



**Statement of Tom Porter**  
**Vice President, Government Affairs**  
*of*  
**Iraq and Afghanistan Veterans of America**  
*before the*  
**Senate Veterans Affairs Committee**  
  
**September 25, 2019**

Chairman Isakson, Ranking Member Tester, and Members of the Committee:

On behalf of Iraq and Afghanistan Veterans of America (IAVA) and our more than 425,000 members, thank you for the opportunity to share our views, data, and experiences on the matter of burn pits and airborne toxins.

I am submitting this testimony not only as an IAVA advocate, but also as a veteran of Operation Enduring Freedom who was exposed to a variety of airborne toxins from burn pits and other sources. I was deployed to Afghanistan and Kuwait between 2010 and 2011, and was exposed to burn pits and airborne toxins at multiple locations. Prior to that deployment, I had zero breathing problems and completely healthy lungs. In the first couple of weeks after I arrived in Kabul, where the air is particularly bad, my lungs had a severe reaction and became infected. I used medication to control the symptoms over the next year. However, after re-deploying home, I stopped the medication and the symptoms returned. I was subsequently diagnosed with asthma as a result of my deployment.

Exposure to burn pits, which were used by the military to destroy medical and human waste, chemicals, paint, metal/aluminum cans, unexploded ordnance, petroleum and lubricant products, plastics, rubber, wood, and other waste, has been widespread.

Three million American servicemembers have deployed to the conflicts in Iraq and Afghanistan, and we suspect the vast majority may have had some exposure to toxins from burn pits. Exposure was not just limited to those servicemembers who were working at the burn pits. Toxins launched into the air by burn pits could, and did, reach servicemembers located on the same base, even if they were not directly next to the burn pit site. Search for the "Poo Pond Song" on YouTube and you will hear one



soldier's humorous take on the enormous lake of human waste that tens of thousands of international servicemembers lived, worked, and ate around at our formerly large base at Kandahar, Afghanistan. The real health-related consequences of having lived near this waste disposal system, however, are no laughing matter.

The many servicemembers who have served in Kabul, as I did, lived in an enormous city with open sewers and whose population routinely burns dry animal dung to keep warm. There were burn pits there as well. Our military serving there are now suffering the impacts from breathing airborne feces for extended periods of time.

This is to say nothing of the other toxic chemicals and fine particulates our men and women in uniform were exposed to every day. Our friends around the veteran space, especially those who served in Vietnam, know all too well how detrimental toxic exposures and environmental hazards can be. Inspired by their struggle, at Iraq and Afghanistan Veterans of America we don't want burn pits to be the "Agent Orange of our generation."

Many Iraq and Afghanistan veterans have personal stories related to the U.S. government's process for disposing of human waste. One of our members, Christina Thundathil, a U.S. Army veteran, told us of her own experience during her deployment to Balad, Iraq. Although her specialty was in food preparation, her job in Balad was to drag full bins from port-o-johns daily, douse the contents with jet fuel, light them on fire, stir them with her e-tool (shovel), and then repeat until she had a brick she could bury in the desert. She's severely injured because of these exposures, and she desperately needs a cure for her ills. Christina is just one example of the many veterans who are currently suffering.

### *The Need for Public Education*

Little is understood about the long-term effects of exposure to burn pits and other airborne hazards. As our presence in Iraq and Afghanistan has largely faded from most Americans' consciousness, the country must remain focused on investing in the system of care for veterans and their families.



Year after year, we have seen an upward trend in the number of members reporting symptoms associated with burn pit exposure. Eighty-two percent of IAVA members who responded to our latest survey report being exposed to burn pits during their deployment; over 84% of those exposed report that they may be or are already suffering from associated symptoms.

In response to our members' concerns, IAVA launched a campaign last year to educate Americans about burn pits and airborne toxic exposures and the devastating potential impact they could be having on the health and welfare of millions of Post-9/11 veterans and their families.

To see the enormous extent of veteran interest in this issue, you only need to look at the comments section of any related online news article. These veterans need help now.

*We Need to Get Veterans Registered - Pass the Burn Pits Accountability Act*

The Department of Veterans Affairs has an "Airborne Hazards and Open Burn Pit Registry," which helps VA "collect, analyze, and report on health conditions that may be related to environmental exposures experienced during deployment." Although established in 2014, only 185,000 have completed the registry questionnaire. VA estimates that 3.5 million veterans are eligible to register. However, the latest numbers indicate that only 1.7% of eligible post-9/11 veterans have done so. In our annual survey we found that only 48% of IAVA members who self-identified as having been exposed have registered. That number is an increase from the previous year, which is a good sign, but much more work needs to be done.

The Burn Pit Registry is not well-known and is underutilized. The result is that the data on these exposures is not being collected at the levels needed to fully inform the next steps. Legislation signed into law last year (Public Law 115-929) sponsored by Sen. Amy Klobuchar and backed by IAVA resulted in the designation of the Airborne Hazards and Burn Pits Center of Excellence in May 2019. The Center conducts clinical and translational research related to airborne hazards and burn pits, including through the study of the data included in the Burn Pit Registry. When the registry is up-to-date and



everyone is registered, this Center will truly be equipped to help us tackle this enormous problem.

A definitive scientific link between exposure and specific illnesses has not yet been made. While many scientists agree that the evidence points to a direct link, more research is needed to develop treatments and to solidify the connection to these illnesses. We need more veterans registered so we can improve this important research.

Until this point, the Department of Defense (DoD) has not taken formal accountability of toxic exposures for deployed servicemembers. IAVA helped develop new legislation to tackle this problem. In May 2018, Reps. Tulsi Gabbard and Brian Mast introduced the *Burn Pits Accountability Act* (H.R. 663), and the Senate version (S. 191) was subsequently introduced by Sens. Amy Klobuchar and Dan Sullivan. The legislation directs DoD to include an evaluation of whether a servicemember has been exposed to open burn pits or toxic airborne chemicals in servicemembers' periodic health assessments and during military separations. If they report being exposed, they will be enrolled in the Burn Pit Registry unless they opt-out.

This legislation is bipartisan and commonsense. It simply does what should have been done long ago: it compels DoD to record exposures before the servicemember leaves the military.

Through the efforts of our sponsors, IAVA, and our many partner VSOs, the legislation has been included in both the House and Senate-passed versions of the *National Defense Authorization Act (NDAA) for Fiscal Year 2020*. The original bill is backed by 42 Senators and 197 House Members from both parties. IAVA calls on conferees to ensure the legislation remains in the final NDAA.

### *Important Additional Steps We Can Take Right Now*

IAVA has supported and continues to support other VA-focused toxic exposure legislation, and has joined with other leading VSOs in a Wounded Warrior Project-led coalition - the Toxic Exposure in the American Military (TEAM) - to better understand the risks and effects of toxic exposure in order to ensure servicemembers, veterans,



and survivors have access to the care and benefits they need. Through the TEAM, each member VSO increases its capacity to effectively advocate for affected personnel and our members.

An important next step forward for those who have been exposed (and their families) is the joint VA-DoD development of the Individual Longitudinal Exposure Record (ILER) database. The ILER will record potential and known exposures throughout a servicemember's time in uniform in order to provide DoD and VA clinicians, claims adjudicators, and benefits advisors actionable data needed to improve the care provided to servicemembers and veterans. Data from those receiving treatment for illnesses through DoD and VA should be fed back into the ILER, ultimately increasing VA's ability to develop a presumptive illness database off of evolving illnesses.

If this system is done right, it will provide servicemembers and veterans significant transparency into their exposures that many have been saying has been lacking by DoD and VA. However, while this system has tremendous potential in allowing servicemembers, veterans, and their medical providers access to critical exposure information, ILER is not available currently to personnel outside of the DoD or VA. IAVA recommends that Congress require DoD and VA to develop a user-friendly online tool that allows individuals easy access information and the ability to download their ILER data.

IAVA is also concerned that the ILER will be available to VA claims adjudicators without sufficient guidelines for how they will interpret the information. We are concerned that VA claims adjudicators will use ILER to deny claims if there is no information in the system regarding the veterans' possible exposure. VBA must train their claims adjudicators appropriately on how it interprets and uses the information. Congress should establish clear guidelines on how VA can use the ILER database when processing a claim for possible exposure at VA.

Further, while we understand how important it is that the Airborne Hazards and Open Burn Pit Registry data is studied and used by the new aforementioned VA Center of Excellence, it is unclear what has resulted from analysis to date. We recommend the Center of Excellence establish a yearly report to Congress on information that is being captured and any trends that have been identified.



IAVA appreciates recent efforts by DoD and VA to demonstrate the ILER to military and veterans service organizations, and encourages those efforts to continue and increase.

Again, I thank the Chairman and Members of the Committee for inviting IAVA to express our members' views on this critical issue. It's important, with a widespread impact, and those that have been exposed during their time in uniform need the attention and treatment they are due.

### **Biography of Tom Porter**

Tom Porter, Vice President for Government Affairs, has served with IAVA since 2015. In this role, Tom leads IAVA's government relations team and related efforts to advocate for our nation's veterans, while also serving as a media spokesman for IAVA priorities. Prior to joining IAVA, Porter was Vice President at Morgan Meguire, LLC since 2004. He was successful in achieving goals on behalf of a nationwide client base through aggressive and bi-partisan advocacy before Congress and federal agencies. He also served nine years on the staff of three senior Members of Congress.



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Porter is also a Commander in the U.S. Navy Reserve with 23 years of reserve and active service as a Public Affairs Officer, including deployments to Afghanistan and the Arabian Gulf.