

PACT Act 2022 for AGENT ORANGE EXPOSURE

SEC. 403. PRESUMPTIONS OF SERVICE CONNECTION FOR DISEASES ASSOCIATED WITH EXPOSURES TO CERTAIN HERBICIDE AGENTS FOR VETERANS WHO SERVED IN CERTAIN LOCATIONS.

(a) *Short Title.*—This section may be cited as the “Veterans Agent Orange Exposure Equity Act of 2022”.

(b) *In General.*—Section 1116, as amended by section 202, is further amended—

(1) by striking “, during active military, naval, air, or space service, served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975” each place it appears and inserting “performed covered service”;

(2) by striking “performed active military, naval, air, or space service in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975” each place it appears and inserting “performed covered service”; and

(3) by adding at the end the following new subsection:

“(d) In this section, the term ‘covered service’ means active military, naval, air, or space service—

“(1) performed in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975;

“(2) performed in Thailand at any United States or Royal Thai base during the period beginning on January 9, 1962, and ending on June 30, 1976, without regard to where on the base the veteran was located or what military job specialty the veteran performed;

“(3) performed in Laos during the period beginning on December 1, 1965, and ending on September 30, 1969;

“(4) performed in Cambodia at Mimot or Krek, Kampong Cham Province during the period beginning on April 16, 1969, and ending on April 30, 1969; or

“(5) performed on Guam or American Samoa, or in the territorial waters thereof, during the period beginning on January 9, 1962, and ending on July 31, 1980, or served on Johnston Atoll or on a ship that called at Johnston Atoll during the period beginning on January 1, 1972, and ending on September 30, 1977.”.

C. 404. ADDITION OF ADDITIONAL DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HERBICIDE AGENTS FOR WHICH THERE IS A PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO SERVED IN CERTAIN LOCATIONS.

(a) *Short Title.*—This section may be cited as the “Fair Care for Vietnam Veterans Act of 2022”.

(b) *Monoclonal Gammopathy Of Undetermined Significance.*—Section 1116(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(L) *Monoclonal gammopathy of undetermined significance.*”.

(c) *Hypertension.*—Such section, as amended by subsection (b), is further amended by adding at the end the following new subparagraph:

“(M) *Hypertension.*”.

(d) *Effective Dates And Applicability.*—

(1) MONOCLONAL GAMMOPATHY OF UNDETERMINED SIGNIFICANCE.—

(A) IN GENERAL.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and shall apply as follows:

(i) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under [chapter 13](#) of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

(I) terminally ill;

(II) homeless;

(III) under extreme financial hardship;

(IV) more than 85 years old; or

(V) capable of demonstrating other sufficient cause.

(ii) On October 1, 2022, for everyone not described in clause (i).

(B) RETROACTIVE APPLICATION.—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(L) of title 38, United States Code, as added by subsection (b) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in subparagraph (A)(i) of this paragraph.

(2) HYPERTENSION.—

(A) IN GENERAL.—The amendment made by subsection (c) shall take effect on the date of the enactment of this Act and shall apply as follows:

(i) *On the date of the enactment of this Act for claimants for dependency and indemnity compensation under [chapter 13](#) of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—*

(I) terminally ill;

(II) homeless;

(III) under extreme financial hardship;

(IV) more than 85 years old; or

(V) capable of demonstrating other sufficient cause.

(ii) On October 1, 2026, for everyone not described in subparagraph (A).

(B) RETROACTIVE APPLICATION.—*Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(M) of title 38, United States Code, as added by subsection (c) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in subparagraph (A)(i) of this paragraph.*