

May 23, 2023

The Honorable Carlos Del Toro  
Secretary  
U.S. Navy  
1000 Navy Pentagon  
Washington, D.C. 20350

Dear Secretary Del Toro:

I write out of concern over the U.S. Navy Judge Advocate General's (JAG) apparent inaction in processing nearly 60,000 claims filed by veterans, their families, and civilian personnel who were exposed to contaminated drinking water at Camp Lejeune, North Carolina between 1953 and 1987.<sup>1</sup> The U.S. Department of Veterans Affairs estimates that approximately 1 million people were potentially affected between 1953 and 1987. It is unacceptable that those impacted by the contaminated water are stuck in a bureaucratic waiting game.

As you are aware, the *Camp Lejeune Justice Act of 2022* was included in the *Sergeant First Class (SFC) Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act* (P.L. 117-168), which was signed into law on August 10, 2022. This law allows those impacted by the Camp Lejeune water contamination, and who suffer from various health conditions, standing against the government. However, before an individual can bring suit in the Eastern District of North Carolina, they must first file a claim with the Navy JAG. Only when the Navy denies the claim, or fails to act within six months, can the case proceed. Of those 60,000 claims, I am not aware of the Navy acting on any of them.<sup>2</sup> Worse yet, the backlog caused by the JAG's lethargy has a chilling effect and may result in veterans missing the deadline to file claims.

According to the U.S. Department of Defense's online self-registry, with nearly 25,000 claimants, Florida is home to the second most amount of self-registered Americans impacted by the water contamination at Camp Lejeune.<sup>3</sup> As you are aware, many of these veterans suffer from severe health issues linked to their exposure to the contaminated water at Camp Lejeune. For example, a recent study found that the risk of Parkinson's disease is 70 percent higher for service members who were assigned to Camp Lejeune during the contamination period.<sup>4</sup>

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<sup>1</sup> <https://news.bloomberglaw.com/us-law-week/veterans-on-borrowed-time-fume-over-delays-on-toxic-water-claims>

<sup>2</sup> <https://rollcall.com/2023/03/23/camp-lejeune-health-claims-are-mired-despite-law-allowing-suits/>

<sup>3</sup> <https://clnr.hqi.usmc.mil/clwater/pages/RegistrationSummary.aspx>

<sup>4</sup> <https://jamanetwork.com/journals/jamaneurology/article-abstract/2805037>

When Congress passed the PACT Act, I recognized the importance of this law in cutting the red tape that veterans, and their families, face when seeking their earned and deserved benefits. These delays in claims processing is adding even more insult to injury for veterans, their dependents, and others who are suffering due to the Navy's lack of movement to expeditiously process claims. Those who have served this nation deserve better.

Given the above information, I request the following information:

- What factors have contributed to the delay of any decisions on CLJA claims?
- What is the cause of delay in launching the online portal to better manage the claims?
- How will those impacted receive payments they are owed?
- How many Navy employees are currently tasked to work on these claims?
  - Does the Navy plan to hire additional people to assist with the claims processing?
- Does the Navy plan to expedite claims processing for those who are facing financial hardships or medically time sensitive situations?
- Does the Navy assess a gap in authorities to expeditiously process the claims?
- What timeline does the Navy envision is realistic to review the 60,000 claims?

Thank you for your attention to this important matter.

Sincerely,



Marco Rubio  
U.S. Senator