

# H.R.2372/ S.952

## THE PRESUMPTIVE BENEFITS FOR WAR FIGHTERS EXPOSED TO BURN PITS AND OTHER TOXINS ACT OF 2021

**Senator Kirsten Gillibrand - Senator Marco Rubio**  
**Rep. Raul Ruiz, M.D - Rep. Brian Fitzpatrick**



The bill would establish a list of **new diseases** as service-connected for which veterans can receive VA benefits as a result of **toxic exposure** while serving in the military.

- Asthma that was diagnosed after service
- Head/Neck Cancer of any type
- Respiratory Cancer of any type
- Reproductive cancer of any type
- Lymphoma cancer of any type
- Lymphomatic cancer of any type
- Kidney cancer
- Brain cancer
- Melanoma
- Chronic bronchitis
- Chronic obstructive pulmonary disease
- Constrictive bronchiolitis or obliterative bronchiolitis
- Emphysema
- Granulomatous disease
- Interstitial lung disease
- Pleuritis
- Pulmonary fibrosis
- Sarcoidosis



The bill outlines the criteria for veterans eligible for **presumptive conditions** as those having served on active duty on or after August 2, 1990 and received a campaign medal for deployment to one of the missions which an exposure might have occurred:

- Afghanistan Campaign Medal
- Armed Forces Expeditionary Medal
- Armed Forces Reserve Medal with “M device”
- Armed Forces Service Medal
- Global War On Terrorism Expeditionary Medal
- Inherent Resolve Campaign Medal
- Iraqi Campaign Medal
- Southwest Asia Service Medal

To add additional diseases to the presumptive list, the Secretary of Veterans Affairs, in conjunction with the National Academies of Sciences (NAS), are directed to evaluate petitions to determine whether there is scientific evidence of a link between the newly requested disease and exposure to one of the covered toxins, for potential addition to the list of presumptive diseases. Following the recommendation by NAS, the Secretary must add that disease to the list or publicly state why it is not being added.

Finally, the bill would create a presumption for disability or death incurred by a civilian federal employee of the Department of Defense, State Department or an element of the intelligence community, caused by the same list of diseases, and would make it compensable under the Federal Employees’ Compensation Act (FECA) if that employee had served overseas in support of military operations.

### Endorsed by:

*Burn Pits 360, IAVA, The American Legion, Vietnam Veterans of America, Veterans of Foreign Wars, Wounded Warrior Project, Reserve Officers Association, Go2 Foundation for Lung Cancer, Dixon Center, National Veterans Legal Services Program (NVLSP), Military Order of the Purple Heart, Military Veterans Advocacy, Veterans for Common Sense, Sgt. Sullivan Circle, Vote Vets, Stronghold Freedom Foundation, Grunt Style, Cease Fire Campaign, Veteran Warriors Inc., Green Beret Foundation, National Association County Veterans Service Officers, FealGood Foundation, Blinded Veterans Association, American Federation of Government Employees, Alliance for Headache Advocacy, National Association of Counties (NACo).*