

ISSUE BRIEF: CAMP LEJEUNE CONTAMINATED WATER

The Situation

- Military personnel and their families were exposed to contaminated water at Marine Corps Base Camp Lejeune, North Carolina, from August 1, 1953 to December 31, 1987. The water supply was contaminated with the volatile organic compounds (VOC) trichloroethylene (TCE), perchloroethylene (PCE), benzene and vinyl chloride, in the on-base water supply systems.
- The Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 established 15 different conditions where the exposed military personnel and their families were eligible to seek treatment at Department of Veterans Affairs (VA) medical facilities at no cost.
 - The conditions identified for cost-free health care were esophageal cancer, lung cancer, breast cancer, bladder cancer, kidney cancer, leukemia, multiple myeloma, myelodysplastic syndromes, renal toxicity, hepatic steatosis, female infertility, miscarriage, scleroderma, neurobehavioral effects, and non-Hodgkin's lymphoma.
- The VA-proposed rule in the Federal Register on September 9, 2016, noted, "VA experts agree that there is no science to support a specific minimum exposure level for any of the conditions." VA notes in multiple instances that the 30-day requirement is to keep consistency with the requirement for health care but does not assert that there is a scientific basis or legal requirement for the 30-day period.
- In 2017, the VA implemented regulatory provisions for presumptive service connection for service members who served an aggregate of 30 days at Camp Lejeune from the dates noted above. The regulation recognizes only eight diseases, not the 15 recognized by the 2012 law.
- The eight presumptive diseases added were adult leukemia, aplastic anemia and other myelodysplastic syndromes, bladder cancer, kidney cancer, liver cancer, multiple myeloma, non-Hodgkin's lymphoma, and Parkinson's disease.

The Challenge

- The regulatory requirements for a veteran to have an aggregate of 30 days of exposure is not based on any scientific evidence or requirement. However, VA promulgated the regulatory provisions for its inclusion.
- The presumptive diseases related to the contaminated water were established by regulatory provisions and there are no requirements for future reports of diseases related to the exposures at Camp Lejeune.

The Solution

- In accordance with DAV Resolution No. 029, DAV urges VA and Congress to eliminate the 30-day requirement for diseases associated with exposure to contaminants in the water supply at Camp Lejeune as it is not based on the potential systemic, external and internal, exposures to the VOCs; predicated on any science; based on any legal requirements; nor consistent with existing laws and regulations concerning presumptive service connection for exposure to toxic substances.
- In accordance with DAV Resolution No.078, DAV urges VA to consider expanding the presumptive list to include all conditions set in the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112-154) that were not previously included.
- The Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act requires the creation of the Toxic Exposures Research Work Group to research and study toxic exposures and associated negative health impacts. We urge the Secretary of Veterans' Affairs and the work group to include Camp Lejeune water contamination as one of the research activities to expedite actions in establishing additional presumptive diseases.