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99TH CONGRESS
1ST SESSION

S. 1616

To require the Administrator of Veterans' Affairs to provide for the conduct of an epidemiological study of the gender-specific effect of exposure to the herbicide known as Agent Orange on women veterans of service in the Republic of Vietnam.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10 (legislative day, SEPTEMBER 9), 1985

Mr. CRANSTON (for himself, Mr. DECONCINI, Mr. ROCKEFELLER, and Mr. INOUYE) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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A BILL

To require the Administrator of Veterans' Affairs to provide for the conduct of an epidemiological study of the gender-specific effect of exposure to the herbicide known as Agent Orange on women veterans of service in the Republic of Vietnam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) the Administrator of Veterans' Affairs, through contracts or agreements with private or public agencies or persons, shall provide for the conduct of an epidemiological study of any long-term adverse gender-specific health effects in women of service in the Armed Forces of the United

States in the Republic of Vietnam during the period of the Vietnam conflict as such health effects may result from exposure to—

(A) phenoxy herbicides (including the herbicide known as agent orange); and

(B) the class of chemicals known as the dioxins produced during the manufacture of such herbicides.

(2) In providing for the conduct of such study, the Administrator may expand the scope of the study to include an evaluation of any long-term adverse gender-specific health effects in women of such service as such health effects may result from other factors involved in such service (including exposure to other herbicides, chemicals, medications, or environmental hazards or conditions).

(3) The Administrator may also include in the study an evaluation of the means of detecting and treating adverse gender-specific health effects found through the study.

(b)(1) The study required by subsection (a) shall be conducted in accordance with a protocol approved by the Director of the Office of Technology Assessment.

(2) The Director shall monitor the conduct of such study in order to ensure compliance with such protocol.

(3)(A) Concurrent with the approval or disapproval or any protocol under paragraph (1), the Director shall submit to the appropriate committees of the Congress a report—

(i) explaining the basis for the Director's action in approving or disapproving the protocol; and

(ii) providing the Director's conclusions regarding the scientific validity and objectivity of the protocol.

(B) If the Director has not approved such a protocol during the one hundred eighty days following the date of the enactment of this Act, the Director—

(i) shall submit to the appropriate committees of the Congress a report describing the reasons why the Director has not given such approval; and

(ii) shall submit to such committees an update report on such initial report each sixty days thereafter until such a protocol is approved.

(4) The Director shall submit to the appropriate committees of the Congress, at each of the times specified in the second sentence of this paragraph, a report on the Director's monitoring of the conduct of such study pursuant to paragraph (2). A report under the preceding sentence shall be submitted—

(A) before the end of the six-month period beginning on the date of the approval of the protocol by the Director;

(B) before the end of the twelve-month period beginning on such date; and

(C) annually thereafter until the study is completed or terminated.

(c) The study conducted pursuant to subsection (a) shall be continued for as long after the submission of the first report under subsection (d)(1) as the Administrator may determine reasonable in light of the possibility of developing through such study significant new information on the long-term gender-specific adverse health effects in women of exposure to dioxins.

(d)(1) Not later than twenty four months after the date of the approval of the protocol pursuant to subsection (b)(1) and annually thereafter, the Administrator shall submit to the appropriate committees of the Congress a report containing—

(A) a description of the results thus far obtained under the study conducted pursuant to such subsection; and

(B) such comments and recommendations for administrative or legislative action, or both, as the Administrator considers appropriate in light of such results.

(2) Not later than ninety days after the submission of each report under paragraph (1), the Administrator shall publish in the Federal Register, for public review and comment, a description of any action that the Administrator proposes to

take with respect to programs administered by the Veterans' Administration. Each such description shall include a justification or rationale for any such action the Administrator proposes to take. Any such proposal shall be based on the results described in the report under paragraph (1) and the comments and recommendations on that report and any other available pertinent information.

(e) For the purposes of this section, the term "gender-specific health effects in women" includes (1) effects on female reproductive capacity and reproductive organs, (2) reproductive outcomes, (3) effects on female-specific organs and tissues, and (4) other effects unique to the physiology of females.

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