

CONSTITUENT SERVICES

HONORING OUR PACT TO AMERICA'S VETERANS

On August 10, 2022, President Biden signed the Honoring Our PACT Act into law, expanding health care and benefits for more than five million servicemembers who were exposed to dangerous burn pit fumes, Agent Orange, and other toxins during their service.

For years, I have been working with Texas veterans and advocates to get this bill to President Biden's desk. In February 2022, I was honored to invite Captain Le Roy Torres (Ret.), the co-founder of Burn Pits 360, to be my guest to the president's State of the Union address to raise awareness about the urgent need for action on burn pit legislation. I believe that Congress has a sacred obligation to stand up for our veterans the way they stood up for us during their service.

As the Honoring Our PACT Act goes into effect, my office is honored to be able to help veterans connect with new benefits and services. To connect with my office, call **210-348-8216**.

Applying for VA benefits under the PACT Act

- **The VA is currently accepting claims for PACT Act-related disability compensation. Veterans can apply online by clicking [here](#) or call 800-698-2411 (TTY: 711).**
- **To learn about your eligibility for free VA health care and apply for coverage, click [here](#) or call or call 800-698-2411 (TTY: 711).**

The Bexar County Military and Veterans Services Center (MVSC) can help veterans file claims with the VA. To learn more, click [here](#) or call 210-335-6775.

Frequently Asked Questions About the PACT Act

Information sourced from the Department of Veterans Affairs. For more information, [click here](#).

What is the PACT Act and how will it affect my benefits and care?

The Sergeant First Class Health Robinson Honoring Our Promise to Address Comprehensive Toxics (PACT) Act is one of the largest expansions of health care and benefits for veterans in U.S. History. The PACT Act will:

- Expand and extend eligibility for VA health care for veterans with toxic exposures and veterans of the Vietnam, Gulf War, and post-9/11 eras
- Add more than 20 new presumptive conditions for burn pits and other toxic exposures
- Add more presumptive-exposure locations for Agent Orange and radiation
- Require VA to provide a toxic exposure screening to every veteran enrolled in VA health care
- Help VA improve research, staff education, and treatment related to toxic exposures

What does it mean to have a presumptive condition for toxic exposure?

To get a VA disability rating, your disability must connect to your military service. For many health conditions, you need to prove that your service caused your condition.

But for some conditions, VA automatically assumes (or "presume") that your service caused your condition. These are called "presumptive conditions."

If you have a presumptive condition, you don't need to prove that your service caused the condition. You only need to meet the service requirements for the presumption.

What burn pit and other toxic exposure conditions are now presumptive?

These cancers are now presumptive:

- Brain cancer
- Gastrointestinal cancer of any type
- Glioblastoma
- Head cancer of any type
- Kidney cancer
- Lymphatic cancer of any type
- Lymphoma of any type
- Melanoma
- Neck cancer
- Pancreatic cancer
- Reproductive cancer of any type
- Respiratory (breathing-related) cancer of any type

These illnesses are now presumptive:

- Asthma that was diagnosed after service
- Chronic bronchitis
- Chronic obstructive pulmonary disease (COPD)
- Chronic rhinitis
- Chronic sinusitis
- Constrictive bronchiolitis or obliterative bronchiolitis
- Emphysema
- Granulomatous disease
- Interstitial lung disease (ILD)
- Pleuritis
- Pulmonary fibrosis
- Sarcoidosis

How do I know if my service qualifies for presumptive exposure to burn pits?

If you served in any of these locations and time periods, you had exposure to burn pits or other toxins.

On or after September 11, 2001, in any of these locations:

- Afghanistan
- Djibouti
- Egypt
- Jordan
- Lebanon
- Syria
- Uzbekistan
- Yemen
- The airspace above any of these locations

On or after August 2, 1990, in any of these locations:

- Bahrain
- Iraq
- Kuwait
- Oman
- Qatar
- Saudi Arabia
- Somalia
- The United Arab Emirates (UAE)
- The airspace above any of these locations

Will I be eligible for free health care through the VA because of the PACT Act?

If you meet the requirements listed below, you can get free VA health care for any condition related to your service for up to 10 years from the date of your most recent discharge or separation. You can also enroll at any time during this period and get any care you need, but you may owe a copay for some care.

At least one of these must be true of your active-duty service:

- You served in a theater of combat operations during a period of war after the Persian Gulf War, or

- You served in combat against a hostile force during a period of hostilities after November 11, 1998

And this must be true for you:

- You were discharged or released on or after October 1, 2013

The VA encourages veterans to enroll now. Enrollment is free. To start your application process, click [here](#).

I am a Vietnam veteran. What new Agent Orange presumptive conditions will VA add because of the PACT Act?

- High blood pressure (also called hypertension)
- Monoclonal gammopathy of undetermined significance (MGUS)

What new Agent Orange presumptive locations will VA add because of the PACT Act?

- Any U.S. or Royal Thai military base in Thailand from January 9, 1962, through June 30, 1976
- Laos from December 1, 1965, through September 30, 1969
- Cambodia at Mimot or Krek, Kampong Cham Province from April 16, 1969, through April 30, 1969
- Guam or American Samoa or in the territorial waters off of Guam or American Samoa from January 9, 1962, through July 30, 1980
- Johnston Atoll or on a ship that called at Johnston Atoll from January 1, 1972, through September 30, 1977

If you served on active duty in any of these locations, VA will automatically assume (or “presume”) that you had exposure to Agent Orange.

How do I file a disability claim for a new presumptive condition?

If you haven’t filed a claim yet for the presumptive condition, you can file a new claim online now. You can also file by mail, in person, or with the help of a trained professional.

- [File for VA disability compensation online](#)
- [Learn more about how to file a disability compensation claim](#)

If VA denied your disability claim in the past but now considers your condition presumptive, you can submit a Supplemental Claim and the VA will review your case again.

- [Find out how to file a Supplemental Claim](#)

Will survivors get any benefits from the PACT Act?

Survivors may be eligible for VA benefits based on the PACT Act. You’ll need to meet requirements for each benefit to qualify:

- A monthly VA dependency and indemnity compensation (VA DIC) payment. You may qualify if you’re the surviving spouse, dependent child, or parent of a veteran who died from a service-connected disability. [Learn about VA DIC](#)
- A one-time accrued benefits payment. You may qualify if you’re the surviving spouse, dependent child, or dependent parent of a veteran who VA owed unpaid benefits at the time of their death. [Learn about accrued benefits](#)
- Health care through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA). You may qualify if you’re the survivor or dependent of a veteran with a service-connected disability. [Learn about CHAMPVA](#)
- A burial allowance for help with the veteran’s burial and funeral costs. You may qualify if you’re the veteran’s surviving spouse, partner, child, or parent. [Learn about burial allowances](#).

Additional Background on the Honoring Our PACT Act

Information sourced from the White House briefing room. For more information, [click here](#).

The Sergeant First Class Health Robinson Honoring Our PACT Act will help deliver more timely benefits and services to more than 5 million veterans—across all generations—who may have been impacted by toxic exposures while serving our country.

The Honoring Our PACT Act will:

- **Expand access to VA health care services for veterans exposed to toxic substances during their military service.** For post-9/11 combat veterans, the law extends the period of time they have to enroll in

VA health care from five to ten years post-discharge. For combat veterans who do not fall within that window, the bill also creates a one-year open enrollment period. These expansions mean that more veterans can enroll in VA health care without having to demonstrate a service-connected disability.

- **Codify VA's new process for evaluating and determining presumption of exposure and service connection for various chronic conditions** when the evidence of a military environmental exposure and the associated health risks are strong broadly, but hard to prove on an individual basis. The new process is evidence-based, transparent, and allows VA to make faster policy decisions on crucial exposure issues. This new process has already fundamentally changed how VA makes decisions on environmental exposures and ensures more veterans have access to the care they need.
- **Remove the need for certain veterans and their survivors to prove service connection if they are diagnosed with one of 23 specific conditions.** This greatly reduces the amount of paperwork and need for exams that veterans diagnosed with one of these conditions must complete before being granted access to health care and disability compensation, thereby speeding up their receipt of the benefits they have earned. This list includes 11 respiratory related conditions, along with several forms of cancer, including reproductive cancers, melanoma, pancreatic cancer, kidney cancer, and brain cancers such as glioblastoma. Survivors of veterans who died due to one of these conditions may now also be eligible for benefits.
- **Require VA to conduct new studies of veterans who served in Southwest Asia during the Gulf War and analyses of post-9/11 veterans' health trends.** The new law also directs the Secretary of Veterans Affairs to convene a new interagency working group to develop a five-year strategic plan on toxic exposure research.
- **Require that veterans enrolled in VA health care be screened regularly for toxic exposure related concerns.** This new law also requires VA to establish an outreach program for veterans regarding toxic exposure related benefits and supports, and to require additional toxic exposure related education and training for VA personnel.
- **Deliver critical resources to VA to ensure it can deliver timely access to services and benefits for all veterans eligible - including those already enrolled.** The new law provides VA with mechanisms to enhance claims processing and to increase the workforce. The law also invests in VA health care facilities by authorizing 31 major medical health clinics and research facilities in 19 states.

Before the passage of the Honoring Our PACT, the federal government had already taken several important steps to help veterans who were exposed to toxic substances, including:

- **Established Presumption for Rare Respiratory Cancers:** In April 2022, VA defined presumptive service connection for several rare respiratory cancers. Since this change, VA has been able to complete more claims for veterans and survivors involving a possible presumption of rare respiratory cancer.
- **Processing Claims for New Presumptive Respiratory Conditions:** In August 2021, VA began processing disability claims for asthma, rhinitis, and sinusitis based on presumed exposure to particulate matter. Veterans who served in the Southwest Asia theater of operations and other areas and who developed these conditions within ten years of military service are now eligible to apply for disability benefits and access to VA health care. Since August, VA has completed 33,276 claims, granting over 25,000 veterans and their survivors benefits for one or more conditions, leading to over \$93 million in retroactive benefit payments.
- **Raising Awareness of VA Benefits Related to Military Exposures:** Many veterans remain unaware of their eligibility for benefits and services related to potential military exposures. Beginning in November 2021, VA launched a proactive campaign to inform and encourage veterans to file claims related to military environmental exposures.
- **Requiring Training for VA and Non-VA Providers:** Health care providers and compensation and pension examiners sometimes do not have the training to understand or treat veterans' exposure concerns. To address this challenge, VA directed compensation and pension providers and Veterans Health Administration clinicians to complete a training module on assessing deployment related to environmental exposures. VA is also encouraging all providers who care for veterans outside of VA through the Community Care Network contract to complete training on the [TRAIN Learning Network](#), VA's publicly available training site. Furthermore, VA employees and community care providers have been directed to utilize the Exposure Ed App to help providers provide information to veterans on health effects associated with certain exposures during military service. More information on the app is available [here](#).

- **Implementing a Network of Specialized Providers and Call Center:** Veterans with concerns about the health outcomes of military exposures experience inconsistent care to address these specific issues, especially outside of VA. Earlier this year, VA launched VET-HOME, The Veterans Exposure Team-Health Outcomes of Military Exposures. VA plans to hire health professionals, including physicians, nurse practitioners, and physician assistants who will specialize in conducting patient assessments regarding the health effects of military exposures. By January 2023, VA expects to have a fully operational call center and network of experts to help veterans concerned about environmental exposure and provide consultative services to veterans in primary care clinics.

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