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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To establish a presumption of service connection for certain diseases associated with exposure to certain toxins at the Pentagon Reservation during certain period beginning on September 11, 2001.

IN THE HOUSE OF REPRESENTATIVES

Mr. SUBRAMANYAM introduced the following bill; which was referred to the Committee on _____

A BILL

To establish a presumption of service connection for certain diseases associated with exposure to certain toxins at the Pentagon Reservation during certain period beginning on September 11, 2001.

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 “Susan E. Lukas 9/
5 11 Servicemember Fairness Act”.

1 **SEC. 2. PRESUMPTION OF SERVICE CONNECTION FOR CER-**
2 **TAIN DISEASES ASSOCIATED WITH EXPO-**
3 **SURE TO CERTAIN TOXINS AT THE PEN-**
4 **TAGON RESERVATION DURING CERTAIN PE-**
5 **RIOD BEGINNING ON SEPTEMBER 11, 2001.**

6 Subchapter II of chapter 11 of title 38, United States
7 Code is amended by adding at the end the following new
8 section (and conforming the table of sections at the begin-
9 ning of such chapter accordingly):

10 **“§ 1120A. Presumption of service connection for cer-**
11 **tain diseases associated with exposure to**
12 **toxins at Pentagon Reservation during**
13 **certain period beginning on September**
14 **11, 2001**

15 “(a) PRESUMPTION OF SERVICE CONNECTION.—For
16 the purposes of section 1110 of this title, and subject to
17 section 1113 of this title, a disease specified in subsection
18 (b) becoming manifest in a covered veteran shall be con-
19 sidered to have been incurred in or aggravated during ac-
20 tive military, naval, air, or space service, notwithstanding
21 that there is no record of evidence of such disease during
22 the period of such service.

23 “(b) DISEASES SPECIFIED.—The diseases specified
24 in this subsection are the following:

25 “(1) Asthma.

26 “(2) Chronic obstructive pulmonary disease.

1 “(3) Emphysema.

2 “(4) Tracheomalacia.

3 “(5) Cancer of any type.

4 “(6) A cardiovascular disease of any type.

5 “(7) A skin disease of any type.

6 “(8) A respiratory disease of any type.

7 “(9) Any other illness or condition for which
8 the Secretary determines, pursuant to regulations
9 prescribed under subchapter VII that a presumption
10 of service connection is warranted based on a posi-
11 tive association with a substance, chemical, or air-
12 borne hazard identified in the list under section
13 1119(b)(2) of this title.

14 “(c) DEFINITIONS.—In this section:

15 “(1) The term ‘covered veteran’ means any vet-
16 eran who, during the period beginning on September
17 11, 2001, and ending on November 19, 2001, per-
18 formed active military, naval, air, or space service
19 while assigned to a duty station at the Pentagon
20 Reservation.

21 “(2) The term ‘Pentagon Reservation’ has the
22 meaning given such term in section 2674 of title
23 10.”.