

## Why GAO Did This Study

There have been various reported incidents of individuals being potentially exposed to environmental hazards while on military installations. Indeed, some incidents, such as contaminated air due to burn pits in Afghanistan and Iraq and contaminated water at Camp Lejeune, North Carolina, have received considerable attention, and in the case of Camp Lejeune have resulted in claims seeking billions of dollars from the government.

Public Law 111-383, §314(2011) directed GAO to assess Department of Defense (DOD) policies regarding environmental exposures. GAO's objectives were to determine (1) the extent to which DOD has policies that identify and respond to environmental exposures, (2) what programs exist to provide health care or compensation to individuals for environmental exposures, and (3) which features of other federal programs may provide options in designing future compensation programs. GAO briefed the Armed Services Committees in December 2011, to satisfy the mandate. To address these objectives, GAO reviewed relevant documentation, visited installations, and interviewed relevant officials.

## What GAO Recommends

GAO is making recommendations to DOD to identify and respond to limitations in its policies for responding to environmental exposures. DOD generally disagreed with GAO's recommendations, commenting that current policies are adequate. GAO believes the recommendations remain valid, as discussed in the report.

View [GAO-12-412](#). For more information, contact Brian Lepore at (202) 512-4523 or [LeporeB@gao.gov](mailto:LeporeB@gao.gov) and David Trimble at (202) 512-9338 or [TrimbleD@gao.gov](mailto:TrimbleD@gao.gov).

## DEFENSE INFRASTRUCTURE

### DOD Can Improve Its Response to Environmental Exposures on Military Installations

## What GAO Found

DOD relies on four types of policies to identify and respond to many but not all aspects of environmental exposures: (1) environmental restoration policies address hazardous releases at military installations; (2) occupational and environmental health policies address workplace exposures; (3) deployment health policies address the collection of occupational and environmental health data for deployed individuals; and (4) public health emergency management policies. Nonetheless, there are some limitations in the policies' coverage. For example, DOD's environmental restoration policies do not specify when to conduct public health assessments at its sites beyond the initial assessment of certain priority sites required by the Superfund law. In addition, DOD has not fully documented its responses to recommendations that result from the assessments. DOD officials responsible for oversight reported that they did not know what actions, if any, installations had taken on about 80 percent of the recommendations. Without a comprehensive tracking system, DOD has no assurance that it is addressing recommendations appropriately and could be missing opportunities to identify and resolve concerns about some health threats. Further, DOD has no policy guiding services and their installations on appropriate actions to address health risks from past exposures, which DOD attributes to the Superfund law not specifically requiring responsible parties to address such risks.

Although several programs potentially provide either health care or compensation to various types of individuals suffering from environmental exposures, the ability of some individuals to actually obtain benefits—particularly compensation—is often complicated by documentary, scientific, and legal factors. First, it is often difficult to document an environmental exposure because they are often not always identified at the time they occurred. Second, it is often difficult to establish causation between an environmental exposure and a health condition, because scientific research has not always established a clear link. Third, although under certain circumstances some individuals have legal standing under the Federal Tort Claims Act to file a lawsuit against the U.S. government for damages due to an environmental exposure, damages under the Federal Tort Claims Act are not available to other types of individuals, and for certain types of claims due to legal precedent or statutes.

In several cases, Congress has established alternative programs to provide compensation to specific populations exposed to specific environmental hazards, such as for individuals involved in the production of nuclear weapons and those who worked in coal mines. Agency officials in charge of managing these alternative programs told us that certain features of these programs have proven to be beneficial to both claimants and administrators and should be considered for inclusion if any future programs are established to compensate individuals for environmental exposures on military installations. For example, Department of Labor and Department of Justice officials told GAO a compensation program that resolves claims in a nonadversarial manner and provides outreach to potential claimants is more beneficial to both claimants and administrators. In contrast, a more adversarial with limited claimant assistance usually leads to delays and increased cost for both claimants and the agency adjudicating claims.