S. 1798

To direct the Secretary of Veterans Affairs to establish an open burn pit registry to ensure that members of the Armed Forces who may have been exposed to toxic chemicals and fumes caused by open burn pits while deployed to Afghanistan or Iraq receive information regarding such exposure, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2011

Mr. Udall of New Mexico (for himself, Mr. Corker, Mrs. McCaskill, Mr. Bingaman, Mr. Schumer, Mr. Nelson of Florida, Mr. Udall of Colorado, and Mr. Alexander) introduced the following bill; which was read twice and referred to the Committee on Veterans’ Affairs

A BILL

To direct the Secretary of Veterans Affairs to establish an open burn pit registry to ensure that members of the Armed Forces who may have been exposed to toxic chemicals and fumes caused by open burn pits while deployed to Afghanistan or Iraq receive information regarding such exposure, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Open Burn Pit Registry Act of 2011”.

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2. tives of the United States of America in Congress assembled,
3. SECTION 1. SHORT TITLE.
4. This Act may be cited as the “Open Burn Pit Reg-
5. istry Act of 2011”.
SEC. 2. ESTABLISHMENT OF REGISTRY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic chemicals and fumes caused by open burn pits;

(2) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to toxic chemicals and fumes caused by open burn pits;

(3) develop a public information campaign to inform eligible individuals about the open burn pit registry, including how to register and the benefits of registering; and

(4) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to toxic chemicals and fumes caused by open burn pits.

SEC. 3. REPORT TO CONGRESS.

(a) Report by Independent Scientific Organization.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to develop a report containing the following:
(1) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic chemicals and fumes caused by open burn pits.

(2) Recommendations to improve the collection and maintenance of such information.

(3) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to conditions that are likely to result from exposure to open burn pits.

(b) Submittal to Congress.—Not later than 18 months after the date on which the registry under section 2 is established, the Secretary of Veterans Affairs shall submit to Congress the report developed under subsection (a).

SEC. 4. DEFINITIONS.

In this Act:

(1) The term “open burn pit” means an area of land located in Afghanistan or Iraq that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and
(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

(2) The term “eligible individual” means any individual who, on or after September 11, 2001—

(A) was deployed in support of a contingency operation while serving in the Armed Forces; and

(B) during such deployment, was based or stationed at a location where an open burn pit was used.