

# Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act of 2020

*Senator Kirsten Gillibrand  
Congressman Raul Ruiz, M.D.*

*Endorsed by: Burn Pits 360, IAVA, The American Legion, Vietnam Veterans of America, Dixon Center, National Veterans Legal Services Program (NVLSP), Military Veterans Advocacy, Veterans for Common Sense, St. Sullivan Circle, The Few The Proud The Forgotten Camp Lejeune, Vote Vets, Stronghold Freedom Foundation, The Feal Good Foundation.*

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. The bill would amend [38 U.S.C.](#) (the same section that provided for Vietnam veterans exposed to Agent Orange), to add the new list of diseases, including:

- Asthma that was diagnosed after service in a country or territory listed
- Cancer of any type
- Chronic bronchitis
- Chronic obstructive pulmonary disease
- Constrictive bronchiolitis or obliterative bronchiolitis
- Emphysema
- Granulomatous disease
- Interstitial lung disease
- Lymphoma
- 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 having spent a minimum of 15 or more cumulative days in one of the countries identified in the bill, or received a campaign medal for deployment to one of the missions considered part of the Global War on Terror and Gulf War. These countries are:

- Afghanistan
- Bahrain
- Burkina Faso
- Cameroon
- Chad
- Diego Garcia
- Djibouti
- Egypt
- Ethiopia
- Gabon
- Ghana
- Iraq
- Jordan
- Kenya
- Kuwait
- Kyrgyzstan
- Libya
- Mali
- Niger
- Nigeria
- Oman
- Pakistan
- Philippines
- Saudi Arabia
- Somalia
- South Sudan
- Sudan
- Syria
- Tajikistan
- Tunisia
- Turkey
- United Arab Emirates
- Uzbekistan
- Yemen

In addition, 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 human 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 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 same list of countries or territories in support of military operations.

*To cosponsor or questions, please contact [Ivelisse.Porroa@mail.house.gov](mailto:Ivelisse.Porroa@mail.house.gov) in Congressman Ruiz's office or [Brooke.Jamison@gillibrand.senate.gov](mailto:Brooke.Jamison@gillibrand.senate.gov) in Senator Gillibrand's office.*