

Toxic Wounds Legislation (2021)

Researched and Prepared by Veterans for Common Sense, as of June 24, 2021		Covered veterans (for presumptive conditions)				
Coverage type:	Covered toxic exposure Veterans:	Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act of 2021	COST of War Act (SVAC)	Honoring our PACT Act (HVAC)	VA via rulemaking	
A) By Campaign, Expeditionary, & Service Medals	On or after August 2, 1990, was awarded any of the following:					
	Afghanistan Campaign Medal (ACM)	YES	YES	X	X	
	Armed Forces Expeditionary Medal (AFEM)	YES	YES	X	X	
	Armed Forces Reserve Medal with M-device (AFRM w/"M")	YES	X	X	X	
	Armed Forces Service Medal (AFSM)	YES	X	X	X	
	Global War On Terrorism Expeditionary Medal (GWOT-EM)	YES	YES	X	X	
	Inherent Resolve Campaign Medal (IRCM) [Syria]	YES	YES	X	X	
	Iraqi Campaign Medal (ICM)	YES	YES	X	X	
Southwest Asia Service Medal (SWASM)	YES	YES	X	X		
B) By Named Locations and Periods of Service (Gulf War and after)	On or after August 2, 1990, performed active military, naval, or air service:		<i>Ending on such date as the SecvA determines burn pits are no longer used in:</i>	<i>while assigned to a duty station in:</i>		
	Body of water around or any airspace above such location	YES (via ACM, ICM, IRCM, SWASM)	Specifically Excluded	unclear	TBD	
	Afghanistan	X	X	X	YES	
	Arabian Sea (waters)	YES (via AFEM, GWOT-EM, SWASM)	YES (via GWOT-EM, SWASM)	unclear	TBD	
	Bahrain	YES (via AFEM, SWASM)	YES (via SWASM)	YES	YES	
	Djibouti	X	X	X	X	
	Egypt	YES (via SWASM)	YES (via SWASM)	X	X	
	Gulf of Aden (waters)	YES (via SWASM)	YES (via SWASM)	unclear	TBD	
	Gulf of Oman (waters)	YES (via SWASM)	YES (via SWASM)	unclear	TBD	
	Iraq	YES (via AFEM, SWASM, ICM, IRCM)	partial; convoluted	YES	YES	
	Israel	YES (via SWASM)	YES (via SWASM)	X	X	
	Jordan	YES (via SWASM)	YES (via SWASM)	X	X	
	Kuwait	YES (via AFEM, SWASM)	YES	YES	YES	
	Neutral zone between Iraq and Saudi Arabia, the	X	X	X	YES	
	Oman	YES (via AFEM, SWASM)	YES	YES	YES	
	Persian Gulf (waters)	YES (via SWASM)	YES (via SWASM)	unclear	TBD	
	Qatar	YES (via AFEM, SWASM)	YES	YES	YES	
	Red Sea (waters)	YES (via SWASM)	YES (via SWASM)	X	TBD	
	Saudi Arabia	YES (via AFEM, SWASM)	YES	YES	YES	
	Somalia	YES (via AFEM)	YES (via AFEM)	YES	X	
	Syria	YES (via SWASM, IRCM)	YES (via SWASM)	X	X	
	Turkey	YES (via SWASM)	YES (via SWASM)	X	X	
	United Arab Emirates (UAE)	YES (via AFEM, SWASM)	YES (via SWASM)	YES	YES	
	Uzbekistan	X	X	X	YES	
	C) By Named Locations and Periods of Service (post-9/11)	on or after September 11, 2001, performed active military, naval, or air service while assigned to a duty station in		<i>Ending on such date as the SecvA determines burn pits are no longer used in:</i>	<i>while assigned to a duty station in:</i>	
		Afghanistan	YES (via ACM, GWOT-EM)	YES*; YES (via ACM, GWOT-EM)	YES	YES
		Djibouti	YES (via GWOT-EM)	YES*; YES (via GWOT-EM)	YES	X
		Egypt	YES (via GWOT-EM)	YES*; YES (via GWOT-EM)	YES	X
Jordan		YES (via GWOT-EM)	YES*; YES (via GWOT-EM)	YES	X	
Lebanon		YES (via GWOT-EM)	YES*; YES (via GWOT-EM)	YES	X	
the Philippines		YES (via GWOT-EM)	YES (via GWOT-EM)	YES	X	
Syria		YES (via IRCM)	YES*; YES (via IRCM)	YES	X	
Uzbekistan		YES (via GWOT-EM)	YES (via GWOT-EM)	YES	YES	
Yemen		YES (via GWOT-EM)	YES*; YES (via GWOT-EM)	YES	X	
D) By Additional Burn Pits Registry locations/periods						
	Locations and corresponding periods as are set forth by the Airborne Hazards and Open Burn Pit Registry	X	YES	X	X	

Bills and relevant sections for presumptive conditions are:

- A) "Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act of 2021" (S.952, Sen's Gillibrand, Rubio; H.R. 2372, Rep's Ruiz, Fitzpatrick): Section 2 (creates new 38 USC § 1119), page 2, line 18 through page 3, line 24 [BAG21099.J16].
- 1) COST of War Act ("Comprehensive and Overdue Support for Troops of War Act of 2021") (S.____, Sen. Tester): Section 406 (creates new 38 USC § 1120), page 50, line 19 through page 51, line 16 [BAG21800.K65].
- 2) "Honoring our Promise to Address Comprehensive Toxics Act of 2021" or the "Honoring our PACT Act of 2021" (H.R. ____ , Rep. Takano): Section 406 (creates new 38 USC § 1120A), page 43, line 1 through page 44, line 9 [G:\CMTE\VA\17\D\DAMA\TOXSUB.XML]
- 3) VA rulemaking, as publicly announced on May 27, 2021 as forthcoming, via presuming exposure to particulates for covered veterans.

Bills and relevant sections for covered veterans are:

- A) War Fighters: page 4 lines 1-13.
- 1) COST of War: page 34 line 24 through page 38 line 5.
- 2) Honoring Our PACT: page 45 lines 1 through 3; page 32 line 20 through page 33 line 22.
- 3) VA rulemaking: "Veterans who served in the Southwest Asia theater of operations during the Persian Gulf War and/or after September 19, 2001, or in Afghanistan and Uzbekistan during the Persian Gulf War."