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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of Veterans Affairs to notify Congress regularly of reported cases of burn pit exposure, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. GABBARD introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Veterans Affairs to notify Congress regularly of reported cases of burn pit exposure, 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 “SFC Heath Robinson
5 Burn Pit Transparency Act”.

6 **SEC. 2. NOTIFICATIONS AND REPORTS REGARDING RE-**
7 **PORTED CASES OF BURN PIT EXPOSURE.**

8 (a) QUARTERLY NOTIFICATIONS.—

1 (1) REQUIREMENT.—On a quarterly basis, the
2 Secretary of Veterans Affairs shall submit to the ap-
3 propriate congressional committees a report on each
4 case of burn pit exposure reported during the pre-
5 vious quarter. Each such report shall include, with
6 respect to such cases, the following:

7 (A) Notice of the case, including the med-
8 ical facility at which the case was reported.

9 (B) Notice of, as available—

10 (i) the enrollment status of the cov-
11 ered veteran with respect to the patient en-
12 rollment under section 1705(a) of title 38,
13 United States Code;

14 (ii) a summary of all health care visits
15 by the covered veteran at the medical facil-
16 ity at which the case was reported that are
17 related to the case;

18 (iii) the demographics of the covered
19 veteran, including age, sex, and race;

20 (iv) identification of any non-Depart-
21 ment of Veterans Affairs health care bene-
22 fits that the covered veteran receives;

23 (v) the Armed Force in which the cov-
24 ered veteran served and the rank of the
25 covered veteran;

1 (vi) the period in which the covered
2 veteran served;

3 (vii) each location of an open burn pit
4 from which the covered veteran was ex-
5 posed to toxic airborne chemicals and
6 fumes caused by open burn pits during
7 such service;

8 (viii) the medical diagnoses of the cov-
9 ered veteran and the treatment provided to
10 the veteran; and

11 (ix) whether the covered veteran is
12 registered in the Airborne Hazards and
13 Open Burn Pit Registry.

14 (2) PROTECTION OF INFORMATION.—The Sec-
15 retary shall ensure that the reports submitted under
16 paragraph (1) do not include the identity of covered
17 veterans or contain other personally identifiable
18 data.

19 (b) ANNUAL REPORT ON CASES.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, and an-
22 nually thereafter, the Secretary of Veterans Affairs,
23 in collaboration with the Secretary of Defense, shall
24 submit to the appropriate congressional committees
25 a report detailing the following:

1 (A) The total number of covered veterans.

2 (B) The total number of claims for dis-
3 ability compensation under chapter 11 of title
4 38, United States Code, approved and denied
5 by the Secretary of Veterans Affairs with re-
6 spect to covered veterans, and for each such de-
7 nial, the rationale of the denial.

8 (C) A comprehensive list of—

9 (i) the conditions for which covered
10 veterans seek treatment; and

11 (ii) the locations of the open burn pits
12 to which the covered veterans were exposed
13 to toxic airborne chemicals and fumes
14 caused by open burn pits.

15 (D) Identification of any illnesses relating
16 to exposure to open burn pits which formed the
17 basis for the Secretary to award benefits, in-
18 cluding but not limited to, entitlement to serv-
19 ice connection or an increase in disability rat-
20 ing.

21 (E) Any updates or trends with respect to
22 the information described in subparagraphs (A),
23 (B), and (C) that the Secretary determines ap-
24 propriate.

1 (2) MATTERS INCLUDED IN FIRST REPORT.—

2 The Secretary shall include in the first report under
3 paragraph (1) notifications containing the informa-
4 tion specified in subsection (a)(1) with respect to re-
5 ported cases of burn pit exposure made during the
6 period beginning January 1, 1990, and ending on
7 the day before the date of the enactment of this Act.

8 (c) INFORMATION REGARDING REGISTRY.—Section
9 201(a) of the Dignified Burial and Other Veterans’ Bene-
10 fits Improvement Act of 2012 (Public Law 112–260; 38
11 U.S.C. 527 note) is amended by adding at the end the
12 following new paragraph:

13 “(3) INFORMATION.—

14 “(A) NOTICE.—The Secretary shall ensure
15 that a medical professional of the Department
16 of Veterans Affairs informs a veteran of the
17 registry under paragraph (1) if the veteran pre-
18 sents at a medical facility of the Department
19 for treatment that the veteran describes as
20 being related to, or ancillary to, the exposure of
21 the veteran to toxic airborne chemicals and
22 fumes caused by open burn pits.

23 “(B) DISPLAY.—In making information
24 public regarding the number of participants in
25 the registry under paragraph (1), the Secretary

1 shall display such numbers by both State and
2 by congressional district.”.

3 (d) **COMPTROLLER GENERAL REPORT.**—Not later
4 than 180 days after the date of the enactment of this Act,
5 the Comptroller General of the United States shall submit
6 to the appropriate congressional committees a report con-
7 taining an assessment of the effectiveness of any memo-
8 randum of understanding or memorandum of agreement
9 entered into by the Secretary of Veterans Affairs with re-
10 spect to—

11 (1) the processing of reported cases of burn pit
12 exposure; and

13 (2) the coordination of care and provision of
14 health care relating to such cases at medical facili-
15 ties of the Department and at non-Department fa-
16 cilities.

17 (e) **DEFINITIONS.**—In this section:

18 (1) The term “Airborne Hazards and Open
19 Burn Pit Registry” means the registry established
20 by the Secretary of Veterans Affairs under section
21 201 of the Dignified Burial and Other Veterans’
22 Benefits Improvement Act of 2012 (Public Law
23 112–260; 38 U.S.C. 527 note).

24 (2) The term “appropriate congressional com-
25 mittees” means—

1 (A) The Committee on Veterans' Affairs
2 and the Committee on Armed Services of the
3 House of Representatives; and

4 (B) the Committee on Veterans' Affairs
5 and the Committee on Armed Services of the
6 Senate.

7 (3) The term "covered veteran" means a vet-
8 eran described in paragraph (5).

9 (4) The term "open burn pit" has the meaning
10 given that term in section 201(c) of the Dignified
11 Burial and Other Veterans' Benefits Improvement
12 Act of 2012 (Public Law 112-260; 38 U.S.C. 527
13 note).

14 (5) The term "reported case of burn pit expo-
15 sure" means each instance in which a veteran pre-
16 sents at a medical facility of the Department of Vet-
17 erans Affairs (or in a non-Department facility pur-
18 suant to section 1703 or 1703A of title 38, United
19 States Code) for treatment that the veteran de-
20 scribes as being related to, or ancillary to, the expo-
21 sure of the veteran to toxic airborne chemicals and
22 fumes caused by open burn pits at any time while
23 serving in the Armed Forces.