

FY24 Toxic Exposure-Related VA Appropriations

Tony Farrell, November 4, 2023

House of Representatives Report 118-122 (118th Congress) was submitted by the Committee on Appropriations to accompany H. R. 4366, the Military Construction, Veterans Affairs, and related agencies appropriations bill for 2024. This article is an examination of that report focused narrowly on VA treatment and compensation of veterans suffering from service-connected, toxic exposure-related health conditions, with a goal of learning how Panama Canal Zone Veterans may be affected through the PANAMA CANAL ZONE VETERANS ACT.

The Appropriations Committee estimates 6 million veterans currently receive service-connected compensation payments. **(1)** Report 118-122 also reveals that \$20.2 billion was earmarked for the Toxic Exposure Fund (TEF) for 2024, with over \$17.1 billion in TEF money dedicated to medical care. The Fiscal Responsibility Act of 2023 also provided over \$24.4 billion in advance appropriations for 2025 (with \$21.4 billion set aside for medical care). **(2)** Recall the TEF is the funding source for the PACT ACT. I suspect the Congressional Budget Office may consider the TEF as a potential funding source for the PANAMA CANAL ZONE VETERANS ACT too, since our bill is also about toxic exposure.

The appropriations bill also included \$68 million for research on military environmental exposures:

The Committee supports efforts to improve diagnosis and treatment of conditions resulting from toxic exposures [and] encourages the Department to continue research on the effects of and treatments for veterans exposed to toxins, such as Agent Orange, open burn pits, PFAS, radiation, and asbestos, during the course of their active-duty service. The Committee also urges the Department to utilize reference data from

existing medical records to determine how veterans who served in areas where toxins were dispersed may have more frequent or unexplained diseases compared to the civilian population. (3)

Interestingly, herbicide-related toxic exposure research and the effects of toxic exposures on women were specifically mentioned -- but under "medical and prosthetic research", which has a **\$938 million** appropriation for 2024 (emphasis mine):

The Committee recognizes the effects of toxic exposure on women veterans, and that the effects of toxic exposure may manifest differently between men and women.... it is essential for the Department to understand the health effects of [toxins on women veterans exposed during their service]. (4)

*To understand the residual effects of Agent Orange, dioxins, **and other herbicide-related toxic exposures**, the Committee urges the Department to utilize reference data from existing medical records of veterans who served in Vietnam, Thailand, Guam, the Northern Mariana Islands, American Samoa, **and other geographic areas where these toxic substances were dispersed** to determine the percentage who have frequent or unexplained diseases compared to the civilian population. (5)*

Notice the emphasized phrases in the quote above absolutely permit research in the Panama Canal Zone and examination of medical records of Veterans of the Panama Canal Zone.

A subsequent paragraph explains that **sufficient funding is required for toxic research. (6)**

It should be noted that House *Republicans initially only reserved \$5.5 billion for the TEF* for 2024 instead of the full funding required. Passage of the Fiscal Responsibility Act of 2023 provided full funding for the TEF for 2024 and 2025. **(7) (8)** Committee Democrats were quick to underscore this. **(9)**

As a point of interest only, a series of amendments were proposed by Congressman Chip Roy of Texas prohibiting the VA from spending any appropriated funds on modification of its mission statement, on COVID-19 related vaccinations for VA staff, or on actions related to climate change. Many other riders were also attached. **(10) (11)**

(1) Committee on Appropriations. "MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS BILL, 2024." <https://www.congress.gov/118/crpt/hrpt122/CRPT-118hrpt122.pdf>, 27 June 2023. p.22.

(2) *ibid.*, p.57.

(3) *ibid.*, p.38.

(4) *ibid.*, pp. 47-48.

(5) *ibid.*

(6) *ibid.*, p.73.

(7) *ibid.*, p. 116.

(8) DeLauro, Rosa. "Military Construction, Veterans Affairs, and Related Agencies." <https://democrats.appropriations.house.gov>. Accessed 4 Nov. 2023.

(9) "House Democrats Highlight How Republican Funding Bill Fails to Honor Our Commitment to Veterans." *House Committee on Appropriations*, 17 May 2023, <https://democrats-appropriations.house.gov/news/press-releases/house-democrats-highlight-how-republican-funding-bill-fails-to-honor-our>.

(10) *ibid.*, p.2.

(11) "Legislative Search Results -- H. R. 4366." *congress.gov*, <https://www.congress.gov/search?q=%7B%22source%22%3A%22legislation%22%2C%22congress%22%3A118%2C%22search%22%3A%22h.r.%204366%22%7D>. Accessed 4 Nov. 2023.