



# Updates on Toxic Exposures

Shane Liermann

Deputy National Legislative Director

# Critical Policy Goal

Ensure Veterans Who Were Exposed to Toxic Substances Receive Full and Timely Benefits, Particularly for Burn Pits, Agent Orange and other Known Exposures



**OPERATION:  
KEEP THE  
PROMISE**  
2021

**DAV's Critical Policy Goals**

- Ensure Veterans Who Were Exposed to Toxic Substances Receive Full and Timely Benefits, Particularly for Burn Pits, Agent Orange and other Known Exposures
- Enhance Veterans' Survivor Benefits
- Protecting Veterans in the Claims and Appeals Processes
- Ensure Equitable Benefits and Services for Women and Minority Veterans
- Improve Mental Health Services and Suicide Prevention Efforts to Reduce Veterans Suicide
- Building a Veterans Health Care System for the Future

DAV empowers veterans to lead high-quality lives with respect and dignity. It is dedicated to a single purpose: keeping our promise to America's veterans. DAV does this by ensuring that veterans and their families can access the full range of benefits available to them; fighting for the interests of America's injured heroes on Capitol Hill; providing employment resources to veterans and their families and educating the public about the great sacrifices and needs of veterans transitioning back to civilian life. DAV, a non-profit organization with more than 1 million veteran members, was founded in 1920 and chartered by the U.S. Congress in 1932.



**DAV**  
1920 2020  
A Century of  
Service to Veterans

---

# Updates

1. Veterans Burn Pit Recognition Act
2. Agent Orange, K2, radiation risk activities, Ft. McClellan and PFAS exposure
3. Toxic exposure omnibus bills pending



## **Veterans Burn Pits Recognition Act**

---

## Veterans Burn Pit Recognition Act

Currently VA is denying roughly 77% of all burn pits related disabilities.

The Veterans Burn Pit Recognition Act would concede exposure based on country, concede exposure to the over 40 VA accepted toxins, and provide an exam if needed to grant.

# Veterans Burn Pit Recognition Act

S. 437—Introduced by Senators Sullivan & Manchin

- 38 Co-sponsors, more than 1/3 of Senate
- DAV testified on the bill on March 10<sup>th</sup> and April 28<sup>th</sup> in the Senate
- 9674 emails sent through DAV CAN



# Veterans Burn Pit Recognition Act

H.R. 2436—Introduced by Reps  
Slotkin & Meijer



- 45 Co-sponsors
- DAV testified on the bill on May 5th
- 5327 emails sent through DAV CAN

---

## Veterans Burn Pit Recognition Act

The bill is also supported in both chambers by more than 8 national VSOs/MSOs.

Portions of the bill and its main intent can be found in both of the toxic exposure omnibus bills.







**Agent Orange, K2,  
radiation risk  
activities, Ft.  
McClellan and PFAS  
exposure**

---

## Agent Orange

S. 810 & H.R. 1972—Fair Care for Vietnam Veterans

- Add hypertension and monoclonal gammopathy of undetermined significance
- DAV testified three times on these two bills
- 18,300 emails through DAV CAN on both



# Agent Orange



## Veterans Agent Orange Exposure Equity Act

- Codify Thailand Agent Orange exposure and add Laos and Cambodia
- DAV testified on April 28<sup>th</sup>, just Thailand and May 5<sup>th</sup> in the House

## K2 Uzbekistan

### K2 Veterans Care Act

- Establish presumptive service connection and health care on exposures
- DAV testified on April 28<sup>th</sup> and May 5<sup>th</sup> in the House
- 14,600 emails sent through DAV CAN



## Radiation Risk Activities



### Atomic Veterans Healthcare Parity Act

- Enewetak Atoll Clean-up  
Jan 1, 1977, to Dec 31, 1980
- DAV testified on April 28<sup>th</sup> in the Senate and May 5<sup>th</sup> in the House
- 12,800 emails through DAV CAN

# Radiation Risk Activities

## Palomares Veterans Act

- Palomares Clean-up  
Jan 17, 1966, to March 31, 1967
- DAV testified on May 5<sup>th</sup> in the House
- Add both for health care eligibility under 38 USC 1710



# Fort McClellan



## Fort McClellan Health Registry Act

- Establish registry for those who served between Jan 1, 1935 to May 20, 1999
- DAV testified on May 5<sup>th</sup> in the House

# Contaminated Water (PFAS)

## PFAS Registry Act

- AFFF (Aqueous film-forming foam)
- Over 600 installations' water supplies
- DAV testified on May 5<sup>th</sup> in the House





---

# Toxic Exposure Omnibus Bills



---

## **COST of War Act**

Introduced by Senator Tester/Chair of SVAC

- Combination of over 14 pieces of legislation in the Senate
- **Expansion of VA healthcare**
  - Veterans with toxic exposure risk activity
  - Veterans exposed to burn pits
  - Medals used as well
- **Reforming the Presumptive Process**
  - Toxic Exposure Review Commission
  - Working Group on Presumptives (VA)

---

## **COST of War Act**

- **Burn Pits Presumptive Exposure**
  - Concession of exposure if not a presumptive
  - Same exposures as S 437 and HR 2436
  - Based on medals and locations
- **Burn Pits/Toxic Exposure Diseases**
  - 20 diseases mostly respiratory
  - Respiratory cancers of any type
  - Glioblastoma

---

## **COST of War Act**

- **Agent Orange**
  - Add hypertension & MGUS
  - Add Thailand, Cambodia, Guam and American Samoa
- **Radiation Risk Activities**
- **VA Requirements**
- **Studies**
- **Record Keeping**

---

## **COST of War Act**

- Introduced & Passed by SVAC May 26th
- Bill is not available and no number
- DAV Supports
- Awaiting VA tech assistance and CBO
- Senator Tester has stated it will not move to the floor for a vote with the consent of RM Moran and the minority

---

# Honoring Our PACT Act

## Some Differences with Cost of War

- **Reforming the Presumptive Process**
  - Formal Toxic Exposure Advisory Committee
  - Science Review Board
  - Working Group on Presumptives (VA)
  - All appointee by the VA Sec

---

## Honoring Our PACT Act

### Some Differences with Cost of War

- **Burn Pits/Toxic Exposure Diseases**
  - 8 additional cancers of any type
  - Head, neck, gastrointestinal, reproductive, lymphoma, Lymphatic, kidney, and melanoma



# Honoring Our PACT Act

## HVAC Chairman Takano

- Multiple pieces of legislation
  - DAV Supports
  - Cost estimates larger than COST of War
  - Most comprehensive toxic exposure bill ever
- Awaiting VA tech assistance and CBO





---

# Summary

1. Veterans Burn Pit Recognition Act
2. Agent Orange, K2, radiation risk activities, Ft. McClellan and PFAS exposure
3. Toxic exposure omnibus bills pending

  


*Thank You!*

**SHANE LIERMANN**

Deputy National Legislative Director

(202) 554-3501

[sliermann@dav.org](mailto:sliermann@dav.org)