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119TH CONGRESS
2D SESSION**S. 2220****[Report No. 119-_____]**

To expand presumptions of exposure by members of the Armed Forces to toxic substances, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2025

Ms. ROSEN (for herself and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

_____ (legislative day, _____), _____

Reported by Mr. MORAN, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To expand presumptions of exposure by members of the Armed Forces to toxic substances, 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 "~~Fighting for the Over-~~
5 ~~looked Recognition of Groups Operating in Toxic Test En-~~

1 vironments in Nevada (~~FORGOTTEN~~) Veterans Act of
2 2025”.

3 **SEC. 2. EXPANSION OF INDIVIDUAL LONGITUDINAL EXPO-**
4 **SURE RECORD TO INCLUDE INFORMATION**
5 **RELATING TO TOXIC EXPOSURES.**

6 (a) ~~ALL EXPOSURES.~~—The Secretary of Defense
7 shall expand the Individual Longitudinal Exposure Record
8 (in this section referred to as the “~~ILER~~”) to document
9 all toxic exposures of members of the Armed Forces, in-
10 cluding those that occur within the United States, so it
11 can be available for the Secretary of Veterans Affairs
12 when such members transition to civilian life, including
13 information relating to the following:

14 (1) ~~All-hazard occupational data.~~

15 (2) ~~Environmental hazards that were known or~~
16 ~~found later to which the member was exposed, in-~~
17 ~~cluding through conducting any monitoring in an~~
18 ~~area in which the member may have been exposed.~~

19 (b) ~~MEDICAL INFORMATION.~~—The Secretary of De-
20 fense shall expand the ~~ILER~~ to include the following med-
21 ical information of members of the Armed Forces so it
22 can be available for the Secretary of Veterans Affairs
23 when such members transition to civilian life:

1 (1) Medical encounter information relating to
2 toxic exposures (such as diagnosis, treatment, and
3 laboratory data).

4 (2) Medical concerns that should be addressed
5 regarding possible toxic exposures.

6 (c) AVAILABILITY TO CERTAIN PROFESSIONALS.—

7 The Secretary of Defense and the Secretary of Veterans
8 Affairs shall ensure that the IHER is available, for pur-
9 poses of improving internal processes, to the following:

10 (1) Health care providers of the Department of
11 Defense and the Department of Veterans Affairs.

12 (2) Epidemiologists and researchers of the De-
13 partment of Defense and the Department of Vet-
14 erans Affairs.

15 (3) Disability evaluation and benefits deter-
16 minations specialists of the Department of Veterans
17 Affairs.

18 (d) INCLUSION IN SERVICE RECORDS.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall document in the service records of a member
21 of the Armed Forces whether such member served at
22 a location where there was a potential of toxic expo-
23 sure.

24 (2) PROTECTION OF CLASSIFIED INFORMA-
25 TION.—In carrying out paragraph (1), the Secretary

1 of Defense shall ensure that service at any location
2 that is classified is protected from disclosure and
3 may contain simply a box to be checked to indicate
4 that a member of the Armed Forces served at a lo-
5 cation where there was a potential of toxic exposure.

6 **SEC. 3. PRESUMPTION OF EXPOSURE FOR MEMBERS OF**
7 **THE ARMED FORCES AND CIVILIAN EMPLOY-**
8 **EES OF THE DEPARTMENT OF DEFENSE AT**
9 **DEPARTMENT OF ENERGY FACILITIES.**

10 (a) **IN GENERAL.**—Members of the Armed Forces
11 and civilian employees of the Department of Defense who
12 are or have been stationed or employed at a covered facil-
13 ity shall be presumed to have been exposed to toxic sub-
14 stances.

15 (b) **COVERED FACILITY DEFINED.**—The term “cov-
16 ered facility” means any facility on the most recent list
17 of facilities covered under the Energy Employees Occupa-
18 tional Illness Compensation Program Act of 2000 (42
19 U.S.C. 7384 et seq.) published in the Federal Register by
20 the Department of Energy.

1 **SEC. 4. CLASSIFICATION OF NEVADA TEST AND TRAINING**
2 **RANGE AS LOCATION WHERE CONTAMINA-**
3 **TION OCCURRED AND MEMBERS OF THE**
4 **ARMED FORCES WERE EXPOSED TO TOXIC**
5 **SUBSTANCES.**

6 (a) **IN GENERAL.**—The Secretary of Defense shall
7 classify the Nevada Test and Training Range as a location
8 where contamination occurred.

9 (b) **IDENTIFICATION PROCESS.**—

10 (1) **IN GENERAL.**—The Secretary of the Air
11 Force shall establish a process to identify members
12 of the Armed Forces and former members of the
13 Armed Forces that were stationed at the Nevada
14 Test and Training Range since January 27, 1951.

15 (2) **DOCUMENTATION.**—The Secretary of the
16 Air Force shall establish a process to permit mem-
17 bers of the Armed Forces and former members of
18 the Armed Forces to provide documentation or evi-
19 dence of their assignment within the Nevada Test
20 and Training Range to assist the Secretary in iden-
21 tifying those members and former members under
22 paragraph (1).

23 (3) **EFFORTS.**—The Secretary of the Air Force
24 shall make all efforts to identify individuals de-
25 scribed in paragraph (1) and shall not require mem-

1 bers of the Armed Forces or former members of the
2 Armed Forces to submit evidence of their stationing.

3 **SEC. 5. TREATMENT AS RADIATION-RISK ACTIVITIES BY DE-**
4 **PARTMENT OF VETERANS AFFAIRS.**

5 Section 1112(e)(3) of title 38, United States Code,
6 is amended—

7 (1) in subparagraph (B) by adding at the end
8 the following new clause:

9 “(viii) At any time on or after Janu-
10 ary 27, 1951, onsite participation in any
11 aspect of the development, construction,
12 operation, or maintenance of a military in-
13 stallation (as defined in section 2801 of
14 title 10) at a covered location at the Ne-
15 vada Test and Training Range.”; and

16 (2) by adding at the end the following new sub-
17 paragraph:

18 “(C) The term ‘covered location at the Ne-
19 vada Test and Training Range’ means a loca-
20 tion at the Nevada Test and Training Range,
21 Nevada, where there was a potential of toxic ex-
22 posure.”.

1 **SEC. 6. PRESUMPTIONS OF TOXIC EXPOSURE BY DEPART-**
2 **MENT OF VETERANS AFFAIRS.**

3 Section 1119(c) of title 38, United States Code, is
4 amended—

5 (1) in paragraph (1)—

6 (A) by redesignating subparagraphs (A)
7 and (B) as subparagraphs (B) and (C), respec-
8 tively; and

9 (B) by inserting before subsection (B), as
10 so redesignated, the following:

11 “(A) on or after January 27, 1951, per-
12 formed active military, naval, air, or space serv-
13 ice while assigned to a duty station in, includ-
14 ing airspace above, a covered location at the
15 Nevada Test and Training Range, Nevada;”
16 and

17 (2) by adding at the end the following new
18 paragraph:

19 “(4) The term ‘covered location at the Nevada
20 Test and Training Range’ means a location at the
21 Nevada Test and Training Range, Nevada, where
22 there was a potential of toxic exposure.”

23 **SEC. 7. PRESUMPTION OF SERVICE CONNECTION BY DE-**
24 **PARTMENT OF VETERANS AFFAIRS.**

25 Section 1120(b) of title 38, United States Code, is
26 amended—

1 (1) by redesignating paragraph (15) as para-
2 graph (16); and

3 (2) by inserting after paragraph (14) the fol-
4 lowing new paragraph:

5 “(15) Only in the case of a covered veteran de-
6 scribed in section 1119(e)(1)(A), lipomas and tumor
7 related conditions.”

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Fighting for the Over-*
10 *looked Recognition of Groups Operating in Toxic Test En-*
11 *vironments in Nevada (FORGOTTEN) Veterans Act of*
12 *2026”.*

13 **SEC. 2. DEFINITIONS.**

14 *In this Act:*

15 (1) *ACTIVE MILITARY, NAVAL, AIR, OR SPACE*
16 *SERVICE.—The term “active military, naval, air, or*
17 *space service” has the meaning given that term in*
18 *section 101(24) of title 38, United States Code.*

19 (2) *COVERED LOCATION.—The term “covered lo-*
20 *cation” means—*

21 (A) *any facility on the most recent list of*
22 *facilities covered under the Energy Employees*
23 *Occupational Illness Compensation Program Act*
24 *of 2000 (42 U.S.C. 7384 et seq.) published in the*

1 *Federal Register by the Department of Energy;*
2 *or*

3 *(B) any location within the Nevada Test*
4 *and Training Range that is data-masked or clas-*
5 *sified by the Department of Defense.*

6 *(3) TOXIC EXPOSURE.—The term “toxic expo-*
7 *sure” has the meaning given that term in section*
8 *101(37) of title 38, United States Code.*

9 **SEC. 3. COORDINATION WITH DEPARTMENT OF DEFENSE**
10 **TO IDENTIFY VETERANS WHO PERFORMED**
11 **MILITARY SERVICE AT COVERED LOCATIONS.**

12 *(a) IN GENERAL.—The Secretary of Veterans Affairs,*
13 *in coordination with the Secretary of Defense, shall estab-*
14 *lish and carry out a process to identify veterans who served*
15 *at a covered location and may have encountered toxic expo-*
16 *sure during active military, naval, air, or space service.*

17 *(b) USE OF AVAILABLE INFORMATION.—In carrying*
18 *out subsection (a), the Secretary of Veterans Affairs shall*
19 *use—*

20 *(1) military personnel and deployment records*
21 *maintained by the Department of Defense; and*

22 *(2) information provided by veterans through the*
23 *registry established under section 6 of this Act.*

24 *(c) NO AFFIRMATIVE EVIDENCE REQUIRED.—The Sec-*
25 *retary of Veterans Affairs may not require a veteran to pro-*

1 *vide affirmative evidence of exposure to a specific toxic sub-*
2 *stance if service at a covered location is established.*

3 **SEC. 4. TREATMENT AS RADIATION-RISK ACTIVITIES BY DE-**
4 **PARTMENT OF VETERANS AFFAIRS.**

5 *Section 1112(c)(3)(B) of title 38, United States Code,*
6 *is amended by adding at the end the following new clause:*

7 *“(viii) Active military, naval, air, or space*
8 *service, or onsite participation in any aspect of*
9 *the development, construction, operation, or*
10 *maintenance of a military installation (as de-*
11 *finied in section 2801 of title 10), within the area*
12 *that comprises the Nevada Test and Training*
13 *Range and the Nevada National Security Site,*
14 *as defined on March 13, 2026, during the period*
15 *beginning on January 27, 1951, and ending on*
16 *the date which the Secretary of Defense, with*
17 *independent verification, certifies that the area*
18 *that comprises the Nevada Test and Training*
19 *Range and the Nevada National Security Site no*
20 *longer pose radiation risk to personnel present,*
21 *or enactment of the Fighting for the Overlooked*
22 *Recognition of Groups Operating in Toxic Test*
23 *Environments in Nevada (FORGOTTEN) Vet-*
24 *erans Act of 2026, whichever is later.”.*

1 **SEC. 5. STUDY ON TOXIC EXPOSURES AT COVERED LOCA-**
2 **TIONS.**

3 (a) *IN GENERAL.*—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Veterans
5 Affairs, in coordination with the Secretary of Defense, shall
6 seek to enter into an agreement with the Department of
7 Health and Human Services (in this section referred to as
8 the “Department”) or another appropriate scientific orga-
9 nization to study potential toxic exposures and environ-
10 mental hazards at covered locations.

11 (b) *STUDY.*—The study required under subsection (a)
12 shall—

13 (1) *identify exposures associated with military*
14 *occupations of veterans who served at covered loca-*
15 *tions, including exposures relating to chemicals, com-*
16 *pounds, agents, and other phenomena; and*

17 (2) *review the literature to determine associa-*
18 *tions between such exposures and the incidence or*
19 *prevalence of overall cancer morbidity and overall*
20 *cancer mortality, and determine, to the extent pos-*
21 *sible, the prevalence and mortality of cancers among*
22 *such veterans by using available sources of data,*
23 *which may include—*

24 (A) *health care and other administrative*
25 *databases of the Department of Veterans Affairs,*

1 *toxic exposure during active military, naval, air, or space*
2 *service (in this section referred to as the “registry”).*

3 (b) *PURPOSES.—The registry shall be used to—*

4 (1) *collect, process, maintain, and consolidate*
5 *epidemiological information required to analyze inci-*
6 *dence of adverse health effects among veterans who*
7 *served in covered locations;*

8 (2) *facilitate coordination between the Depart-*
9 *ment of Veterans Affairs and the Department of De-*
10 *fense to verify service;*

11 (3) *inform veterans of available health care, ben-*
12 *efits, and screenings; and*

13 (4) *support outreach, research, and claims adju-*
14 *dication related to toxic exposure.*

15 (c) *OPT-OUT AND RECRUITMENT.—*

16 (1) *OPT-OUT.—Participants must have the op-*
17 *portunity to opt-out of inclusion in the registry.*

18 (2) *RECRUITMENT.—The Secretary of Veterans*
19 *Affairs shall recruit veterans described in subsection*
20 *(a) who are not represented in data sources of the De-*
21 *partment of Defense or the Department of Veterans*
22 *Affairs.*

23 (d) *DATA-SHARING.—The Secretary of Veterans Af-*
24 *fairs shall share information collected through the registry*
25 *with the Secretary of Defense, consistent with applicable*

1 *privacy and security laws, for purposes of identifying af-*
2 *ected veterans and improving care and benefits delivery.*

Amend the title so as to read: “A bill to improve benefits for veterans who may have been exposed to toxic substances, and for other purposes.”.