

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 119-33**  
**OFFERED BY MR. RUIZ OF CALIFORNIA**

At the end of subtitle B of title III, add the following new section:

1 **SEC. 3\_\_\_ . IDENTIFICATION AND REPORTING OF CERTAIN**  
2 **BURN PITS NOT CONTROLLED BY DEPART-**  
3 **MENT OF DEFENSE.**

4 (a) **POLICY REVISION.**—Not later than 180 days  
5 after the date of the enactment of this Act, the Secretary  
6 of Defense shall revise the policy of the Department of  
7 Defense governing the use of open-air burn pits to require  
8 operational commanders to identify, and report to the  
9 commander of the relevant combatant command and the  
10 Joint Staff Logistics Directorate, the presence of covered  
11 burn pits, including any covered burn pit that is an open-  
12 air burn pit.

13 (b) **TESTING REQUIREMENT.**—Each operational  
14 commander shall collect and evaluate air quality data in  
15 and around the area of any open-air burn pit identified  
16 pursuant to subsection (a) for the purpose of documenting  
17 the effects of open-air burning at such open-air burn pit,  
18 including, to the extent feasible, by conducting air quality

1 testing in and around such area for toxins commonly asso-  
2 ciated with open-air burn pits.

3 (c) WATCH LIST UPDATE.—The Secretary of De-  
4 fense shall ensure that any open-air burn pit identified  
5 pursuant to subsection (a) is included in the official watch  
6 list of the Department of known burn pits.

7 (d) HEALTH RECORD DOCUMENTATION.—The Sec-  
8 retary of Defense shall ensure that documented exposure  
9 risks associated with open-air burn pits identified pursu-  
10 ant to subsection (a), including the air quality data col-  
11 lected under subsection (b), are incorporated into the indi-  
12 vidual health records of potentially exposed members of  
13 the Armed Forces pursuant to section 704 of the National  
14 Defense Authorization Act for Fiscal Year 2020 (Public  
15 Law 116-92; 10 U.S.C. 1074f note) for tracking purposes.

16 (e) REPORT TO CONGRESS.—Not later than 90 days  
17 after the date of the enactment of this Act, the Secretary  
18 of Defense shall submit to the appropriate congressional  
19 committees a report containing—

20 (1) the location of each burn pit identified pur-  
21 suant to subsection (a);

22 (2) the results of the collection and evaluation  
23 of air quality data under subsection (b); and

24 (3) any updates to the watch list of the Depart-  
25 ment consistent with the requirement under sub-

1 section (c) made as of the date of the submission of  
2 such report, and the planned timeline of the Sec-  
3 retary for subsequent updates.

4 (f) DEFINITIONS.—In this section;

5 (1) The term “appropriate congressional com-  
6 mittees” means—

7 (A) the Committees on Armed Services of  
8 the House of Representatives and the Senate;  
9 and

10 (B) the Committees on Veterans’ Affairs of  
11 the House of Representatives and the Senate.

12 (2) The term “covered burn pit” means a burn  
13 pit that—

14 (A) is not subject to the control of the De-  
15 partment of Defense; and

16 (B) is used to dispose of waste not gen-  
17 erated by the Department of Defense.

