

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4292

To require the Secretary of Energy to report on certain radiation experiments,  
and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1994

Mr. MARKEY introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To require the Secretary of Energy to report on certain  
radiation experiments, 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 “Radiation Experimen-  
5 tation Victims Act of 1994”.

6 **SEC. 2. REPORT ON CERTAIN RADIATION EXPERIMENTS.**

7 Not later than 1 year after the date of the enactment  
8 of this Act, the Secretary of Energy shall submit to the  
9 Congress a report on all experiments that exposed individ-  
10 uals to radiation and were conducted or funded (in whole

1 or in part) by the Department of Energy, the Atomic En-  
2 ergy Commission, or the Energy Research and Develop-  
3 ment Administration. The report shall include the  
4 following:

5 (1) A statement of the number of such radi-  
6 ation experiments that, in the determination of the  
7 Secretary, provided no therapeutic or medical benefit  
8 to the individuals who were the subjects of such ex-  
9 periments.

10 (2) An explanation of the nature of each such  
11 experiment.

12 (3) For each such experiment, a statement of  
13 the number of individuals who were the subject of  
14 the experiment.

15 (4) A statement of the extent to which the Sec-  
16 retary has—

17 (A) notified each individual who was the  
18 subject of any such experiment of the nature of  
19 the experiment; and

20 (B) provided to each such individual medi-  
21 cal information on possible adverse effects on  
22 the individual as a result of participation in the  
23 experiment, available treatments for such ef-  
24 fects, and likely sources of such treatment.

1 **SEC. 3. PLAN FOR CONDUCT OF HEALTH STUDIES.**

2 The Secretary of Energy shall, after consulting with  
3 the Secretary of Health and Human Services, develop a  
4 plan to conduct appropriate studies of the long-term  
5 health effects of the experiments described in section 1  
6 on the individuals referred to in such section and on the  
7 natural children of such individuals.

8 **SEC. 4. RECOMMENDATIONS FOR COMPENSATION.**

9 (a) IN GENERAL.—Not later than 6 months after the  
10 date of the enactment of this Act, the Secretary of Energy  
11 shall submit to the Congress the Secretary's recommenda-  
12 tions regarding the appropriate compensation, if any, for  
13 the following:

14 (1) An individual described in section 1 who has  
15 contracted a disease which is related to exposure to  
16 radiation. The Secretary shall make recommenda-  
17 tions regarding whether compensation is appropriate  
18 in the case of any such individual if a causal rela-  
19 tionship between the contract of the disease and the  
20 individual's participation in an experiment referred  
21 to in section 1 cannot be established.

22 (2) The natural child of an individual referred  
23 to in paragraph (1) if the natural child has con-  
24 tracted a disease which is related to exposure to ra-  
25 diation. The Secretary shall make recommendations  
26 regarding whether compensation is appropriate in

1 the case of any such natural child if a causal rela-  
2 tionship between the contract of the disease and the  
3 participation of the natural child's parent in an ex-  
4 periment referred to in section 1 cannot be estab-  
5 lished.

6 (3) An individual who, in the determination of  
7 the Secretary, otherwise has been wronged by the  
8 conduct of an experiment referred to in section 1.

9 (b) CONSULTATION.—The Secretary of Energy shall  
10 consult with the Attorney General and the Assistant Sec-  
11 retary of Energy for Environment, Safety and Health  
12 in preparing the recommendations required by subsection  
13 (a).

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