

115TH CONGRESS
2D SESSION

H. R. 5920

To direct the Secretary of Veterans Affairs and the Secretary of Defense to submit to Congress an annual report on open burn pits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2018

Ms. SHEA-PORTER introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Veterans Affairs and the Secretary of Defense to submit to Congress an annual report on open burn pits, and for other purposes.

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

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Airborne Hazards and
5 Open Burn Pit Registry Improvement Act”.

6 SEC. 2. BURN PITS.

7 (a) 2018 NDAA.—Section 738 of the National De-
8 fense Authorization Act for Fiscal Year 2018 (Public Law

1 115–91) is amended by inserting “in consultation with the
2 War Related Illness and Injury Study Center,” before
3 “shall coordinate efforts”.

4 (b) REPORTS.—

5 (1) SECRETARY OF VETERANS AFFAIRS.—Not
6 later than January 1, 2019, and annually thereafter,
7 the Secretary of Veterans Affairs shall submit re-
8 ports to the Committees on Armed Services and on
9 Veterans’ Affairs of the House of Representatives
10 and Senate regarding the following:

11 (A) New research and proposed policy
12 changes of the Department of Veterans Affairs
13 regarding efforts to identify, investigate, diag-
14 nose, treat, and heal medical conditions suf-
15 fered by veterans related to exposure to open
16 burn pits.

17 (B) The number of veterans who received
18 hospital care or medical services furnished by
19 the Secretary during the preceding year for
20 medical conditions related to exposure to open
21 burn pits, including—

22 (i) the medical conditions related to
23 exposure to open burn pits; and
24 (ii) when and where the veterans were
25 exposed to open burn pits.

(C) Plans of the Secretary to utilize and improve the Airborne Hazards and Open Burn Pit Registry (referred to in this section as “the Registry”), including—

(i) outreach to veterans who have already registered responded to the Registry questionnaire regarding new information learned about medical conditions related to exposure to open burn pits;

(ii) outreach to members of the Armed Forces and veterans who were exposed to open burn pits to encourage such persons to respond to the Registry questionnaire;

(iii) partnerships between the Secretary and the Secretary of Defense to identify and inform members of the Armed Forces and veterans who were exposed to open burn pits;

(iv) actions taken to simplify the Registry questionnaire, including allowing members of the Armed Forces and veterans to input pertinent information automatically from the Departments of Veterans Affairs and Defense;

(v) actions taken to allow members of the Armed Forces and veterans to update answers to the Registry questionnaire;

(vi) actions taken to allow the matching of information in the Registry to data in the possession of the Health Administration and Benefits Administration of the Department;

(vii) actions taken to make data described in clause (vi) available for longitudinal studies;

(viii) privacy issues related to the Registry that the Secretary has identified and actions taken to mitigate such issues; and

(ix) actions taken to model the Registry on other successful registries, including registries operated by the Centers for Disease Control and Prevention.

(D) An overview of initial claims and approved claims for compensation or health care related to open burn pit exposures.

(E) Coordination between the Department and any other Federal agency or non-governmental entity related to the research and treat-

1 ment of medical conditions related to exposure
2 to open burn pits.

3 (F) Actions taken by the Secretary to up-
4 date the 2011 Institute of Medicine report ti-
5 tled “Long-Term Health Consequences of Ex-
6 posure to Burn Pits in Iraq and Afghanistan”.

7 (G) Any plan of the Secretary to conduct
8 research to address areas that the National
9 Academy of Medicine identifies as having lim-
10 ited, suggestive, inadequate, or insufficient evi-
11 dence to determine whether an association ex-
12 ists between exposure to open burn pits and an
13 illness, symptom, or disease.

14 (H) The strategy of the Secretary to edu-
15 cate health care providers (including non-De-
16 partment providers) who treat veterans regard-
17 ing the assessment, diagnosis, and treatment of
18 medical conditions related to exposure to open
19 burn pits, including the following:

20 (i) How the Secretary measures
21 whether providers are aware of and versed
22 in the environmental exposure knowledge
23 base.

(ii) Whether and how providers screen veterans for medical conditions related to exposure to open burn pits.

(iii) Methods (including direct questions) that providers use to identify veterans who were likely exposed to open burn pits.

(iv) Whether and how providers refer veterans who were exposed to open burn pits to appropriate specialists.

(v) Whether and how the Secretary tracks referrals described in clause (v) and related outcomes.

(vi) Whether the Secretary is conducting any ongoing research regarding veterans who were exposed to open burn pits and related health outcomes.

(vii) What training the Secretary provides for providers regarding the assessment, diagnosis, and treatment of medical conditions related to exposure to open burn pits.

(viii) How many providers have received training described in clause (viii).

(I) Coordination with the Department of Defense and related information regarding veterans exposed to open burn pits.

(ii) actions taken to ensure such individuals are screened for medical conditions related to open burn pit exposures; and

1 separate from active service, the mem-
2 bers—

3 (I) receive education about serv-
4 ices available from the Departments
5 of Defense and Veterans Affairs re-
6 garding medical conditions related to
7 open burn pit exposures; and

8 (II) respond to the Registry
9 questionnaire.

10 (B) Actions taken and plans to mitigate
11 future exposures of members of the Armed
12 Forces to open burn pits.

13 (C) Alternatives to open burn pits and
14 evaluations of such alternatives.

15 (D) Any exposures of members of the
16 Armed Forces to open burn pits operated by an
17 entity other than the Department of Defense.

18 (E) Data shared with the Secretary of Vet-
19 erans Affairs regarding—

20 (i) members of the Armed Forces and
21 veterans exposed to open burn pits;

22 (ii) when and where members of the
23 Armed Forces and veterans were exposed
24 to open burn pits;

(iii) the contents of burn pits identified under clause (ii);

3 (iv) the duration of exposures identified under clause (ii);
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5 (v) data collected by industrial hygien-
6 ists regarding exposures of members of the
7 Armed Forces to open burn pits;

(vi) data collected from members of the Armed Forces in post-deployment health assessments that the Secretary determines are related to open burn pit exposures.

13 (F) Plans and actions of the Secretary to
14 collect surveillance data to enhance accuracy re-
15 garding the number of service members ex-
16 posed, characteristics of those exposed, and pat-
17 terns or linkages identified in those exposed.

18 (G) Plans and actions of the Secretary to
19 link data collected under subparagraph (F) to
20 health data regarding veterans that is in the
21 possession of the Secretary of Veterans Affairs.

