

119TH CONGRESS
2^D SESSION

H. R. 9127

To improve benefits for veterans who may have been exposed to toxic substances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2026

Ms. LEE of Nevada (for herself and Mr. AMODEI of Nevada) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve benefits for veterans who may have been exposed 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 “Sergeant Dave Crete
5 Fighting for the Overlooked Recognition of Groups Oper-
6 ating in Toxic Test Environments in Nevada Veterans Act
7 of 2026” or the “Sergeant Dave Crete FORGOTTEN
8 Veterans Act of 2026”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

7 (2) **COVERED LOCATION.**—The term “covered
8 location” means—

9 (A) any facility on the most recent list of
10 facilities covered under the Energy Employees
11 Occupational Illness Compensation Program
12 Act of 2000 (42 U.S.C. 7384 et seq.) published
13 in the Federal Register by the Department of
14 Energy; or

15 (B) with respect to service on or after Jan-
16 uary 27, 1951, any location within the Nevada
17 Test and Training Range or the Nevada Na-
18 tional Security Site (as defined on May 19,
19 2026).

20 (3) **TOXIC EXPOSURE.**—The term “toxic expo-
21 sure” has the meaning given that term in section
22 101(37) of title 38, United States Code.

1 **SEC. 3. COORDINATION WITH DEPARTMENT OF DEFENSE**
2 **TO IDENTIFY VETERANS WHO PERFORMED**
3 **MILITARY SERVICE AT COVERED LOCATIONS.**

4 (a) IN GENERAL.—The Secretary of Veterans Af-
5 fairs, in coordination with the Secretary of Defense, shall
6 establish and carry out a process to identify veterans who
7 served at a covered location and may have encountered
8 toxic exposure during active military, naval, air, or space
9 service.

10 (b) USE OF AVAILABLE INFORMATION.—In carrying
11 out subsection (a), the Secretary of Veterans Affairs shall
12 use—

13 (1) military personnel and deployment records
14 maintained by the Department of Defense; and

15 (2) information provided by veterans through
16 the registry established under section 7.

17 (c) NO AFFIRMATIVE EVIDENCE REQUIRED.—The
18 Secretary of Veterans Affairs may not require a veteran
19 to provide affirmative evidence of exposure to a specific
20 toxic substance if service at a covered location is estab-
21 lished.

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

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

1 “(viii) Active military, naval, air, or space
2 service, or onsite participation in any aspect of
3 the development, construction, operation, or
4 maintenance of a military installation (as de-
5 fined in section 2801 of title 10), within the
6 area that comprises the Nevada Test and
7 Training Range and the Nevada National Secu-
8 rity Site, as defined on May 19, 2026, during
9 the period beginning on January 27, 1951, and
10 ending on the date which the Secretary of De-
11 fense, with independent verification, certifies
12 that the area that comprises the Nevada Test
13 and Training Range and the Nevada National
14 Security Site no longer pose radiation risk to
15 personnel present, or enactment of the Sergeant
16 Dave Crete Fighting for the Overlooked Rec-
17 ognition of Groups Operating in Toxic Test En-
18 vironments in Nevada Veterans Act of 2026,
19 whichever is later.”.

20 **SEC. 5. PRESUMPTION OF TOXIC EXPOSURE FOR VET-**
21 **ERANS WHO SERVED AT COVERED LOCA-**
22 **TIONS AND PRESUMPTION OF SERVICE CON-**
23 **NECTION FOR CERTAIN DISEASES.**

24 Section 1119(c)(1) of title 38, United States Code,
25 is amended—

1 (1) in subparagraph (A)(viii), by striking “; or”
2 and inserting a semicolon;

3 (2) in subparagraph (B)(ix), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (3) by adding at the end the following new sub-
6 paragraphs:

7 “(C) at any time, performed active mili-
8 tary, naval, air, or space service while assigned
9 to a duty station in, including airspace above,
10 any facility on the most recent list of facilities
11 covered under the Energy Employees Occupa-
12 tional Illness Compensation Program Act of
13 2000 (42 U.S.C. 7384 et seq.) published in the
14 Federal Register by the Department of Energy;
15 or

16 “(D) on or after January 27, 1951, per-
17 formed active military, naval, air, or space serv-
18 ice while assigned to a duty station in, includ-
19 ing airspace above, any location within the area
20 that comprises the Nevada Test and Training
21 Range and the Nevada National Security Site,
22 as defined on May 19, 2026.”.

1 **SEC. 6. 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 Vet-
5 erans Affairs, in coordination with the Secretary of De-
6 fense, shall seek to enter into an agreement with the De-
7 partment of Health and Human Services or another ap-
8 propriate scientific organization to study potential toxic
9 exposures and environmental hazards at covered locations.

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

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

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

23 (A) health care and other administrative
24 databases of the Department of Veterans Af-
25 fairs, the Department of Defense, and the mili-
26 tary departments, respectively; and

1 (B) the national death index maintained by
2 the National Center for Health Statistics of the
3 Centers for Disease Control and Prevention.

4 (c) TRANSFER AUTHORITY.—Amounts authorized to
5 be appropriated to the Secretary of Defense to carry out
6 the study required under subsection (a) may be trans-
7 ferred without regard to section 2215 of title 10, United
8 States Code, to the Secretary of Health and Human Serv-
9 ices to pay for the study.

10 (d) REPORT.—At the conclusion of the study required
11 under subsection (a), the Department of Health and
12 Human Services or other appropriate scientific organiza-
13 tion, as the case may be, shall submit to the Secretary
14 of Veterans Affairs, the Committee on Veterans' Affairs
15 of the Senate, the Committee on Veterans' Affairs of the
16 House of Representatives, the President of the National
17 Academies of Sciences, Engineering, and Medicine, and
18 the Chair of the National Research Council a report con-
19 taining the results of the study.

20 **SEC. 7. ESTABLISHMENT OF COVERED LOCATION VETERAN**
21 **REGISTRY.**

22 (a) ESTABLISHMENT.—The Secretary of Veterans
23 Affairs shall establish and maintain a registry of veterans
24 who served at covered locations who may have encountered

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,
12 benefits, and screenings; and

13 (4) support outreach, research, and claims ad-
14 judication 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
21 Department of Defense or the Department of Vet-
22 erans 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 fected veterans and improving care and benefits delivery.

3 **SEC. 8. CLASSIFICATION OF CERTAIN FACILITIES AS LOCA-**
4 **TIONS WHERE CONTAMINATION OCCURRED**
5 **AND MEMBERS OF THE ARMED FORCES**
6 **WERE EXPOSED TO TOXIC SUBSTANCES.**

7 (a) IN GENERAL.—The Secretary of Defense shall
8 classify the following locations as a location where con-
9 tamination occurred:

10 (1) On and after January 27, 1951, the Nevada
11 Test and Training Range, including the Nevada Na-
12 tional Security Site (as such site is defined on May
13 19, 2026).

14 (2) Any facility on the most recent list of facili-
15 ties covered under the Energy Employees Occupa-
16 tional Illness Compensation Program Act of 2000
17 (42 U.S.C. 7384 et seq.) published in the Federal
18 Register by the Secretary of Energy.

19 (b) IDENTIFICATION PROCESS.—

20 (1) IN GENERAL.—The Secretary of Defense
21 shall establish a process to identify members of the
22 Armed Forces and former members of the Armed
23 Forces that were stationed at a facility specified in
24 subsection (a).

1 (2) DOCUMENTATION.—The Secretary of De-
2 fense shall establish a process to permit members of
3 the Armed Forces and former members of the
4 Armed Forces to provide documentation or evidence
5 of their assignment at a facility specified in sub-
6 section (a) to assist the Secretary in identifying
7 those members and former members under para-
8 graph (1).

9 (3) EFFORTS.—The Secretary of Defense shall
10 make all efforts to identify individuals described in
11 paragraph (1) and shall not require members of the
12 Armed Forces or former members of the Armed
13 Forces to submit evidence of their stationing.

14 (c) SHARING OF INFORMATION.—The Secretary of
15 Defense shall share with the Secretary of Veterans Affairs
16 all information and documentation gathered under sub-
17 section (b) in order to provide the Secretary of Veterans
18 Affairs with adequate documentation of the service of
19 members of the Armed Forces and former members of the
20 Armed Forces at facilities specified in subsection (a) and
21 any injuries, exposures, or illnesses related to such service,
22 for the purpose of establishing any claim for benefits
23 under the laws administered by the Secretary of Veterans

- 1 Affairs to which such members and former members are
- 2 legally entitled.

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