

# Fact Sheet



## *Defense Threat Reduction Agency*

### **Veterans Benefits Programs for U.S. Nuclear Test Participants and Hiroshima/Nagasaki Occupation Forces (Toll-Free Helpline: 800-462-3683)**

The Defense Threat Reduction Agency (DTRA) is the Department of Defense (DOD) executive agent for the Nuclear Test Personnel Review (NTPR) Program, which serves veterans who participated in U.S. nuclear tests, served with the U.S. occupation forces of Hiroshima and Nagasaki, Japan, or were prisoners of war in Japan at the conclusion of World War II. The primary purpose of the NTPR Program is to provide participation data and radiation dose information for veterans. It also informs veterans of health care availability and possible compensation benefits provided by the Department of Veterans Affairs (VA) and the Department of Justice (DOJ).

#### **Compensation Regulations**

Various public laws as codified by Title 38, Code of Federal Regulations, Part 3 (38 CFR 3), authorizes VA to provide medical care and compensation benefits to confirmed test participants who contracted specified diseases after their participation, as well as dependency and indemnity compensation to certain survivors. Other public laws as codified by 28 CFR 79 authorizes the DOJ to provide compensation for confirmed participants who contracted specified diseases after their participation in above-ground nuclear testing.

#### **VA Medical Care**

All eligible veterans, as defined above, may participate in the Ionizing Radiation Registry (IRR) Program, which consists of three parts:

1. A complete medical history, physical examination, and standard diagnostic tests, as well as additional specialized tests and consultations, if needed. The IRR Program fulfills a basic clinical care purpose by offering eligible veterans a free health examination which potentially serves as an entry point for VA care.
2. Eligible veterans may also receive special treatment for radiogenic diseases currently covered by VA under federal regulations (38 CFR 3.309 and 3.311).
3. Veterans can receive free assistance in submitting claims by contacting one of the veterans' service organizations. Regional VA offices may be contacted directly through the VA toll-free helpline at (800) 827-1000. For additional details on VA medical care, please see the VA Ionizing Radiation Information webpage (<http://www.publichealth.va.gov/exposures/index.asp>).

## **Filing Claims**

Eligible veterans may file a claim under one or more of the following compensation programs:

### *VA presumptive program:*

Several public laws, as codified in 38 CFR 3.309, authorize VA to grant compensation for 22 types of cancers to confirmed participants. To establish eligibility under this law, veterans must contact VA to open a claim, and provide documentation (identified by VA) to VA to support the claim. Upon receipt, VA will submit a request to the NTPR Program to confirm the veteran's participation. However, veterans who are not confirmed participants are not entitled to VA compensation under this program.

### *VA non-presumptive program:*

Public laws, as codified in 38 CFR 3.311, provide for VA service connection and benefits for roughly 25 specified disease categories, including cancer not specifically identified in 38 CFR 3.309. These regulations specify rules for adjudicating VA claims and establish a panel of experts for addressing scientific issues regarding the relationship between diseases and radiation exposure. If a claimed disease is not one of the diseases listed in 38 CFR 3.311, the veteran must cite competent scientific or medical evidence demonstrating a relationship between radiation exposure and the disease before the claim can be considered under this regulation.

Veterans initiating a claim under this regulation do not require prior confirmation of participation or dose information from the NTPR Program. To initiate a claim, veterans must contact VA to open a claim, and provide documentation (identified by VA) to VA to support the claim. Upon receipt, VA will submit a request to the NTPR Program to confirm the veteran's participation and provide a radiation dose estimate. The NTPR Program will respond by providing participant and associated radiation dose information, where applicable. Per 38 CFR 3.311(a)(4), VA may concede a veteran's presence at an nuclear test site (or Hiroshima/Nagasaki) if the NTPR Program, through military records, is unable to establish the veteran's presence at, or absence from, the site. If VA concedes a veteran's presence, it will request a radiation dose estimate from the NTPR Program.

Veterans are not required to request confirmation of participation or dose information from the NTPR Program prior to initiating a VA claim. To initiate a claim, veterans must contact VA (800-827-1000 or <http://www.va.gov/>).

### *DOJ compensation program:*

In 1990, Congress passed the Radiation Exposure Compensation Act (RECA), which provides for compassionate payments to individuals (or their surviving beneficiaries) who contracted certain diseases as a result of their exposure to ionizing radiation from U.S. above-ground nuclear testing. DOJ administers RECA as codified in 28 CFR 79.

There are several categories of claimants under RECA, including on-site participants, downwinders, uranium miners, uranium millers, and ore transporters. To receive compensation, a claimant must meet the eligibility criteria. A claimant must have developed one of the illnesses listed in 28 CFR 79 and been an on-site participant in specific nuclear tests, establish residence in a specified area during a specified time period (downwinder), or have been exposed to specified levels of radiation from uranium processing activities. Presence may be established through a variety of records, as listed in 28 CFR 79.13. Written medical documentation is required in all cases to prove that the claimant suffers (or suffered) from any of the conditions listed in 28 CFR 79.

Veterans initiating a DOJ claim for on-site participation under this regulation are not required to request confirmation of participation from the NTPR Program. To initiate a claim, veterans must contact DOJ:

Radiation Exposure Compensation Program  
Department of Justice  
P.O. Box 146  
Washington, DC 20044-0146  
800-729-7327  
<http://www.justice.gov/civil/common/reca>

Upon receipt, DOJ will submit a request to the NTPR Program to confirm the veteran's participation. DOJ will determine participation status based upon the input from the NTPR Program. The scope of the NTPR Program only includes assisting DOJ with the verification of participation. Uranium processing and downwinder claims do not fall within the scope of the NTPR Program.

### **Second Opinions**

Per 38 CFR 3.311(a)(3), a veteran may obtain a second opinion of his reconstructed dose from a *credible source* to compare against the NTPR dose estimate. If one estimate is at least double the other, VA is required to refer both estimates to an independent expert (selected by the Director of the National Institutes of Health), who will then prepare a separate radiation dose estimate for consideration in adjudication of the claim.

### **NTPR Inquiries**

Individuals seeking information about the NTPR Program can address their inquiries to:

Defense Threat Reduction Agency  
ATTN: RD-NTS (NTPR)  
8725 John J. Kingman Road, Stop 6201  
Fort Belvoir, Virginia 22060-6201  
(800) 462-3683  
E-mail: [dtra-ntpr@mail.mil](mailto:dtra-ntpr@mail.mil)  
<http://www.dtra.mil/DTRA-Mission/Reference-Documents/NTPR-info/>

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