

106TH CONGRESS
1ST SESSION

S. 1515

To amend the Radiation Exposure Compensation Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

Mr. HATCH (for himself, Mr. DASCHLE, Mr. CAMPBELL, Mr. BINGAMAN, and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Radiation Exposure Compensation Act, 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 Exposure
5 Compensation Act Amendments of 1999”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Radiation Exposure Compensation Act
9 (42 U.S.C. 2210 note) recognized the responsibility
10 of the Federal Government to compensate individ-

1 uals who were harmed by the mining of radioactive
2 materials or fallout from nuclear arms testing;

3 (2) a congressional oversight hearing conducted
4 by the Committee on Labor and Human Resources
5 of the Senate demonstrated that since enactment of
6 the Radiation Exposure Compensation Act (42
7 U.S.C. 2210 note), regulatory burdens have made it
8 too difficult for some deserving individuals to be
9 fairly and efficiently compensated;

10 (3) reports of the Atomic Energy Commission
11 and the National Institute for Occupational Safety
12 and Health testify to the need to extend eligibility
13 to States in which the Federal Government spon-
14 sored uranium mining and milling from 1941
15 through 1971;

16 (4) scientific data resulting from the enactment
17 of the Radiation Exposed Veterans Compensation
18 Act of 1988 (38 U.S.C. 101 note), and obtained
19 from the Committee on the Biological Effects of Ion-
20 izing Radiations, and the President's Advisory Com-
21 mittee on Human Radiation Experiments provide
22 medical validation for the extension of compensable
23 radiogenic pathologies;

24 (5) above-ground uranium miners, millers and
25 individuals who transported ore should be fairly

1 compensated, in a manner similar to that provided
 2 for underground uranium miners, in cases in which
 3 those individuals suffered disease or resultant death,
 4 associated with radiation exposure, due to the failure
 5 of the Federal Government to warn and otherwise
 6 help protect citizens from the health hazards ad-
 7 dressed by the Radiation Exposure Compensation
 8 Act of 1990 (42 U.S.C. 2210 note); and

9 (6) it should be the responsibility of the Federal
 10 Government in partnership with State and local gov-
 11 ernments and appropriate healthcare organizations,
 12 to initiate and support programs designed for the
 13 early detection, prevention and education on
 14 radiogenic diseases in approved States to aid the
 15 thousands of individuals adversely affected by the
 16 mining of uranium and the testing of nuclear weap-
 17 ons for the Nation's weapons arsenal.

18 **SEC. 3. AMENDMENTS TO THE RADIATION EXPOSURE COM-**
 19 **PENSATION ACT.**

20 (a) CLAIMS RELATING TO ATMOSPHERIC NUCLEAR
 21 TESTING.—Section 4(a)(1) of the Radiation Exposure
 22 Compensation Act (42 U.S.C. 2210 note) is amended to
 23 read as follows:

24 “(1) CLAIMS RELATING TO LEUKEMIA.—

1 “(A) IN GENERAL.—An individual de-
2 scribed in this subparagraph shall receive an
3 amount specified in subparagraph (B) if the
4 conditions described in subparagraph (C) are
5 met. An individual referred to in the preceding
6 sentence is an individual who—

7 “(i)(I) was physically present in an af-
8 fected area for a period of at least 1 year
9 during the period beginning on January
10 21, 1951, and ending on October 31, 1958;

11 “(II) was physically present in the af-
12 fected area for the period beginning on
13 June 30, 1962, and ending on July 31,
14 1962; or

15 “(III) participated onsite in a test in-
16 volving the atmospheric detonation of a
17 nuclear device; and

18 “(ii) submits written documentation
19 that such individual developed leukemia—

20 “(I) after the applicable period of
21 physical presence described in sub-
22 clause (I) or (II) of clause (i) or on-
23 site participation described in clause
24 (i)(III) (as the case may be); and

1 “(II) more than 2 years after
2 first exposure to fallout.

3 “(B) AMOUNTS.—If the conditions de-
4 scribed in subparagraph (C) are met, an
5 individual—

6 “(i) who is described in subclause (I)
7 or (II) of subparagraph (A)(i) shall receive
8 \$50,000; or

9 “(ii) who is described in subclause
10 (III) of subparagraph (A)(i) shall receive
11 \$75,000.

12 “(C) CONDITIONS.—The conditions de-
13 scribed in this subparagraph are as follows:

14 “(i) Initial exposure occurred prior to
15 age 21.

16 “(ii) The claim for a payment under
17 subparagraph (B) is filed with the Attor-
18 ney General by or on behalf of the indi-
19 vidual.

20 “(iii) The Attorney General deter-
21 mines, in accordance with section 6, that
22 the claim meets the requirements of this
23 Act.”.

1 (b) DEFINITIONS.—Section 4(b) of the Radiation Ex-
 2 posure Compensation Act (42 U.S.C. 2210 note) is
 3 amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A) by inserting
 6 “Wayne, San Juan,” after “Millard,”; and

7 (B) by amending subparagraph (C) to read
 8 as follows:

9 “(C) in the State of Arizona, the counties
 10 of Coconino, Yavapai, Navajo, Apache, and
 11 Gila; and”; and

12 (2) in paragraph (2)—

13 (A) by striking “the onset of the disease
 14 was between 2 and 30 years of first exposure,”
 15 and inserting “the onset of the disease was at
 16 least 2 years after first exposure, lung cancer
 17 (other than in situ lung cancer that is discov-
 18 ered during or after a post-mortem exam),”;

19 (B) by striking “(provided initial exposure
 20 occurred by the age of 20)” after “thyroid”;

21 (C) by inserting “male or” before “female
 22 breast”;

23 (D) by striking “(provided initial exposure
 24 occurred prior to age 40)” after “female
 25 breast”;

1 (E) by striking “(provided low alcohol con-
 2 sumption and not a heavy smoker)” after
 3 “esophagus”;

4 (F) by striking “(provided initial exposure
 5 occurred before age 30)” after “stomach”;

6 (G) by striking “(provided not a heavy
 7 smoker)” after “pharynx”;

8 (H) by striking “(provided not a heavy
 9 smoker and low coffee consumption)” after
 10 “pancreas”; and

11 (I) by inserting “salivary gland, urinary
 12 bladder, brain, colon, ovary,” after “gall blad-
 13 der,”.

14 (c) CLAIMS RELATING TO URANIUM MINING.—

15 (1) IN GENERAL.—Section 5(a) of the Radi-
 16 ation Exposure Compensation Act (42 U.S.C. 2210
 17 note) is amended to read as follows:

18 “(a) ELIGIBILITY OF INDIVIDUALS.—

19 “(1) IN GENERAL.—An individual shall receive
 20 \$100,000 for a claim made under this Act if—

21 “(A) that individual—

22 “(i) was employed in a uranium mine
 23 or uranium mill (including any individual
 24 who was employed in the transport of ura-
 25 nium ore or vanadium-uranium ore from

1 such mine or mill) located in Colorado,
2 New Mexico, Arizona, Wyoming, South
3 Dakota, Washington, Utah, Idaho, North
4 Dakota, Oregon, and Texas at any time
5 during the period beginning on January 1,
6 1942, and ending on December 31, 1971;
7 and

8 “(ii)(I) was a miner exposed to 40 or
9 more working level months of radiation
10 and submits written medical documenta-
11 tion that the individual, after that expo-
12 sure, developed lung cancer or a nonmalignant
13 respiratory disease; or

14 “(II) was a miller or ore transporter
15 who worked for at least 1 year during the
16 period described under clause (i) and sub-
17 mits written medical documentation that
18 the individual, after that exposure, devel-
19 oped lung cancer or a nonmalignant res-
20 piratory disease;

21 “(B) the claim for that payment is filed
22 with the Attorney General by or on behalf of
23 that individual; and

1 “(C) the Attorney General determines, in
2 accordance with section 6, that the claim meets
3 the requirements of this Act.

4 “(2) INCLUSION OF ADDITIONAL STATES.—
5 Paragraph (1)(A)(i) shall apply to a State, in addi-
6 tion to the States named under such clause, if—

7 “(A) an Atomic Energy Commission ura-
8 nium mine was operated in such State at any
9 time during the period beginning on January 1,
10 1942, and ending on December 31, 1971;

11 “(B) the State submits an application to
12 the Department of Justice to include such
13 State; and

14 “(C) the Attorney General makes a deter-
15 mination to include such State.

16 “(3) PAYMENT REQUIREMENT.—Each payment
17 under this section may be made only in accordance
18 with section 6.”.

19 (2) DEFINITIONS.—Section 5(b) of the Radi-
20 ation Exposure Compensation Act (42 U.S.C. 2210
21 note) is amended—

22 (A) in paragraph (3)—

23 (i) by striking “and” before
24 “corpulmonale”;

1 (ii) by striking “; and if the claim-
 2 ant,” and all that follows through the end
 3 of the paragraph and inserting “, silicosis,
 4 and pneumoconiosis”; and

5 (iii) by striking “and” at the end of
 6 the paragraph;

7 (B) by striking the period at the end of
 8 paragraph (4) and inserting a semicolon; and

9 (C) by adding at the end the following:

10 “(5) the term ‘written medical documentation’
 11 for purposes of proving a nonmalignant respiratory
 12 disease or lung cancer means, in any case in which
 13 the claimant is living—

14 “(A)(i) an arterial blood gas study; or

15 “(ii) a written diagnosis by a physician
 16 meeting the requirements of subsection (c)(1);
 17 and

18 “(B)(i) a chest x-ray administered in ac-
 19 cordance with standard techniques and the in-
 20 terpretive reports of a maximum of 2 National
 21 Institute of Occupational Health and Safety
 22 certified ‘B’ readers classifying the existence of
 23 the nonmalignant respiratory disease of cat-
 24 egory 1/0 or higher according to a 1989 report

1 of the International Labor Office (known as the
2 ‘ILO’), or subsequent revisions;

3 “(ii) high resolution computed tomography
4 scans (commonly known as ‘HRCT scans’) (in-
5 cluding computer assisted tomography scans
6 (commonly known as ‘CAT scans’), magnetic
7 resonance imaging scans (commonly known as
8 ‘MRI scans’), and positron emission tomog-
9 raphy scans (commonly known as ‘PET scans’))
10 and interpretive reports of such scans;

11 “(iii) pathology reports of tissue biopsies;
12 or

13 “(iv) pulmonary function tests indicating
14 restrictive lung function, as defined by the
15 American Thoracic Society;

16 “(6) the term ‘lung cancer’—

17 “(A) means any physiological condition of
18 the lung, trachea, or bronchus that is recog-
19 nized as lung cancer by the National Cancer In-
20 stitute; and

21 “(B) includes in situ lung cancers;

22 “(7) the term ‘uranium mine’ means any under-
23 ground excavation, including ‘dog holes’, as well as
24 open pit, strip, rim, surface, or other aboveground

1 mines, where uranium ore or vanadium-uranium ore
 2 was mined or otherwise extracted; and

3 “(8) the term ‘uranium mill’ includes milling
 4 operations involving the processing of uranium ore
 5 or vanadium-uranium ore, including both carbonate
 6 and acid leach plants.”.

7 (3) WRITTEN DOCUMENTATION.—Section 5 of
 8 the Radiation Exposure Compensation Act (42
 9 U.S.C. 2210 note) is amended by adding at the end
 10 the following:

11 “(c) WRITTEN DOCUMENTATION.—

12 “(1) DIAGNOSIS ALTERNATIVE TO ARTERIAL
 13 BLOOD GAS STUDY.—

14 “(A) IN GENERAL.—For purposes of this
 15 Act, the written diagnosis and the accom-
 16 panying interpretive reports described in sub-
 17 section (b)(5)(A) shall—

18 “(i) be considered to be conclusive;

19 and

20 “(ii) be subject to a fair and random
 21 audit procedure established by the Attor-
 22 ney General.

23 “(B) CERTAIN WRITTEN DIAGNOSES.—

24 “(i) IN GENERAL.—For purposes of
 25 this Act, a written diagnosis made by a

1 physician described under clause (ii) of a
2 nonmalignant pulmonary disease or lung
3 cancer of a claimant that is accompanied
4 by written documentation shall be consid-
5 ered to be conclusive evidence of that dis-
6 ease.

7 “(ii) DESCRIPTION OF PHYSICIANS.—
8 A physician referred to under clause (i) is
9 a physician who—

10 “(I) is employed by the Indian
11 Health Service or the Department of
12 Veterans Affairs; or

13 “(II) is a board certified physi-
14 cian; and

15 “(III) has a documented ongoing
16 physician patient relationship with the
17 claimant.

18 “(2) CHEST X-RAYS.—

19 “(A) IN GENERAL.—For purposes of this
20 Act, a chest x-ray and the accompanying inter-
21 pretive reports described in subsection
22 (b)(5)(B) shall—

23 “(i) be considered to be conclusive;
24 and

1 “(ii) be subject to a fair and random
 2 audit procedure established by the Attor-
 3 ney General.

4 “(B) CERTAIN WRITTEN DIAGNOSES.—

5 “(i) IN GENERAL.—For purposes of
 6 this Act, a written diagnosis made by a
 7 physician described in clause (ii) of a non-
 8 malignant pulmonary disease or lung can-
 9 cer of a claimant that is accompanied by
 10 written documentation that meets the defi-
 11 nition of that term under subsection (b)(5)
 12 shall be considered to be conclusive evi-
 13 dence of that disease.

14 “(ii) DESCRIPTION OF PHYSICIANS.—
 15 A physician referred to under clause (i) is
 16 a physician who—

17 “(I) is employed by—

18 “(aa) the Indian Health
 19 Service; or

20 “(bb) the Department of
 21 Veterans Affairs; and

22 “(II) has a documented ongoing
 23 physician patient relationship with the
 24 claimant.”.

25 (d) DETERMINATION AND PAYMENT OF CLAIMS.—

1 (1) FILING PROCEDURES.—Section 6(a) of the
2 Radiation Exposure Compensation Act (42 U.S.C.
3 2210 note) is amended by adding at the end the fol-
4 lowing: “In establishing procedures under this sub-
5 section, the Attorney General shall take into account
6 and make allowances for the law, tradition, and cus-
7 toms of Indian tribes (as that term is defined in sec-
8 tion 5(b)) and members of Indian tribes, to the max-
9 imum extent practicable.”.

10 (2) DETERMINATION AND PAYMENT OF CLAIMS,
11 GENERALLY.—Section 6(b)(1) of the Radiation Ex-
12 posure Compensation Act (42 U.S.C. 2210 note) is
13 amended by adding at the end the following: “All
14 reasonable doubt with regard to whether a claim
15 meets the requirements of this Act shall be resolved
16 in favor of the claimant.”.

17 (3) OFFSET FOR CERTAIN PAYMENTS.—Section
18 6(c)(2)(B) of the Radiation Exposure Compensation
19 Act (42 U.S.C. 2210 note) is amended—

20 (A) in clause (i), by inserting “(other than
21 a claim for workers’ compensation)” after
22 “claim”; and

23 (B) in clause (ii), by striking “Federal
24 Government” and inserting “Department of
25 Veterans Affairs”.

1 (4) APPLICATION OF NATIVE AMERICAN LAW TO
2 CLAIMS.—Section 6(c)(4) of the Radiation Exposure
3 Compensation Act (42 U.S.C. 2210 note) is amend-
4 ed by adding at the end the following:

5 “(D) APPLICATION OF NATIVE AMERICAN
6 LAW.—In determining those individuals eligible
7 to receive compensation by virtue of marriage,
8 relationship, or survivorship, such determina-
9 tion shall take into consideration and give effect
10 to established law, tradition, and custom of the
11 particular affected Indian tribe.”.

12 (5) ACTION ON CLAIMS.—Section 6(d) of the
13 Radiation Exposure Compensation Act (42 U.S.C.
14 2210 note) is amended—

15 (A) by inserting “(1) IN GENERAL.—” be-
16 fore “The Attorney General”;

17 (B) by inserting at the end the following:
18 “For purposes of determining when the 12-
19 month period ends, a claim under this Act shall
20 be deemed filed as of the date of its receipt by
21 the Attorney General. In the event of the denial
22 of a claim, the claimant shall be permitted a
23 reasonable period in which to seek administra-
24 tive review of the denial by the Attorney Gen-
25 eral. The Attorney General shall make a final

1 determination with respect to any administra-
2 tive review within 90 days after the receipt of
3 the claimant's request for such review. In the
4 event the Attorney General fails to render a de-
5 termination within 12 months after the date of
6 the receipt of such request, the claim shall be
7 deemed awarded as a matter of law and paid.”;
8 and

9 (C) by adding at the end the following:

10 “(2) ADDITIONAL INFORMATION.—The Attor-
11 ney General may request from any claimant under
12 this Act, or from any individual or entity on behalf
13 of any such claimant, any reasonable additional in-
14 formation or documentation necessary to complete
15 the determination on the claim in accordance with
16 the procedures established under subsection (a).

17 “(3) TREATMENT OF PERIOD ASSOCIATED WITH
18 REQUEST.—

19 “(A) IN GENERAL.—The period described
20 in subparagraph (B) shall not apply to the 12-
21 month limitation under paragraph (1).

22 “(B) PERIOD.—The period described in
23 this subparagraph is the period—

24 “(i) beginning on the date on which
25 the Attorney General makes a request for

1 additional information or documentation
 2 under paragraph (2); and

3 “(ii) ending on the date on which the
 4 claimant or individual or entity acting on
 5 behalf of that claimant submits that infor-
 6 mation or documentation or informs the
 7 Attorney General that it is not possible to
 8 provide that information or that the claim-
 9 ant or individual or entity will not provide
 10 that information.

11 “(4) PAYMENT WITHIN 6 WEEKS.—The Attor-
 12 ney General shall ensure that an approved claim is
 13 paid not later than 6 weeks after the date on which
 14 such claim is approved.

15 “(5) NATIVE AMERICAN CONSIDERATIONS.—
 16 Any procedures under this subsection shall take into
 17 consideration and incorporate, to the fullest extent
 18 feasible, Native American law, tradition, and custom
 19 with respect to the submission and processing of
 20 claims by Native Americans.”.

21 (e) REGULATIONS.—

22 (1) IN GENERAL.—Section 6(i) of the Radiation
 23 Exposure Compensation Act (42 U.S.C. 2210 note)
 24 is amended by adding at the end the following: “Not
 25 later than 180 days after the date of enactment of

1 the Radiation Exposure Compensation Act Amend-
2 ments of 1999, the Attorney General shall issue re-
3 vised regulations to carry out this Act.”.

4 (2) AFFIDAVITS.—

5 (A) IN GENERAL.—The Attorney General
6 shall take such action as may be necessary to
7 ensure that the procedures established by the
8 Attorney General under section 6 of the Radi-
9 ation Exposure Compensation Act (42 U.S.C.
10 2210 note) provide that, in addition to any
11 other material that may be used to substantiate
12 employment history for purposes of determining
13 working level months, an individual filing a
14 claim under those procedures may make such a
15 substantiation by means of an affidavit de-
16 scribed in subparagraph (B).

17 (B) AFFIDAVITS.—An affidavit referred to
18 under subparagraph (A) is an affidavit—

19 (i) that meets such requirements as
20 the Attorney General may establish; and

21 (ii) is made by a person other than
22 the individual filing the claim that attests
23 to the employment history of the claimant.

1 (f) LIMITATIONS ON CLAIMS.—Section 8 of the Radi-
 2 ation Exposure Compensation Act (42 U.S.C. 2210 note)
 3 is amended—

4 (1) by inserting “(a) IN GENERAL.—” before
 5 “A claim”; and

6 (2) by adding at the end the following:

7 “(b) RESUBMITTAL OF CLAIMS.—After the date of
 8 enactment of the Radiation Exposure Compensation Act
 9 Amendments of 1999, any claimant who has been denied
 10 compensation under this Act may resubmit a claim for
 11 consideration by the Attorney General in accordance with
 12 this Act not more than 3 times. Any resubmittal made
 13 before the date of enactment of the Radiation Exposure
 14 Compensation Act Amendments of 1999 shall not be ap-
 15 plied to the limitation under the preceding sentence.”.

16 (g) EXTENSION OF CLAIMS AND FUND.—

17 (1) EXTENSION OF CLAIMS.—Section 8 of the
 18 Radiation Exposure Compensation Act (42 U.S.C.
 19 2210 note) is amended by striking “20 years after
 20 the date of the enactment of this Act” and inserting
 21 “22 years after the date of enactment of the Radi-
 22 ation Exposure Compensation Act Amendments of
 23 1999”.

24 (2) EXTENSION OF FUND.—Section 3(d) of the
 25 Radiation Exposure Compensation Act (42 U.S.C.

1 2210 note) is amended in the first sentence by strik-
2 ing “date of the enactment of this Act” and insert-
3 ing “date of enactment of the Radiation Exposure
4 Compensation Act Amendments of 1999”.

5 (h) ATTORNEY FEES LIMITATIONS.—Section 9 of the
6 Radiation Exposure Compensation Act (42 U.S.C. 2210
7 note) is amended in the first sentence by striking “10 per
8 centum” and inserting “2 percent”.

9 (i) GAO REPORTS.—

10 (1) IN GENERAL.—Not later than 18 months
11 after the date of enactment of this Act, and every
12 18 months thereafter, the General Accounting Office
13 shall submit a report to Congress containing a de-
14 tailed accounting of the administration of the Radi-
15 ation Exposure Compensation Act (42 U.S.C. 2210
16 note) by the Department of Justice.

17 (2) CONTENTS.—Each report submitted under
18 this subsection shall include an analysis of—

19 (A) claims, awards, and administrative
20 costs under the Radiation Exposure Compensa-
21 tion Act (42 U.S.C. 2210 note); and

22 (B) the budget of the Department of Jus-
23 tice relating to such Act.

1 **SEC. 4. ESTABLISHMENT OF PROGRAM OF GRANTS TO**
2 **STATES FOR EDUCATION, PREVENTION, AND**
3 **EARLY DETECTION OF RADIOGENIC CAN-**
4 **CERS AND DISEASES.**

5 Subpart I of part C of title IV of the Public Health
6 Service Act (42 U.S.C. 285 et seq.) is amended by adding
7 at the end the following:

8 **“SEC. 417C. GRANTS FOR EDUCATION, PREVENTION, AND**
9 **EARLY DETECTION OF RADIOGENIC CAN-**
10 **CERS AND DISEASES.**

11 “(a) DEFINITION.—In this section the term ‘entity’
12 means any—

13 “(1) National Cancer Institute-designated can-
14 cer center;

15 “(2) Department of Veterans Affairs hospital or
16 medical center;

17 “(3) Federally Qualified Health Center, com-
18 munity health center, or hospital;

19 “(4) agency of any State or local government,
20 including any State department of health; or

21 “(5) nonprofit organization.

22 “(b) IN GENERAL.—The Secretary, acting through
23 the Administrator of the Health Resources and Services
24 Administration in consultation with the Director of the
25 National Institutes of Health and the Director of the In-

1 dian Health Service, may make competitive grants to any
2 entity for the purpose of carrying out programs to—

3 “(1) screen individuals described under section
4 4(a)(1)(A)(i) or 5(a)(1)(A) of the Radiation Expo-
5 sure Compensation Act (42 U.S.C. 2210 note) for
6 cancer as a preventative health measure;

7 “(2) provide appropriate referrals for medical
8 treatment of individuals screened under paragraph
9 (1) and to ensure, to the extent practicable, the pro-
10 vision of appropriate follow-up services;

11 “(3) develop and disseminate public information
12 and education programs for the detection, preven-
13 tion, and treatment of radiogenic cancers and dis-
14 eases; and

15 “(4) facilitate putative applicants in the docu-
16 mentation of claims as described in section 5(a) of
17 the Radiation Exposure Compensation Act (42
18 U.S.C. 2210 note).

19 “(c) INDIAN HEALTH SERVICE.—The programs
20 under subsection (a) shall include programs provided
21 through the Indian Health Service or through tribal con-
22 tracts, compacts, grants, or cooperative agreements with
23 the Indian Health Service and which are determined ap-
24 propriate to raising the health status of Indians.

1 “(d) GRANT AND CONTRACT AUTHORITY.—Entities
2 receiving a grant under subsection (b) may expend the
3 grant to carry out the purpose described in such sub-
4 section.

5 “(e) HEALTH COVERAGE UNAFFECTED.—Nothing in
6 this section shall be construed to affect any coverage obli-
7 gation of a governmental or private health plan or pro-
8 gram relating to an individual referred to under subsection
9 (b)(1).

10 “(f) REPORT TO CONGRESS.—Beginning on October
11 1 of the year following the date on which amounts are
12 first appropriated to carry out this section and annually
13 on each October 1 thereafter, the Secretary shall submit
14 a report to the Committee on the Judiciary and the Com-
15 mittee on Health, Education, Labor, and Pensions of the
16 Senate and to the Committee on the Judiciary and the
17 Committee on Commerce of the House of Representatives.
18 Each report shall summarize the expenditures and pro-
19 grams funded under this section as the Secretary deter-
20 mines to be appropriate.

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated for the purpose of car-
23 rying out this section \$20,000,000 for fiscal year 1999

1 and such sums as may be necessary for each of the fiscal
2 years 2000 through 2009.”.

○