

## Modification of the PACT Act

**Background:** The PACT Act, Pub. L. 117-168 granted presumptive herbicide exposure status to US servicemembers who served on the islands of Guam, American Samoa, the Northern Mariana Islands and Johnston Atoll.

**Problem:** Section 403(d)(5) grants the presumption of herbicide exposure to service members w “(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.”. Evidence compiled by Military-Veterans Advocacy shows that the spraying on Guam commenced on August 15, 1958. See, Area Public Works Office *Guam Soils Conservation Series No. 2, Herbicides*, August 15 19598 which can be found [1958 Herbicides Navy \(1\).pdf \(militaryveteransadvocacy.org\)](#)

**Solution:** Enact the following technical correction. Section 403(d)(5) is amended to read as follows: “(5) performed on Guam, or in the territorial waters thereof during the period beginning on August 15, 1958 and ending on July 31, 1980 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.”

**Personnel Affected:** Military-Veterans Advocacy estimates only a few dozen veterans are still alive who would not be covered by service in other areas. Mandatory spending should be negligible.