

H.R.

Depleted Uranium Munitions Study Act of 2003 (Introduced in House)

108th CONGRESS

1st Session

H. R. 1483

To require certain studies of the health effects of depleted uranium munitions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 11, 2003

A BILL

To require certain studies of the health effects of such munitions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE- This Act may be cited as the 'Depleted Uranium Munitions Study Act of 2003'.

(b) TABLE OF CONTENTS- The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Purposes.

Sec. 4. Study of health effects of depleted uranium.

Sec. 5. EPA studies of environmental contamination by depleted uranium.

Sec. 6. Environmental mitigation and cleanup requirements.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The highest regard should be given to the health and safety of the Nation's military personnel.

(2) Among the characteristics of depleted uranium munitions are that (A) they are pyrophoric, resulting in the munition burning upon impact with a target, and (B) the

impact of a depleted uranium munition on a target creates aerosol particles, which can be inhaled.

(3) Depleted uranium munitions were used by the United States in 1991 during the Persian Gulf War in Southwest Asia and during the conflicts in the former Federal Republic of Yugoslavia (Bosnia, Kosovo, Serbia, and Montenegro) during the 1990s, with approximately 300 metric tons of depleted uranium being used during the Gulf War, three metric tons being used in Bosnia, and over nine metric tons being used in Kosovo, Serbia, and Montenegro.

(4) The United States has provided or sold depleted uranium and depleted uranium munitions to allied nations, and the United Kingdom used depleted uranium munitions during the Persian Gulf War.

(5) Depleted uranium munitions have been used at numerous United States military installations, proving grounds, and testing facilities.

(6) The Iraqi Government has claimed that depleted uranium is affecting the health of their people, although such claims have yet to be independently verified.

(7) No definitive cause has been established for the various illnesses (commonly referred to as Gulf War Syndrome) that currently affect approximately 130,000 United States servicemembers and veterans who served in Southwest Asia during the Persian Gulf War.

(8) The United States Navy and the British Royal Navy are phasing out use of depleted uranium munitions.

(9) It has been reported that depleted uranium munitions use has proliferated to more than 20 nations.

(10) The 1949 Geneva Convention specifically outlines the precautions warring nations must take to avoid harming civilian populations, and it would be a violation of the 1977 Protocol to that Convention to cause superfluous injury or unnecessary suffering to civilians, as depleted uranium may cause.

(11) Depleted uranium is a toxic, carcinogenic, and radioactive material with a half-life of 4.5 billion years.

SEC. 3. PURPOSES.

The purposes of this Act are the following:

(1) To provide for studies of--

(A) the health effects resulting from exposure to depleted uranium munitions by inhalation, ingestion, or injection; and

(C) environmental contamination caused by depleted uranium at sites where depleted uranium was used in conflict, development, testing, or training and at sites where depleted uranium and depleted uranium munitions were produced.

(2) To require the Administrator of the Environmental Protection Agency to issue regulations and requirements, based upon Environmental Protection Agency studies, concerning the cleanup and mitigation of depleted uranium contamination at sites of depleted uranium munition use and production in the United States.

SEC. 4. STUDY OF HEALTH EFFECTS OF DEPLETED URANIUM.

(a) STUDY- The Director of the Agency for Toxic Substances and Disease Registry and the Director of the Center for Disease Control and Prevention shall jointly conduct a comprehensive study of the health effects of exposure to depleted uranium munitions on uranium-exposed veterans and on their children who were born after their respective exposures to uranium.

(b) URANIUM-EXPOSED VETERANS- For purposes of this section, the term 'uranium-exposed veteran' means a member or former member of the Armed Forces who while on active duty handled, came in contact with, or had the likelihood of contact with depleted uranium munitions, including members and former members who while on active duty--

(1) were exposed to smoke from fires resulting from the burning of vehicles uploaded with depleted uranium munitions or fires at depots at which depleted uranium was stored;

(2) worked within environments containing depleted uranium dust or residues from depleted uranium fires;

(3) were within a structure or vehicle while it was struck by a depleted uranium munition;

(4) climbed on or entered equipment or structures struck by depleted uranium; or

(5) were medical personnel who provided near-term treatment to members of the Armed Forces described in paragraph (1), (2), (3), or (4).

(c) PUBLIC HEALTH ASSESSMENT- The Director of the Agency for Toxic Substances and Disease Registry shall conduct a public health assessment of persons who are thought to have an epidemiological link to any United States military installation or facility at which depleted uranium munitions have been or currently are used or any production facility at which depleted uranium or depleted uranium munitions are currently, or have been, produced.

(d) REPORT- The Directors shall submit to Congress a report on the results of the study under subsection (a) and the assessment under subsection (c). The report shall be submitted not later than two years after the date of the enactment of this Act and shall include the findings of the Directors on the matters covered by the report. The Directors shall include in the report a list of diseases or conditions that are found to exist within the populations specified in subsection (a) and their rate of occurrence compared to the general population.

SEC. 5. EPA STUDIES OF ENVIRONMENTAL CONTAMINATION BY DEPLETED URANIUM.

(a) LIST OF LOCATIONS IN UNITED STATES- Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Administrator of the Environmental Protection Agency a list of all sites in the United States where depleted uranium munitions have been used or produced and a site-specific map of each such site.

(b) EPA STUDIES- After receipt of the list and maps under subsection (a), the Administrator shall, for each site specified on the list, conduct a comprehensive environmental study of the possible contamination of the soil, air, water, and vegetation by depleted uranium at that site.

(c) REPORT- Not later than two years after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency shall submit to the Secretary of Defense and the Committee on Armed Services and the Committee on Government Reform of the House of Representatives and the Committee on Armed Services and the Committee on Governmental Affairs of the Senate a report--

(1) describing the extent of contamination by depleted uranium at each site studied by the Administrator pursuant to subsection (b);

(2) providing site-specific recommendations for the mitigation and cleanup of each such site; and

(3) providing general recommendations regarding the cleanup of sites where depleted uranium has been used on foreign lands.

SEC. 6. ENVIRONMENTAL MITIGATION AND CLEANUP REQUIREMENTS.

(a) DEPARTMENT OF DEFENSE CLEANUP PLAN- Not later than one year after receiving the report under section 5(c), the Secretary of Defense shall develop a plan for mitigation and cleanup at each site and a prioritized list for such cleanups. The Secretary shall submit a copy of the plan to the Committee on Armed Services and the Committee on Government Reform of the House of Representatives and the Committee on Armed Services and the Committee on Governmental Affairs of the Senate.

(b) REPORT- The Secretary shall submit a report to those committees and the Administrator of the Environmental Protection Agency each year before commencement of the mitigations and cleanups until those projects are complete.

(c) CLEANUP- After filing of such plans, the Secretary shall commence, or contract for, the mitigation and cleanup of each site for which the Administrator of the Environmental Protection Agency has recommended such mitigation and cleanup and in the manner and scope that the Administrator's report specifies.

(d) APPLICABILITY OF NEPA- Notwithstanding any other provision of law, the cleanup and mitigation required by subsection (c) shall be carried out in a manner consistent with the

provisions of the National Environmental Policy Act of 1969, without regard to any exemption to any of the provisions of that Act for the Department of Defense or any element thereof.