

111TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, 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 “Agent Orange Equity  
5 Act of 2009”.

1 **SEC. 2. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE**  
2 **FOR VETERANS WHO SERVED IN THE VICIN-**  
3 **ITY OF THE REPUBLIC OF VIETNAM.**

4 (a) CLARIFICATION.—Section 1116 of title 38,  
5 United States Code, is amended—

6 (1) in subsections (a)(1) and (f), by striking “a  
7 veteran who, during active military, naval, or air  
8 service, served in the Republic of Vietnam during  
9 the period beginning on January 9, 1962, and end-  
10 ing on May 7, 1975” and inserting “a veteran de-  
11 scribed in subsection (g)”;

12 (2) by adding at the end the following new sub-  
13 section:

14 “(g) A veteran described in this subsection is a vet-  
15 eran who—

16 “(1) during active military, naval, or air serv-  
17 ice—

18 “(A) served in the Republic of Vietnam  
19 (including the inland waterways, ports, and har-  
20 bors of such Republic, the waters offshore of  
21 such Republic, and the airspace above such Re-  
22 public) during the period beginning on January  
23 9, 1962, and ending on May 7, 1975; or

24 “(B) served in Johnston Island during the  
25 period beginning on April 1, 1972, and ending  
26 on September 30, 1977; or

1           “(2) received the Vietnam Service Medal or the  
2           Vietnam Campaign Medal.”.

3           (b) **EFFECTIVE DATE.**—The amendments made by  
4           subsection (a) shall take effect as of September 25, 1985.