

The PACT ACT Expands Presumptive Service Connectivity

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On 8 Aug 2022, the President signed into law the Promise to Address Comprehensive Toxics “PACT Act.” This Act, improves healthcare access and funding for veterans exposed to toxic substances during their service.¹ The President signed this act honoring Sergeant First Class Heath Robinson and all military members exposed to toxic substances in service to our country.²

For a veteran to receive VA Disability Compensation, the veteran must have a connection between their service and their disability. If the connection was not documented in the veteran’s service medical records, then the burden of proof for that connection is on the veteran. However, if the veteran has a “presumptive condition,” then the veteran only needs to prove that they meet the service requirements for the presumption.³

The PACT Act primarily covers service during the Vietnam War and the Gulf War, as well in the post-9/11 time periods with additional requirements. Those requirements address both timing and location issues and are available through the VA website located at www.va.gov.⁴ However, be aware that some information appears to be “mis-filed.” For example, the website section on “Vietnam-era Veteran” eligibility adds three new radiation presumptive locations that are not in or around Vietnam.⁵ Note: this section includes a link to a list of other radiation presumptive locations.⁶

It is important to note that the PACT Act does not address all medical issues equally. The VA list for the Gulf War era and post-9/11 era events added more than 20 burn pit and other toxic exposure conditions.⁷ In the Vietnam section, the PACT Act added 2 new Agent Orange presumptive conditions – high blood pressure and monoclonal gammopathy.⁸

It is important for veterans to read the contents of the web page carefully because there are nuggets of very important information buried in the details. For example, the section on veteran eligibility addresses “more exposure-related presumptive conditions” presumed to be caused by exposure to toxic (or hazardous) materials.⁹ The section addressing Agent Orange states, “If you have a cancer or illness that’s not on our list of presumptive conditions, but you believe it was caused by Agent Orange exposure, you can still file a claim for disability benefits. But you’ll need to submit more evidence.”¹⁰ The section for Survivors that Veterans and their families includes information that they may not have been aware of, even though those provisions appear to have been already in existence prior to the passage of the PACT Act.

The goal in sharing this information is to increase the level of awareness about the increased health care and benefits available to the men and women who have sacrificed part of their lives in service of our nation. Having this information could be very useful. Veterans may have existing conditions for which they are not being treated or compensated. Alternatively, they may not have an issue now, but one could arise in the future. In either case, the information available on access to VA health care and on VA compensation could be very helpful.

¹ [The PACT Act And Your VA Benefits | Veterans Affairs](#)

² [The PACT Act And Your VA Benefits | Veterans Affairs](#)

³ A condition is considered “presumptive” when it is established by law or regulation. (In this case, the law is the PACT Act.)

⁴ [The PACT Act And Your VA Benefits | Veterans Affairs](#)

⁵ The three events are the cleanup of Enewetak Atoll (1 Jan 1977 – 31 Dec 1980); the cleanup of an AF B-52 carrying nuclear weapons off the coast of Palomares, Spain 17 Jan 1966 – 25 Sep 1967); and the response to a fire onboard an AF B-52 carrying nuclear weapons near Thule AFB, Greenland (21 Jan 1968 – 25 Sep 1968). If the veteran took part in any of those, then the VA is now automatically presuming the veteran’s exposure to radiation. Note: the Vietnam War period was 1 Nov 1955 through 30 April 1975...so the PACT Act includes events outside that time period.

⁶ Note: The link in this section leads not to radiation, but to Agent Orange. [Agent Orange Exposure And VA Disability Compensation | Veterans Affairs](#). The actual link to Ionizing Radiation Exposure is [Ionizing Radiation Exposure | Veterans Affairs \(va.gov\)](#)

⁷ This list includes 11 types of cancers and 12 other illnesses.

⁸ Previously, the Agent Orange list included the following 8 cancers: bladder cancer, chronic B-cell leukemia, Hodgkin’s disease, multiple myeloma, Non-Hodgkin’s lymphoma, prostate cancer, respiratory cancers (including lung cancers) and some soft tissue sarcomas. [Agent Orange Exposure And VA Disability Compensation | Veterans Affairs](#)

⁹ [The PACT Act And Your VA Benefits | Veterans Affairs](#)

¹⁰ [Agent Orange Exposure And VA Disability Compensation | Veterans Affairs](#)