

119TH CONGRESS
1ST SESSION

S. 2220

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

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-
6 vironments in Nevada (FORGOTTEN) Veterans Act of
7 2025”.

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

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

12 (1) All-hazard occupational data.

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

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

22 (1) Medical encounter information relating to
23 toxic exposures (such as diagnosis, treatment, and
24 laboratory data).

25 (2) Medical concerns that should be addressed
26 regarding possible toxic exposures.

1 (c) AVAILABILITY TO CERTAIN PROFESSIONALS.—

2 The Secretary of Defense and the Secretary of Veterans
3 Affairs shall ensure that the ILER is available, for pur-
4 poses of improving internal processes, to the following:

5 (1) Health care providers of the Department of
6 Defense and the Department of Veterans Affairs.

7 (2) Epidemiologists and researchers of the De-
8 partment of Defense and the Department of Vet-
9 erans Affairs.

10 (3) Disability evaluation and benefits deter-
11 minations specialists of the Department of Veterans
12 Affairs.

13 (d) INCLUSION IN SERVICE RECORDS.—

14 (1) IN GENERAL.—The Secretary of Defense
15 shall document in the service records of a member
16 of the Armed Forces whether such member served at
17 a location where there was a potential of toxic expo-
18 sure.

19 (2) PROTECTION OF CLASSIFIED INFORMA-
20 TION.—In carrying out paragraph (1), the Secretary
21 of Defense shall ensure that service at any location
22 that is classified is protected from disclosure and
23 may contain simply a box to be checked to indicate
24 that a member of the Armed Forces served at a lo-
25 cation where there was a potential of toxic exposure.

1 **SEC. 3. PRESUMPTION OF EXPOSURE FOR MEMBERS OF**
 2 **THE ARMED FORCES AND CIVILIAN EMPLOY-**
 3 **EES OF THE DEPARTMENT OF DEFENSE AT**
 4 **DEPARTMENT OF ENERGY FACILITIES.**

5 (a) IN GENERAL.—Members of the Armed Forces
 6 and civilian employees of the Department of Defense who
 7 are or have been stationed or employed at a covered facil-
 8 ity shall be presumed to have been exposed to toxic sub-
 9 stances.

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

16 **SEC. 4. CLASSIFICATION OF NEVADA TEST AND TRAINING**
 17 **RANGE AS LOCATION WHERE CONTAMINA-**
 18 **TION OCCURRED AND MEMBERS OF THE**
 19 **ARMED FORCES WERE EXPOSED TO TOXIC**
 20 **SUBSTANCES.**

21 (a) IN GENERAL.—The Secretary of Defense shall
 22 classify the Nevada Test and Training Range as a location
 23 where contamination occurred.

24 (b) IDENTIFICATION PROCESS.—

25 (1) IN GENERAL.—The Secretary of the Air
 26 Force shall establish a process to identify members

1 of the Armed Forces and former members of the
 2 Armed Forces that were stationed at the Nevada
 3 Test and Training Range since January 27, 1951.

4 (2) DOCUMENTATION.—The Secretary of the
 5 Air Force shall establish a process to permit mem-
 6 bers of the Armed Forces and former members of
 7 the Armed Forces to provide documentation or evi-
 8 dence of their assignment within the Nevada Test
 9 and Training Range to assist the Secretary in iden-
 10 tifying those members and former members under
 11 paragraph (1).

12 (3) EFFORTS.—The Secretary of the Air Force
 13 shall make all efforts to identify individuals de-
 14 scribed in paragraph (1) and shall not require mem-
 15 bers of the Armed Forces or former members of the
 16 Armed Forces to submit evidence of their stationing.

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

19 Section 1112(c)(3) of title 38, United States Code,
 20 is amended—

21 (1) in subparagraph (B) by adding at the end
 22 the following new clause:

23 “(viii) At any time on or after Janu-
 24 ary 27, 1951, onsite participation in any
 25 aspect of the development, construction,

1 operation, or maintenance of a military in-
 2 stallation (as defined in section 2801 of
 3 title 10) at a covered location at the Ne-
 4 vada Test and Training Range.”; and

5 (2) by adding at the end the following new sub-
 6 paragraph:

7 “(C) The term ‘covered location at the Ne-
 8 vada Test and Training Range’ means a loca-
 9 tion at the Nevada Test and Training Range,
 10 Nevada, where there was a potential of toxic ex-
 11 posure.”.

12 **SEC. 6. PRESUMPTIONS OF TOXIC EXPOSURE BY DEPART-**
 13 **MENT OF VETERANS AFFAIRS.**

14 Section 1119(c) of title 38, United States Code, is
 15 amended—

16 (1) in paragraph (1)—

17 (A) by redesignating subparagraphs (A)
 18 and (B) as subparagraphs (B) and (C), respec-
 19 tively; and

20 (B) by inserting before subsection (B), as
 21 so redesignated, the following:

22 “(A) on or after January 27, 1951, per-
 23 formed active military, naval, air, or space serv-
 24 ice while assigned to a duty station in, includ-
 25 ing airspace above, a covered location at the

1 Nevada Test and Training Range, Nevada;”;
 2 and

3 (2) by adding at the end the following new
 4 paragraph:

5 “(4) The term ‘covered location at the Nevada
 6 Test and Training Range’ means a location at the
 7 Nevada Test and Training Range, Nevada, where
 8 there was a potential of toxic exposure.”.

9 **SEC. 7. PRESUMPTION OF SERVICE CONNECTION BY DE-**
 10 **PARTMENT OF VETERANS AFFAIRS.**

11 Section 1120(b) of title 38, United States Code, is
 12 amended—

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

15 (2) by inserting after paragraph (14) the fol-
 16 lowing new paragraph:

17 “(15) Only in the case of a covered veteran de-
 18 scribed in section 1119(c)(1)(A), lipomas and tumor
 19 related conditions.”.

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