

**Statement for the Record**  
**Senator Richard Burr**  
**UNITED STATES SENATE**  
**VETERANS AFFAIRS COMMITTEE**  
**“Pending Legislation” Hearing**  
**June 15, 2017**

CHAIRMAN ISAKSON, RANKING MEMBER TESTER and Members of the Committee, thank you for the opportunity to present my views on pending legislation under consideration by the Committee.

Today, I would like to discuss the Janey Ensminger Act of 2017 , important legislation sponsored by myself and Senators Thom Tillis (R-NC), Bill Nelson (D-FL), and Marco Rubio (R-FL)

The legislation is named in honor of Master Sergeant Jerry Ensminger’s daughter, Janey, who was only nine-years-old when she died in 1985 from a rare form of leukemia after being exposed to toxic water at Camp Lejeune her entire life. Master Sergeant Ensminger has been a tireless advocate for the members of the military and families who were harmed by toxic exposure at Camp Lejeune.

Our bill requires the Department of Veterans Affairs to provide medical care for all diseases that can be scientifically linked to exposure to toxic chemicals at Camp Lejeune.

The legislation also requires that the Agency for Toxic Substances and Disease Registry (ATSDR), a federal agency within the Centers for Disease Control and Prevention, review all relevant scientific literature every three years to determine if sufficient or modest causal links have been found between toxic exposure at Camp Lejeune and additional diseases and conditions. This will ensure that veterans and their families will not have to wait to get medical care as researchers learn more about the long-term health consequences of the toxins found in the water at Camp Lejeune.

By way of background, the Centers for Disease Control and Prevention’s Agency for Toxic Substances and Disease Registry (ATSDR) at the Department of Health and Human Services (HHS) conducts public health assessments addressing environmental contamination and analyzing the health risks from this exposure for individuals who lived and worked at Camp Lejeune, NC. Current law extends

health care to veterans and their family members who have certain diseases and conditions as a result of exposure to contaminated well-water in North Carolina from 1953 to 1987. ATSDR's scientific analysis has been critical to informing the benefits for veterans and their family members who are sick as a result of this tragic contamination in North Carolina. Despite ATSDR determining that a number of cancers and other health conditions were caused by the Camp Lejeune water contamination, the Veterans Administration (VA) continues to challenge these findings, ultimately delaying and denying care to veterans and their family members. For decades, service members and their family members who lived and worked at Camp Lejeune, NC were harmed by exposures to toxic substances. In the decades since, these men and women who served our nation, have had to fight to receive the care to which they are entitled as a result of their service to our country. Veterans and their family members should not be further harmed by the VA's failure to accept ATSDR's findings.

The Janey Ensminger Act of 2017 codifies ATSDR's critical work on behalf of veterans and their family members who have been sickened by the toxic exposures that occurred at Camp Lejeune, in a way that ensures and strengthens accountability to these individuals. This bill provides critical transparency regarding the HHS and VA's Camp Lejeune-related work in a manner that respects and reflects the most current scientific understanding of the health risks associated with these toxic exposures.

This bill would require the ATSDR Administrator to review the scientific literature relevant to the relationship between the employment or residence of individuals at Camp Lejeune, NC for not fewer than 30 days between August 1, 1953, and December 21, 1987, and the specific illnesses or conditions incurred by those individuals. The ATSDR Administrator would also be required to determine each illness or condition for which there is evidence that exposure to a toxic substance at Camp Lejeune, NC, during this time period may be a cause of the illness or condition, categorize the level of evidence for these conditions, and publish this information on HHS' Internet website. Under this bill, the list of illnesses and conditions, and their corresponding evidentiary categorization from exposure to a toxic substance at Camp Lejeune, NC, would be regularly updated to ensure that this list reflects the most current scientific analysis. This transparency is key for ensuring that there is no denying, delaying, or disputing the health care benefits owed veterans and their family members who are sick because of exposure to a toxic substance at Camp Lejeune, North Carolina.

If future research by ATSDR determines that the casual connection between the contaminated water at Camp Lejeune and a medical condition is not as strong as once believed, those veterans and their families who are being treated for that disease or condition shall continue to receive care in order to ensure continuity of care. However, for veterans and their families who are not already receiving care for such a condition, medical care would no longer be available because the causal connection is no longer scientifically supportable.

I will not stop fighting for justice for the victims of Camp Lejeune. There remain many obstacles for us to overcome. I thank Jerry for his tireless efforts at holding the VA accountable and improving the lives of all who suffer from illnesses incurred at Camp Lejeune. No one has been a better advocate for these individuals, and I cannot commend him highly enough for his steadfast determination.

I thank the Committee for its attention to this critical matter.