

**AMENDMENT TO RULES COMMITTEE PRINT 115–
70
OFFERED BY MS. SHEA-PORTER OF NEW
HAMPSHIRE**

At the end of subtitle C of title VII, add the following new section:

1 **SEC. 7____. BURN PITS.**

2 (a) 2018 NDAA.—Section 738 of the National De-
3 fense Authorization Act for Fiscal Year 2018 (Public Law
4 115-91) is amended by inserting “in consultation with the
5 War Related Illness and Injury Study Center,” before
6 “shall coordinate efforts”.

7 (b) REPORTS.—

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

14 (A) New research and proposed policy
15 changes of the Department of Veterans Affairs
16 regarding efforts to identify, investigate, diag-
17 nose, treat, and heal medical conditions suf-

1 ferred by veterans related to exposure to open
2 burn pits.

3 (B) The number of veterans who received
4 hospital care or medical services furnished by
5 the Secretary during the preceding year for
6 medical conditions related to exposure to open
7 burn pits, including—

8 (i) the medical conditions related to
9 exposure to open burn pits; and

10 (ii) when and where the veterans were
11 exposed to open burn pits.

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

16 (i) outreach to veterans who have al-
17 ready registered responded to the Registry
18 questionnaire regarding new information
19 learned about medical conditions related to
20 exposure to open burn pits;

21 (ii) outreach to members of the
22 Armed Forces and veterans who were ex-
23 posed to open burn pits to encourage such
24 persons to respond to the Registry ques-
25 tionnaire;

1 (iii) partnerships between the Sec-
2 retary and the Secretary of Defense to
3 identify and inform members of the Armed
4 Forces and veterans who were exposed to
5 open burn pits;

6 (iv) actions taken to simplify the Reg-
7 istry questionnaire, including allowing
8 members of the Armed Forces and vet-
9 erans to input pertinent information auto-
10 matically from the Departments of Vet-
11 erans Affairs and Defense;

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

15 (vi) actions taken to allow the match-
16 ing of information in the Registry to data
17 in the possession of the Health Adminis-
18 tration and Benefits Administration of the
19 Department;

20 (vii) actions taken to make data de-
21 scribed in clause (vi) available for longitu-
22 dinal studies;

23 (viii) privacy issues related to the
24 Registry that the Secretary has identified

1 and actions taken to mitigate such issues;

2 and

3 (ix) actions taken to model the Reg-
4 istry on other successful registries, includ-
5 ing registries operated by the Centers for
6 Disease Control and Prevention.

7 (D) An overview of initial claims and ap-
8 proved claims for compensation or health care
9 related to open burn pit exposures.

10 (E) Coordination between the Department
11 and any other Federal agency or non-govern-
12 mental entity related to the research and treat-
13 ment of medical conditions related to exposure
14 to open burn pits.

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

19 (G) Any plan of the Secretary to conduct
20 research to address areas that the National
21 Academy of Medicine identifies as having lim-
22 ited, suggestive, inadequate, or insufficient evi-
23 dence to determine whether an association ex-
24 ists between exposure to open burn pits and an
25 illness, symptom, or disease.

1 (H) The strategy of the Secretary to edu-
2 cate health care providers (including non-De-
3 partment providers) who treat veterans regard-
4 ing the assessment, diagnosis, and treatment of
5 medical conditions related to exposure to open
6 burn pits, including the following:

7 (i) How the Secretary measures
8 whether providers are aware of and versed
9 in the environmental exposure knowledge
10 base.

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

14 (iii) Methods (including direct ques-
15 tions) that providers use to identify vet-
16 erans who were likely exposed to open burn
17 pits.

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

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

24 (vi) Whether the Secretary is con-
25 ducting any ongoing research regarding

1 veterans who were exposed to open burn
2 pits and related health outcomes.

3 (vii) What training the Secretary pro-
4 vides for providers regarding the assess-
5 ment, diagnosis, and treatment of medical
6 conditions related to exposure to open burn
7 pits.

8 (viii) How many providers have re-
9 ceived training described in clause (viii).

10 (I) Coordination with the Department of
11 Defense and related information regarding vet-
12 erans exposed to open burn pits.

13 (J) Resources and legislation the Secretary
14 determines to be necessary to identify, mitigate,
15 investigate, diagnose, treat, and heal medical
16 conditions related to open burn pit exposures.

17 (2) SECRETARY OF DEFENSE.—Not later than
18 January 1, 2019, and annually thereafter, the Sec-
19 retary of Defense shall submit reports to the Com-
20 mittees on Armed Services and on Veterans' Affairs
21 of the House of Representatives and Senate regard-
22 ing the following:

23 (A) Actions taken to identify and inform
24 members of the Armed Forces and veterans ex-
25 posed to open burn pits, including—

1 (i) the formation of any partnership
2 between the Departments of Defense and
3 Veterans Affairs to identify such individ-
4 uals;

5 (ii) actions taken to ensure such indi-
6 viduals are screened for medical conditions
7 related to open burn pit exposures; and

8 (iii) actions taken to ensure that, be-
9 fore such members of the Armed Forces
10 separate from active service, the mem-
11 bers—

12 (I) receive education about serv-
13 ices available from the Departments
14 of Defense and Veterans Affairs re-
15 garding medical conditions related to
16 open burn pit exposures; and

17 (II) respond to the Registry
18 questionnaire.

19 (B) Actions taken and plans to mitigate
20 future exposures of members of the Armed
21 Forces to open burn pits.

22 (C) Alternatives to open burn pits and
23 evaluations of such alternatives.

1 (D) Any exposures of members of the
2 Armed Forces to open burn pits operated by an
3 entity other than the Department of Defense.

4 (E) Data shared with the Secretary of Vet-
5 erans Affairs regarding—

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

8 (ii) when and where members of the
9 Armed Forces and veterans were exposed
10 to open burn pits;

11 (iii) the contents of burn pits identi-
12 fied under clause (ii);

13 (iv) the duration of exposures identi-
14 fied under clause (ii);

15 (v) data collected by industrial hygien-
16 ists regarding exposures of members of the
17 Armed Forces to open burn pits;

18 (vi) data collected from members of
19 the Armed Forces in post-deployment
20 health assessments that the Secretary de-
21 termines are related to open burn pit expo-
22 sures; and

23 (F) Plans and actions of the Secretary to
24 collect surveillance data to enhance accuracy re-
25 garding the number of service members ex-

1 posed, characteristics of those exposed, and pat-
2 terns or linkages identified in those exposed.

3 (G) Plans and actions of the Secretary to
4 link data collected under subparagraph (F) to
5 health data regarding veterans that is in the
6 possession of the Secretary of Veterans Affairs.

