

BG Michael T. Heston Died Due to Burn Pit Exposure

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Testimony
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My husband, Brigadier General Michael Heston died on November 14, 2018, after an almost two-year battle with a rare form of pancreatic cancer. I have been asked to testify today regarding the S111 Bill known as the Burn Pit Registry Bill.

Mike's diagnosis took 10 months and approximately 25-30 visits to many doctors and specialists. A familiar story among veterans. During this time, we knew toxic exposure due to the burn pits during his deployments in Afghanistan were an issue, because the Burn Pit Registry was established. Mike always said, "you only create a registry when you know there is a problem." As the Deputy Adjutant General for the State of Vermont, he communicated to his staff that all soldiers and airmen who were exposed to these burn pits while deployed were to register on the Burn Pit Registry. The problem is the Registry is difficult to access; and when you are able to access it, the process takes approximately 40 minutes. Many soldiers just give up trying. This needs to be rectified. Systems need to be put in place to ensure our service members are able to register. Mike did take the time to register as soon as it was available.

Two years later, Mike started having extreme back pain followed by significant weight loss. Although we let Mike's doctors know of his three deployments, we did not think to mention his exposure; because there was little visibility on this issue. And, of course, you want to believe that it can't happen to you, particularly since he was told by a doctor at UVM "we don't know what it is, but it is not cancer."

It was not until Mike was diagnosed at Dana Farber Cancer Institute in Boston in January 2017, that someone sent me an article about Amie Muller, a young woman who served in the Minnesota National Guard and deployed to Iraq. She died at age 36, nine months after being diagnosed with stage III pancreatic cancer. That is when I started doing research on the burn pits and discovered many Veterans were being diagnosed with rare illnesses and cancers. We started talking to Mike's oncologist about Mike's exposure to toxins from the burn pits overseas. Dr. Abrams, like most of the US population, had no idea what we were talking about. That is when testing was done to determine if his exposure was responsible for his cancer. Dr. Abrams writes in a letter dated May 3, 2017 "As a medical oncologist specializing in gastrointestinal cancer with the Dana-Farber Cancer Institute and a faculty member with the Harvard Medical School, I am a national recognized expert in the care and treatment and epidemiology of Pancreatic Cancer. It is generally believed that roughly 30% of all pancreatic cancer cases are likely attributable to environmental (carcinogenic) exposure." He later states this regarding Mike "I have conducted a detailed review of 1) his diagnostic and therapeutic course, 2) the timeline of Gen. Heston's multiple tours of duty to Afghanistan and 3) the environmental exposure profiles for both Kabul and Bagram (sites of his year-long

deployments). Gen Heston has none of the genetic, medical, dietary or behavioral risk factors commonly associated with pancreatic cancer. Based on the prolonged carcinogenic exposure (metals, chemicals and smoke from burn pits) sustained over the course of Gen Heston's deployments and the timing of those deployments relative to the onset and diagnosis of his pancreatic cancer, **it is my professional opinion more likely than not that General Heston's pancreatic cancer is due to prolonged environmental exposure sustained over the course of his deployments to Afghanistan.**"

This letter was the evidence we provided for Mike's application for a service-connected disability. This process took almost a year, and in January 2018 we received a letter from the Department of the Army rejecting Mike's claim for service-related disability. It states "There have been studies conducted in Afghanistan and Iraq regarding air quality and toxin exposure. They indicate an increased risk of developing various conditions. However, the studies stop short of saying that exposure to the smoke/fumes from the burn pits directly causes various medical conditions. The studies also state that more research is needed."

More research is not needed. The evidence is clear. The rate of cancer among our service members is significantly higher than the general public. It is also understood that open air burn pits would not be allowed in the US under OSHA regulations: *Open burning of residential, commercial, institutional or industrial solid waste is prohibited under [40 CFR Part 257-3.7\(a\)](#).*

So why is it our military members, who are working for the United State Government are not provided the same safety standards while serving overseas?

The letter from the Department of the Army also states: "Remarks: No evidence of negligence or misconduct. Effective 04 April 2017, Soldier will have up to 180 days following the completion of their qualified duty to request consideration for a line of duty determination, absent special circumstances. LOD was not initiated until 06JUN2017.

Why is it that military personnel, the less than one percent of our population that make the decision to serve their country, are not afforded more time to determine the effects of war? The JAMES ZADROGA 9/11 VICTIM COMPENSATION FUND REAUTHORIZATION ACT SEC. 402. Is REAUTHORIZING THE SEPTEMBER 11TH VICTIM COMPENSATION FUND OF 2001 extends the deadline for application to 2020. Do our service members not deserve the same?

Mike did received a service-connected disability from the VA, and we feel fortunate for that; because only about 20 percent of all applications for service-connected disability are being approved. The benefits are significantly less with a VA disability, but it is something. Unfortunately, many who deserve this are not getting it. When I asked our Veteran's Affairs officers how many people in Vermont have received this disability due to a cancer diagnosis, they said "ONE, Mike." I was then told "We were surprised Mike got it." They said that the letter from Dr. Abrams was the most compelling letter they had seen. My response was, "that

seems like an easy fix.” This legislation will provide the education the medical community needs to understand the significance and write a “compelling letter” to help these service members.

Many of you know Mike, BG Michael Heston, and his service to his State, and his Country. He served as a Vermont State Trooper for 26 years, and 33 years of military service including Marine Corp Reserve and Vermont Army National Guard. He stepped up every time he was asked to, and he proudly served this Country including three deployments to Afghanistan totaling three-years away from his family. He was a “Soldier’s Soldier.” That service cost him his life, and it cost others their lives, like Mike Cram who passed away in December 2017 and Jeff Sollace in October 2016, both died of prostate cancer. They served together overseas along with 18 other, men one of which was diagnosed early enough that he survived his prostate cancer and eight others in that group have elevated PSAs. Many others have reached out to me letting me know of their illnesses and the inability to get the medical community to take notice.

Mike was more than a soldier, he was an amazing husband and father. Family was very important to him, and he would always reinforce the importance of family with his troops. Not only did Mike’s service cost him his life, it cost him the opportunity to see his son graduate with his MBA. It cost him that beautiful moment of walking down the aisle with his daughter on her wedding day. It cost him the enjoyment of retirement that he worked so hard for. The journey we planned together is now just a difficult memory. The immense heartbreak can’t be changed for me and our family, or for the many other families who have lost their battles; but you can make a difference for others. Education of the service members, the medical community, and the awareness in the public will lead to earlier diagnosis, and hopefully to better care for those veterans who do get sick. It will also bring awareness to the fact that our Veterans need to be taken care. Let’s not wait another 50 years to acknowledge that the burn pits are this war’s Agent Orange.

Vermont has led the way so many times, and I am proud to call myself a Vermonter today.

BG Michael Heston passed away on November 14, 2018, due to his exposure to toxins from burn pits. He was not the first; and unfortunately, he will not be the last to die; because we have work to do to raise this awareness. But please let me be the last “widow” to talk about what we are not doing for our Service Members and Veterans.