

ISSUE BRIEF: CAMP LEJEUNE CONTAMINATED WATER

The Situation

- Military personnel and their families were exposed to contaminated water at 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) health 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.
- 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 act.
- 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 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.
- 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

- Thousands of veterans who served less than 30 aggregate days at Camp Lejeune are not eligible for presumptive service connection. However, as VA has even conceded, there is no scientific evidence to support a specific minimum exposure level. The 30-day requirement

must be eliminated as this restriction negatively impacts veterans and is not based on any science.

- Although VA has recognized 15 diseases related to the contaminated water for treatment purposes, they have only acknowledged eight presumptive diseases. There are no current requirements for any future or updated reports on diseases that may be related to the Camp Lejeune contaminated water.