

As created by COST of War Act

38 U.S.C. § 1120A. Presumption of service connection for certain diseases associated with exposure to burn pits and other toxins

(a) PRESUMPTION OF SERVICE CONNECTION.—For the purposes of section 1110 of this title, and subject to section 1113 of this title, a disease specified in subsection (c) becoming manifest in a covered veteran shall be considered to have been incurred in or aggravated during active military, naval, or air service, notwithstanding that there is no record of evidence of such disease during the period of such service.

(b) COVERED VETERANS.—For purposes of this section, a covered veteran is a veteran presumed under subsection (a) of section 1120 of this title to have been exposed to a substance, chemical, or hazard listed in subsection (c) of such section.

(c) DISEASES SPECIFIED.—The diseases specified in this subsection are the following:

(1) Asthma that was diagnosed after—

(A) A deployment described in subparagraph (A) of section 1120(b)(1) of this title; or

(B) a period of service for which a medal set forth under subparagraph (B) of such section was awarded.

(2) Chronic obstructive pulmonary disease.

(3) Chronic bronchitis.

(4) Constrictive bronchiolitis or obliterative bronchiolitis.

(5) Emphysema.

(6) Pleuritis.

(7) Pulmonary fibrosis.

(8) Interstitial lung disease.

(9) Sarcoidosis.

(10) Respiratory cancer of any type.

(11) Glioblastoma.

(12) Rhinitis.

(13) Sinusitis.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 11 of title 38, United States Code, as amended by section 302(b), is further amended by inserting after the item relating to section 1120 the following new item:

“1120A. Presumption of service connection for certain diseases associated with exposure to burn pits and other toxins.”.

(c) CONFORMING AMENDMENT.—Section 1113 of such title, as amended by section 302, is further amended by striking “or 1120” each place it appears and inserting “1120, or 1120A”.