

The PACT Act is a new law that expands VA health care and benefits for veterans exposed to burn pits, Agent Orange, and other toxic substances. If you file before August 10, 2023, you may receive benefits backdated to August 10, 2023. Please utilize this guide for more information.

## PACT Act Resource Guide

Office of Rep. Rob Menendez  
New Jersey's 8th Congressional District



ROBERT J. MENENDEZ  
8TH DISTRICT, NEW JERSEY

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE  
SUBCOMMITTEE ON AVIATION  
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT  
SUBCOMMITTEE ON RAILROADS, PIPELINES,  
AND HAZARDOUS MATERIALS

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-1317

COMMITTEE ON HOMELAND SECURITY  
SUBCOMMITTEE ON CYBERSECURITY AND  
INFRASTRUCTURE PROTECTION

DEMOCRATIC STEERING AND  
POLICY COMMITTEE

Dear Residents of the Eighth Congressional District,

The PACT Act is a law passed by Congress and signed by President Biden that expands VA health care and benefits for veterans exposed to burn pits, Agent Orange, and other toxic substances. The law adds to the list of health conditions that the federal government considers caused by exposure to these substances. It also extends the period of time that certain veterans can enroll in VA health care. Below is a quick guide of resources and FAQs related to the PACT Act.

If you have any questions or if we could be of further assistance with any issues you may have with the PACT Act, please contact our Jersey City office at (201) 309-0301. You can also contact us through our [website](#).

We are here to serve you and look forward to hearing from you soon.

Sincerely,



Robert J. Menendez  
Member of Congress  
New Jersey's Eighth Congressional District

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## Important PACT Act Resources

### **What is the PACT Act?**

The PACT Act is a new law that was passed by House Democrats and signed by President Joe Biden to provide perhaps the largest health care and benefit expansion in Veterans Affairs history. This law expands and extends eligibility for VA health care for Veterans with toxic exposures and Veterans of the Vietnam era, Gulf War era, and Post-9/11 era. The law also expands eligibility for benefits for Veterans exposed to toxic substances.

### **What does it mean to have a presumptive condition?**

To get a VA disability rating, your disability must connect to your military service. For many health conditions, you need to prove that your service caused your condition. But for some conditions, the VA automatically assumes (or “presumes”) that your service caused your condition. The VA calls these “presumptive conditions.”

The VA considers a condition presumptive when it's established by law or regulation. **If you have a presumptive condition, you don't need to prove that your service caused the condition. You only need to meet the service requirements for the presumption.**

Veterans who were previously denied a claim that is now a presumptive condition can file a supplemental claim. **If a veteran previously submitted a claim for a condition now considered presumptive and the claim is still pending a decision, no action needs to be taken by the veteran.** The review will proceed in accordance with the new eligibility.

### **What are the presumptive conditions?**

The VA has added more than 20 burn pit and other toxic exposure presumptive conditions based on the PACT Act. This change expands benefits for Gulf War era and post-9/11 veterans.

These cancers and diseases are among those now presumptive:

- brain cancer;
- gastrointestinal cancer of any type;
- glioblastoma, head cancer of any type;
- kidney cancer;
- lymphatic cancer of any type;
- lymphoma of any type;
- melanoma, neck cancer of any type;
- pancreatic cancer;
- reproductive cancer of any type; and
- respiratory (breathing-related) cancer of any type

some non-cancer illnesses now presumptive are;

- include: asthma that was diagnosed after service;
- chronic bronchitis;
- chronic obstructive pulmonary disease (COPD);
- chronic rhinitis, chronic sinusitis;
- constrictive bronchiolitis~~s~~ or obliterative bronchiolitis;
- emphysema, granulomatous disease;
- interstitial lung disease (ILD);
- pleuritis;
- pulmonary fibrosis; and
- sarcoidosis.

Additionally, the VA added two new Agent Orange presumptive conditions:

- High blood pressure (also called hypertension); and
- monoclonal gammopathy of undetermined significance (MGUS)

There are also many other health conditions that the VA presumes are caused by exposure to toxic (or hazardous) materials. If you have any of these other conditions, you may be eligible for health care or benefits. For more information on the types of exposures and presumptive conditions, please visit

[www.va.gov/disability/eligibility/hazardous-materials-exposure/](http://www.va.gov/disability/eligibility/hazardous-materials-exposure/).

### **Can the VA deny a presumptive disability?**

Yes, Any disabilities must have a clear connection to presumed exposure during active-duty service.

## **What is the toxic exposure screening being offered to enrolled veterans?**

The Toxic Exposure Screening available for enrolled veterans is a voluntary series of questions asked by your provider about your history of possible toxic exposure. It takes about 5-10 minutes. It does not involve physical examinations or other diagnostic procedures.

## **Do I need a toxic exposure screening before filing a claim?**

No. The screening is NOT a requirement to get the PACT Act related benefits process started.

## **If the toxic exposure screening isn't required to start my PACT Act claim, why should I get one?**

While not required to file your PACT Act claim, it does help identify potential exposures to toxins during your military service. This allows for ongoing care that ensures early diagnosis and treatment of any health concerns that may arise in the future related to your exposure(s). It takes around 5-10 minutes and can be part of a regular health care appointment.

## **Getting Your Benefits**

### **Is there a deadline to file a claim?**

No. However, if you apply for PACT Act-related benefits **before August 10, 2023**, your benefits will be backdated to August 10, 2022 – the day the bill was signed into law. Eligible veterans are encouraged to submit claims as soon as possible.

### **How do I notify the VA of my intent to file?**

You can call the Department of Veterans Affairs at 1-800-827-1000 or submit a form of intent to file at <https://www.vba.va.gov/pubs/forms/VBA-21-0966-ARE.pdf>

## **Contact Us**

If you need assistance, please contact us at our Jersey City District Office by calling (201) 309-0301 or visit our website at <https://menendez.house.gov/>

You can also reach out the Department of Veterans Affairs at <https://www.accesstocare.va.gov/Healthcare/PactAct> or at 1-800-698-2411