

PACT Act and Pension

A Brief Overview on How PACT Act Affects Pension and Pension Related Claims



The background of the slide features a stylized American flag. The top left corner shows the blue field with white stars, while the bottom right corner shows the red and white stripes. The flag is rendered with a painterly, brushstroke effect.

What is the PACT Act?

- The Sergeant First Class (SFC) Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act was signed into law on August 10, 2022
- It expands VA health care and benefits for Veterans exposed to toxic substances and other environmental hazards.
- Changes includes new presumptive exposure locations for Agent Orange (AO) Exposure, Radiation, and Burn Pit and other Gulf War Toxins
- New presumptive conditions have also been added for those who have been exposed to AO and Gulf War environmental hazards

New Presumptive Conditions

- High blood pressure (also called hypertension)
- Monoclonal gammopathy of undetermined significance (MGUS)

New AO Locations

- Any U.S. or Royal Thai military base in Thailand from January 9, 1962, through June 30, 1976
- Laos from December 1, 1965, through September 30, 1969
- Cambodia at Mimot or Krek, Kampong Cham Province from April 16, 1969, through April 30, 1969
- Guam or American Samoa or in the territorial waters off of Guam or American Samoa from January 9, 1962, through July 30, 1980
- Johnston Atoll or on a ship that called at Johnston Atoll from January 1, 1972, through September 30, 1977



Vietnam Era Changes



3 New Radiation Locations Have Been Added

- Cleanup of **Enewetak Atoll**, from January 1, 1977, through December 31, 1980
- Cleanup of the Air Force B-52 bomber carrying nuclear weapons off the coast of **Palomares, Spain**, from January 17, 1966, through March 31, 1967
- Response to the fire onboard an Air Force B-52 bomber carrying nuclear weapons near **Thule Air Force Base in Greenland** from January 21, 1968, to September 25, 1968

Gulf War Era Presumptives

- **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**
- **Pancreatic cancer**
- **Reproductive cancer of any type**
- **Respiratory (breathing-related) cancer of any type**

Gulf War Presumptives Continued

- Asthma that was diagnosed after service
- Chronic bronchitis
- Chronic obstructive pulmonary disease (COPD)
- Chronic rhinitis
- Chronic sinusitis
- Constrictive bronchiolitis or obliterative bronchiolitis
- Emphysema
- Granulomatous disease
- Interstitial lung disease (ILD)
- Pleuritis
- Pulmonary fibrosis
- Sarcoidosis

Gulf War Presumptive Locations

On or after August 2, 1990

- Bahrain
- Iraq
- Kuwait
- Oman
- Qatar
- Saudi Arabia
- Somalia
- The United Arab Emirates (UAE)
- The airspace above any of these locations


On or after September 11, 2001

- Afghanistan
- Djibouti
- Egypt
- Jordan
- Lebanon
- Syria
- Uzbekistan
- Yemen
- The airspace above any of these locations



PACT Act and How it Relates to Pension

- For new Service-Connected (DIC or Service-Connected Burial) death claims, every attempt will be made to grant under existing regulations
- For DIC, reevaluation of previously denied claims must be elected, by the claimant.
- Any other awards payable, such as Survivor Pension or Non-Service Connected Burial Benefits, may be granted as an interim award while waiting on the finalization of PACT Act claims
- Development for PACT Act claims are the same as for other Special Issue claims
- For Agent Orange related claims, once all information is received the claim should be sent to the Central Processing unit for an Exposure Memo

An American flag is the background of the slide, with the stars and stripes clearly visible. In the top left corner, there is a solid orange horizontal bar.

The Claim is Ready to be Rated, Now What?

- After all development has been sent and all needed documents are of record, if no further action can be taken to grant or deny the claim the following steps will be taken:
 - Special Issues *PACT Act* and *NWQ Review Project #4* will be added to the end product contention
 - If the claim is a DIC Reconsideration use *PACT ACT DIC Reevaluation* instead of *PACT Act*
 - This will cause the system to recall the claim and hold it until further guidance is provided

Questions?



★ THANK YOU ★
VETERANS