Easing the burden of burn pits

Crucial DAV-backed legislation would extend relief to veterans suffering from burn pit exposure

For too many veterans living with the long-term health consequences of exposure to toxic burn pits, care and benefits from the Department of Veteran Affairs (VA) remain out of grasp. But crucial DAV-backed legislation would help veterans overcome the barriers to establishing service connection for conditions caused by toxic exposures.

Representatives Elissa Slotkin and Peter Meijer of Michigan introduced the bipartisan Veterans Burn Pit Exposure Recognition Act of 2021 in April. Slotkin, a former CIA analyst, and Meijer, an Army veteran, both served in Iraq. The bill would address the particular needs of veterans exposed to open-air burn pits while serving overseas.

“Too many veterans in Michigan and across the country need specialized care due to toxic exposure, and too many of them are having to fight the VA at the same moment they are fighting for their lives,” said Slotkin, who is also an Army spouse. “As someone who lived close to a burn pit in each of my three tours in Iraq, I know this is an important first step in cutting through red tape and getting veterans care for the conditions caused by toxic exposure.”

The proposed, DAV-backed legislation, would shift the burden of proof off veterans, many of whom lack the proper documented evidence of their exposure by formally recognizing that those who served in proximity to burn pits were exposed to hazardous chemicals. It would also require VA to examine veterans to determine if a medical ailment is connected to past burn pit exposure.
“There are veterans across the country who are struggling with serious health conditions resulting from their exposure to burn pits during their service, yet bureaucratic obstacles have prevented them from receiving the care they need and deserve,” added Meijer. “Waiting even one day for treatment of this toxic exposure is too long, and our veterans deserve better.”

Unlike Agent Orange, a toxic defoliant used to clear vegetation during the Vietnam War, the VA does not offer a presumption of service connection for veterans with illnesses related to, and stemming from, burn pits.

Burn pits were standard practice at U.S. military installations across Iraq and Afghanistan among other locations, where a designated area is dedicated to burning everything from human waste, to excess equipment and other trash. As of March 2019, nine U.S.-sanctioned burn pits were in use across Syria, Afghanistan and Egypt, according to the Pentagon.

Although as many as 3.5 million veterans may have been exposed to burn pits, according to the Defense Department, the VA denied about two-thirds of all burn pit claims between 2007 and 2020.

“It is past time for Congress to remove the hurdles faced by veterans who are currently required to prove their exposure to burn pits before receiving their earned benefits,” said National Legislative Director Joy Ilem. “We thank Representatives Slotkin and Meijer, and look forward to other lawmakers co-sponsoring this important legislation.”

In 2007, DAV was the first charity to raise the issue of burn pits through the media, and DAV has continued with its legislative efforts ever since. DAV initiated a pilot for the Burn Pit Registry, which was passed into law in 2014. DAV’s continued advocacy includes testimony at a recent Senate
Veterans Affairs Committee hearing.

“We have a lot of hearings in this committee, I don’t know that there’s going to be any more important than this one," said Senator John Tester, the committee’s chairman.