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Military Officers Association of America

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PHOTO BY CPL. ALFRED V. LOPEZ/USMC

Congress: Pass Comprehensive Toxic Exposure Reform

Background

Servicemembers, veterans, and their families from every generation face lifelong challenges from toxic exposures.

Oct. 31, 2021, will mark the 50th anniversary of the final helicopter flight when Agent Orange was used in Vietnam. Thirty years have passed since Gulf War veterans were exposed to myriad hazardous materials and toxins. Twenty years ago, the first troops were deployed to fight the global war on terror, many serving near open-air burn pits and other environmental dangers.

Each war poses unique hazards and exposures for servicemembers, and each conflict has led to tens of thousands of veterans suffering from illnesses or disabilities long after they returned home. Despite the documented history of potential health consequences connected to the dangers they encountered during service, many servicemembers are not receiving commensurate health care and benefits.

Action 1: Concede exposure

The first step toward supporting servicemembers who fought in Southwest Asia is to concede exposure to toxic substances. The Veterans Burn Pits Exposure Recognition Act will support claims by:

- Specifying countries and time periods of service: Those who served in a given nation at a time when these burn pits were active would be presumed to have been exposed to burn pit toxins.
- Listing airborne hazards and toxic substances that a servicemember was exposed to within the specified countries.
- Requiring the VA to provide a medical exam to determine any links between medical conditions and burn pit exposures.

For Army combat engineer Sgt. Mike Geib, the symptoms of Gulf War illness were immediate. Before he deployed, he was healthy and excelling on his physical fitness tests. But just 10 years later, he was

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Congress: Enact these bills to support comprehensive toxic exposure reform

Cosponsor the Veterans Burn Pits Exposure Recognition Act, S. 437/H.R. 2436

- Concede exposure for those who served where burn pits were used in Southwest Asia.

Increase reporting, transparency, and oversight of established presumptives and special interest conditions.

Cosponsor the Toxic Exposure in the American Military (TEAM) Act, S. 927/H.R. 2127

- Support health care for exposed servicemembers.
- Create an advisory committee to recommend research.
- Require the VA to respond to scientific evidence associating diseases with toxic exposures.



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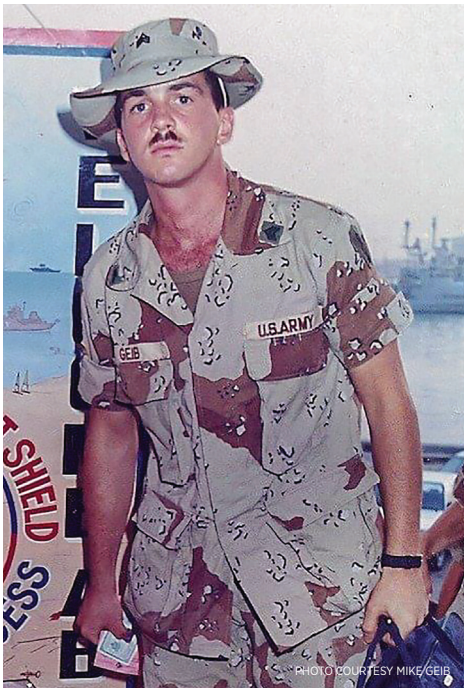

Army Sgt. Mike Geib was 28 when he was medically discharged. Since then, he has fought a long battle for assistance.

a 28-year-old Army sergeant medically discharged with a 10% disability rating for asthma.

"I couldn't run, I was turning blue," Geib said, describing how serious his respiratory issues had become. "I knew in my heart. I knew it was from exposure."

During the Gulf War, Geib's unit traveled through Saudi Arabia, Iraq, and Kuwait, where he worked in close proximity to the oil well fires. When the unit returned to the United States, he stayed behind to paint equipment with a paint that was later determined to contain carcinogens.

In the 27 years since he was discharged, Geib's health has suffered and new diagnoses of fibromyalgia, irritable bowel syndrome, memory loss, migraines and respiratory issues have increased his disability rating to 100%.

"Believe us," he said. "We were there. We were the boots on the ground."

Conceding exposure to hazardous materials would reduce the burden on the veteran to prove illnesses, which may not be revealed until decades later, are related to military service. Presuming exposure would expedite the time it takes for a veteran to file for VA benefits.

Action 2: Increase Presumptives Reporting

When there is a sufficient level of association between a service-related exposure and an illness, Congress establishes a "presumptive exposure" to remove the burden of proof from servicemembers.

Congress should require the VA to provide a public, quarterly report on all future veterans' claims submitted to the VA for presumptive conditions or "special interest conditions," such as illnesses being evaluated for potential links to burn pit exposure.

When Col. Donald Siebenaler, USA (Ret), was diagnosed with Alzheimer's disease, he and his wife, Rita, reflected on what could have led to the disease — and wondered if it was related to his service in Vietnam.

"He did it joyfully," Rita Siebenaler said of her husband's service. "He's paying the price for it now. ... I really would like this investigated further because Alzheimer's takes such a toll on individual families."

In 1965, Siebenaler served as a company commander in Vietnam, where he was exposed to Agent Orange. Decades later, he was diagnosed with Alzheimer's by a neurologist conducting a grant-funded study at Georgetown University.

Because Alzheimer's is not part of the VA's presumptive list, the family does not receive financial assistance for Siebenaler's health care. Rita Siebenaler said her family is paying exorbitant out-of-pocket expenses but knows other military families may have to go without care.

Research is emerging that dementia may be linked to Agent Orange exposure, but under current law, the VA is not required to respond or act to support veterans. Increasing presumptive reporting would ensure current presumptives are helping veterans and increase awareness around emerging conditions.

Action 3: Expand Veteran Health Care and Improve Presumptives Process

As the health consequences of burn pits and other toxic substances continue to be studied, the veteran community is witnessing a rise in rare cancers and other illnesses. We must ensure our veterans receive quality health care for these illnesses. The Toxic Exposure in the American Military (TEAM) Act supports veterans by:

- Granting the VA health care enrollment in Priority Group 6 to veterans who served in areas of known toxic exposure and creating mechanisms for the enrollment of veterans who may be exposed to toxic substances in the future.
- Establishing an advisory commission to review toxic exposures and recommend independent studies to the VA and Congress.
- Requiring the VA to respond to whether illnesses associated with toxic exposure by scientific evidence should be added as presumptive conditions.