

Veterans Administration - Camp LeJeune and Burn Pit Claims Information

August 18, 2022

On August 10th of this year, President Biden signed into law the Honoring Our PACT Act of 2022 which granted broad relief to veterans suffering the effects of exposure to toxic chemicals from a range of sources including burn pits. This Act gives benefits to veterans suffering from a long list of illnesses which will now be presumptively considered to be caused by such exposure for veterans showing they were in regions where such toxins were present.

Also contained in the PACT Act, Section 804, was a provision entitled the Camp Lejeune Justice Act of 2022 which will have a profound effect on veterans and their dependents who suffered ill effects caused by the contaminated water at Camp Lejeune. The threshold requirement is the individual had to be exposed to the water at Camp Lejeune for a period of not less than 30 days at any time between August 1, 1953 and December 31, 1987.

This unprecedented piece of legislation allows veterans and their dependents to directly sue the United States for damages caused by the contaminated water. Until this Act was passed, veterans could not sue the U.S. based on the Feres Doctrine which blocked any such suit from proceeding. The Act also waived the sovereign immunity of the United States for such suits and waives the applicable statutes of limitation. There is, however, a limited period of time when such a suit may be filed and requires all potential litigants to seek relief through an administrative claim process prior to filing the suit. All lawsuits must be filed in the U.S. Federal Court for the Eastern District of North Carolina within 180 days of a denial of the administrative claim or two years from the signing the Act, whichever is later.

As you have no doubt seen, this kicked off a feeding frenzy among personal injury lawyers trying to sign up what will be many thousands of clients. The best initial advice would be for potential claimants to be sure of the nature and competence of any law firm seeking to represent them and fully understand the impact of any retainer agreement the firm asks to be signed.

Anyone interested in or desiring to make a claim under these new laws should contact the Mendon Department of Veteran's Services. Messages can be sent to ~~rfletcher@mendonma.gov~~ or you may call me at (617) 872-5931 (Cell).

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Director of Veterans' Services