ Dioxin and Radiation Exposure Com-
5 pensation Standards Act (Public Law 98–542; 98
6 Stat. 2727).

7 “(2) In paragraph (1)(B), the term ‘combat zone’
8 means a combat zone for purposes of section 112 of the
9 Internal Revenue Code of 1986 or a predecessor provision
10 of law.”.

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