

AMENDMENT TO RULES COMMITTEE PRINT 117-

33

OFFERED BY MR. RYAN OF OHIO

At the end of title VII, add the following:

1 **SEC. 707. BURN PIT TRANSPARENCY.**

2 (a) SHORT TITLE.—This section may be cited as the
3 “SFC Heath Robinson Burn Pit Transparency Act”.

4 (b) NOTIFICATIONS AND REPORTS REGARDING RE-
5 PORTED CASES OF BURN PIT EXPOSURE.—

6 (1) QUARTERLY NOTIFICATIONS.—

7 (A) IN GENERAL.—On a quarterly basis,
8 the Secretary of Veterans Affairs shall submit
9 to the appropriate congressional committees a
10 report on each reported case of burn pit expo-
11 sure by a covered veteran reported during the
12 previous quarter.

13 (B) ELEMENTS.—Each report submitted
14 under subparagraph (A) shall include, with re-
15 spect to each reported case of burn pit exposure
16 of a covered veteran included in the report, the
17 following:

1 (i) Notice of the case, including the
2 medical facility at which the case was re-
3 ported.

4 (ii) Notice of, as available—

5 (I) the enrollment status of the
6 covered veteran with respect to the
7 patient enrollment system of the De-
8 partment of Veterans Affairs under
9 section 1705(a) of title 38, United
10 States Code;

11 (II) a summary of all health care
12 visits by the covered veteran at the
13 medical facility at which the case was
14 reported that are related to the case;

15 (III) the demographics of the
16 covered veteran, including age, sex,
17 and race;

18 (IV) any non-Department of Vet-
19 erans Affairs health care benefits that
20 the covered veteran receives;

21 (V) the Armed Force in which
22 the covered veteran served and the
23 rank of the covered veteran;

24 (VI) the period in which the cov-
25 ered veteran served;

1 (VII) each location of an open
2 burn pit from which the covered vet-
3 eran was exposed to toxic airborne
4 chemicals and fumes during such
5 service;

6 (VIII) the medical diagnoses of
7 the covered veteran and the treatment
8 provided to the veteran; and

9 (IX) whether the covered veteran
10 is registered in the Airborne Hazards
11 and Open Burn Pit Registry.

12 (C) PROTECTION OF INFORMATION.—The
13 Secretary shall ensure that the reports sub-
14 mitted under subparagraph (A) do not include
15 the identity of covered veterans or contain other
16 personally identifiable data.

17 (2) ANNUAL REPORT ON CASES.—

18 (A) IN GENERAL.—Not later than 180
19 days after the date of the enactment of this
20 Act, and annually thereafter, the Secretary of
21 Veterans Affairs, in collaboration with the Sec-
22 retary of Defense, shall submit to the appro-
23 priate congressional committees a report detail-
24 ing the following:

1 (i) The total number of covered vet-
2 erans.

3 (ii) The total number of claims for
4 disability compensation under chapter 11
5 of title 38, United States Code, approved
6 and the total number denied by the Sec-
7 retary of Veterans Affairs with respect to
8 a covered veteran, and for each such de-
9 nial, the rationale of the denial.

10 (iii) A comprehensive list of—

11 (I) the conditions for which cov-
12 ered veterans seek treatment; and

13 (II) the locations of the open
14 burn pits from which the covered vet-
15 erans were exposed to toxic airborne
16 chemicals and fumes.

17 (iv) Identification of any illnesses re-
18 lating to exposure to open burn pits that
19 formed the basis for the Secretary to
20 award benefits, including entitlement to
21 service connection or an increase in dis-
22 ability rating.

23 (v) The total number of covered vet-
24 erans who died after seeking care for an

1 illness relating to exposure to an open burn
2 pit.

3 (vi) Any updates or trends with re-
4 spect to the information described in
5 clauses (i), (ii), (iii), (iv), and (v) that the
6 Secretary determines appropriate.

7 (B) MATTERS INCLUDED IN FIRST RE-
8 PORT.—The Secretary shall include in the first
9 report under paragraph (1) information speci-
10 fied in paragraph (1)(B) with respect to re-
11 ported cases of burn pit exposure made during
12 the period beginning January 1, 1990, and end-
13 ing on the day before the date of the enactment
14 of this Act.

15 (3) INFORMATION REGARDING THE AIRBORNE
16 HAZARDS AND OPEN BURN PIT REGISTRY.—

17 (A) NOTICE.—The Secretary of Veterans
18 Affairs shall ensure that a medical professional
19 of the Department of Veterans Affairs informs
20 a veteran of the Airborne Hazards and Open
21 Burn Pit Registry if the veteran presents at a
22 medical facility of the Department for treat-
23 ment that the veteran describes as being related
24 to, or ancillary to, the exposure of the veteran

1 to toxic airborne chemicals and fumes caused
2 by open burn pits.

3 (B) DISPLAY.—In making information
4 public regarding the number of participants in
5 the Airborne Hazards and Open Burn Pit Reg-
6 istry, the Secretary shall display such numbers
7 by both State and by congressional district.

8 (4) COMPTROLLER GENERAL REPORT.—Not
9 later than 180 days after the date of the enactment
10 of this Act, the Comptroller General of the United
11 States shall submit to the appropriate congressional
12 committees a report containing an assessment of the
13 effectiveness of any memorandum of understanding
14 or memorandum of agreement entered into by the
15 Secretary of Veterans Affairs with respect to—

16 (A) the processing of reported cases of
17 burn pit exposure; and

18 (B) the coordination of care and provision
19 of health care relating to such cases at medical
20 facilities of the Department of Veterans Affairs
21 and at non-Department facilities.

22 (5) DEFINITIONS.—In this section:

23 (A) The term “Airborne Hazards and
24 Open Burn Pit Registry” means the registry es-
25 tablished by the Secretary of Veterans Affairs

1 under section 201 of the Dignified Burial and
2 Other Veterans' Benefits Improvement Act of
3 2012 (Public Law 112–260; 38 U.S.C. 527
4 note).

5 (B) The term “appropriate congressional
6 committees” means—

7 (i) the Committee on Veterans' Af-
8 fairs and the Committee on Armed Serv-
9 ices of the Senate; and

10 (ii) The Committee on Veterans' Af-
11 fairs and the Committee on Armed Serv-
12 ices of the House of Representatives.

13 (C) The term “covered veteran” means a
14 veteran who presents at a medical facility of the
15 Department of Veterans Affairs (or in a non-
16 Department facility pursuant to section 1703 or
17 1703A of title 38, United States Code) for
18 treatment that the veteran describes as being
19 related to, or ancillary to, the exposure of the
20 veteran to toxic airborne chemicals and fumes
21 caused by open burn pits at any time while
22 serving in the Armed Forces.

23 (D) The term “open burn pit” has the
24 meaning given that term in section 201(c) of
25 the Dignified Burial and Other Veterans' Bene-

1 fits Improvement Act of 2012 (Public Law
2 112–260; 38 U.S.C. 527 note).

3 (E) The term “reported case of burn pit
4 exposure” means each instance in which a vet-
5 eran presents at a medical facility of the De-
6 partment of Veterans Affairs (or in a non-De-
7 partment facility pursuant to section 1703 or
8 1703A of title 38, United States Code) for
9 treatment that the veteran describes as being
10 related to, or ancillary to, the exposure of the
11 veteran to toxic airborne chemicals and fumes
12 caused by open burn pits at any time while
13 serving in the Armed Forces.

