

ASSEMBLY RESOLUTION No. 250

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 17, 2021

Sponsored by:

Assemblyman JOHN ARMATO

District 2 (Atlantic)

SYNOPSIS

Urges US Congress pass “Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act of 2021.”

CURRENT VERSION OF TEXT

As introduced.



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1 **AN ASSEMBLY RESOLUTION** urging the United States Congress to
2 pass the “Presumptive Benefits for War Fighters Exposed to
3 Burn Pits and Other Toxins Act of 2021.”
4
5 **WHEREAS**, A presumption of service connection occurs when the
6 Department of Veterans Affairs presumes a disability is caused by
7 military service in order for a veteran to receive disability
8 compensation; and
9 **WHEREAS**, When a presumption of service connection has not been
10 established, a veteran seeking disability compensation is required to
11 present specific evidence of the current disability, the occurrence
12 during service, and a link between the claimed condition and
13 military service; and
14 **WHEREAS**, United States Senate Bill No. 952, and House of
15 Representatives Bill No. 2372, the “Presumptive Benefits for War
16 Fighters Exposed to Burn Pits and Other Toxins Act of 2021,” was
17 introduced in the Senate on March 24, 2021, by Senators Kirsten
18 Gillibrand and Marco Rubio, and in the House of Representatives
19 on April 5, 2021, by Representative Raul Ruiz, in order to provide a
20 presumption of service connection for veterans exposed to burn pits
21 and other toxins and make it easier for veterans to receive benefits
22 from the Department of Veterans Affairs; and
23 **WHEREAS**, In recent military conflicts, the military utilized open-air
24 burn pits to burn garbage, including chemicals, paint, human waste,
25 medical waste, metal and aluminum cans, munitions and
26 unexploded ordnance, petroleum and lubricant products, plastics,
27 rubber, wood, and food waste; and
28 **WHEREAS**, At least 230 burn pits were used in Iraq and Afghanistan,
29 with others across the globe, the largest at Balad Air Base in Iraq, a
30 burn pit that stretched 10 acres; and
31 **WHEREAS**, Burning garbage has negative impacts on human health
32 and can release toxic fumes and smoke; and
33 **WHEREAS**, Approximately 3.5 million service members have been
34 exposed to toxins connected to burn pits; and
35 **WHEREAS**, In 2014, the Department of Veterans Affairs established
36 the Airborne Hazards and Open Burn Pit Registry in order to collect
37 data to research potential health effects of airborne hazards; and
38 **WHEREAS**, Currently, each claim asserted by a veteran for a disability
39 related to exposure to a burn pit requires the service member
40 establish a direct service connection, this legislation would
41 eliminate the hurdle of proving a nexus between the veteran’s
42 service and their illness or disease by establishing a presumption of
43 service connection for a veteran who received a campaign medal
44 associated with the Global War on Terror or the Gulf War and is
45 diagnosed with a qualifying illness or disease; and

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1 WHEREAS, The federal legislation also provides ongoing scientific
2 assessment of the association between the qualifying illnesses or
3 diseases and burn pits; and

4 WHEREAS, New Jersey is grateful for the sacrifices that members of
5 the military and their families have made in service to this nation,
6 and recognizes that they have sacrificed their health in service and
7 deserve to be taken care of during and after their service; now,
8 therefore,

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10 BE IT RESOLVED by the General Assembly of the State of New
11 Jersey:

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13 1. This House respectfully urges the United States Congress
14 pass S.952 and H.R.2372, the “Presumptive Benefits for War
15 Fighters Exposed to Burn Pits and Other Toxins Act of 2021.”

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17 2. Copies of this resolution, as filed with the Secretary of State,
18 shall be transmitted by the Clerk of the General Assembly to the to
19 the Speaker and Minority Leader of the United States House of
20 Representatives, the Majority and Minority Leaders in the United
21 States Senate, and every member of Congress elected from this
22 State.

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24
25 STATEMENT

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27 This resolution urges the United States Congress pass the
28 “Presumptive Benefits for War Fighters Exposed to Burn Pits and
29 Other Toxins Act of 2021” in order to provide a presumption of
30 service connection for veterans exposed to burn pits and other
31 toxins.

32 Open-air burn pits were utilized to dispose of garbage including
33 chemicals, paint, human waste, medical waste, metal and aluminum
34 cans, munitions and unexploded ordnance, petroleum and lubricant
35 products, plastics, rubber, wood, and food waste, during the course
36 of the Global War on Terror and the Gulf War. At least 230 burn
37 pits were used and released fumes and smoke harmful to human
38 health. Approximately 3.5 million service members were exposed
39 to burn pits while serving overseas.

40 This legislation would give service members the presumption of
41 service connection for those who received a campaign medal
42 associated with the Global War on Terror or the Gulf War and are
43 diagnosed with a qualifying illness or disease.

44 Service members have sacrificed to serve this nation and deserve
45 to receive healthcare and benefits for the hazards they faced during
46 their service.