AMENDMENT
TO RULES COMMITTEE PRINT 116–19
OFFERED BY MR. LUJÁN OF NEW MEXICO

At the end of subtitle B of title III, insert the following:

SEC. ___. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by adding at the end the following:

“(3) AFFIDAVITS.—

“(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

“(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

“(ii) attests to the employment history of the individual;
“(iii) is made subject to penalty for perjury; and
“(iv) is made by a person other than the individual filing the claim.

“(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual’s physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—
“(i) is provided in addition to other material that may be used to substantiate the individual’s presence in an affected area during that time period;
“(ii) attests to the individual’s presence in an affected area during that period;
“(iii) is made subject to penalty for perjury; and
“(iv) is made by a person other than the individual filing the claim.

“(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as
evidence to substantiate an individual’s participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

“(i) is provided in addition to other material that may be used to substantiate the individual’s participation onsite in a test involving the atmospheric detonation of a nuclear device;

“(ii) attests to the individual’s participation onsite in a test involving the atmospheric detonation of a nuclear device;

“(iii) is made subject to penalty for

perjury; and

“(iv) is made by a person other than the individual filing the claim.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

Section 6 of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the first sentence, by striking “subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and inserting “subsection
(a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4”; and

(ii) in clause (i), by striking “subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and inserting “subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4”; and

(B) in subparagraph (B), by striking “section 4(a)(2)(C)” and inserting “section 4(a)(2)(E)”;

(2) in subsection (e), by striking “subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and inserting “subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4”.

(c) REGULATIONS.—

(1) IN GENERAL.—Section 6(k) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by adding at the end the following: “Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2019, the Attorney General shall issue revised regulations to carry out this Act.”.

(2) CONSIDERATIONS IN REVISIONS.—In issuing revised regulations under section 6(k) of the
Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended under paragraph (1), the Attorney General shall ensure that procedures with respect to the submission and processing of claims under such Act take into account and make allowances for the law, tradition, and customs of Indian tribes, including by accepting as a record of proof of physical presence for a claimant a grazing permit, a homesite lease, a record of being a holder of a post office box, a letter from an elected leader of an Indian tribe, or a record of any recognized tribal association or organization.

(d) FUNDING.—

(1) AUTHORIZATION.—There is authorized to be appropriated $500,000 for fiscal year 2020 to carry out section 6(b)(3) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as added by this section.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4103, is hereby reduced by $500,000.