

1 S.111

2 Introduced by Senators White, Ashe, Bray, Clarkson, Collamore, and Pollina

3 Referred to Committee on

4 Date:

5 Subject: National Guard; veterans; Airborne Hazards and Open Burn Pit

6 Registry

7 Statement of purpose of bill as introduced: This bill proposes to require the  
8 Commissioner of Health to develop educational materials to make veterans and  
9 members of the U.S. Armed Forces aware of the health effects associated with  
10 exposure to open burn pits during overseas military deployments and of the  
11 existence of the U.S. Department of Veterans Affairs' Airborne Hazards and  
12 Open Burn Pit Registry and to require the Adjutant and Inspector General and  
13 the Vermont Office of Veterans Affairs to contact certain members of the U.S.  
14 Armed Forces and veterans regarding the health effects associated with  
15 exposure to open burn pits during overseas military deployments and of the  
16 existence of the U.S. Department of Veterans Affairs' Airborne Hazards and  
17 Open Burn Pit Registry.

18 An act relating to the U.S. Department of Veterans Affairs' Airborne  
19 Hazards and Open Burn Pit Registry

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. FINDINGS

3 The General Assembly finds that:

4 (1) According to the U.S. Department of Veterans Affairs, “burn pits  
5 were a common way to get rid of waste at military sites in Iraq and  
6 Afghanistan.”

7 (2) At present, the U.S. Department of Veterans Affairs provides  
8 contradictory information about the health impacts on soldiers of exposure to  
9 burn pits.

10 (3) On the one hand, the Department’s website says “at this time,  
11 research does not show evidence of long-term health problems from exposure  
12 to burn pits. VA continues to study the health of deployed Veterans.”

13 (4) On the other hand, under the heading “Health effects from burn pit  
14 smoke” the VA states that “Toxins in burn pit smoke may affect the skin, eyes,  
15 respiratory and cardiovascular systems, gastrointestinal tract and internal  
16 organs. Veterans who were closer to burn pit smoke or exposed for longer  
17 periods may be at greater risk. Health effects depend on a number of other  
18 factors, such as the kind of waste being burned and wind direction. Most of  
19 the irritation is temporary and resolves once the exposure is gone. This  
20 includes eye irritation and burning, coughing and throat irritation, breathing  
21 difficulties, and skin itching and rashes. The high level of fine dust and

1 pollution common in Iraq and Afghanistan may pose a greater danger for  
2 respiratory illnesses than exposure to burn pits, according to a 2011 Institute of  
3 Medicine report.”

4 (5) According to the VA, the waste products in burn pits include  
5 “chemicals, paint, medical and human waste, metal/aluminum cans, munitions  
6 and other unexploded ordnance, petroleum and lubricant products, plastics,  
7 rubber, wood, and discarded food.”

8 (6) In the past, the U.S. Armed Forces have been slow to acknowledge  
9 the physical and mental health injuries associated with environmental exposure  
10 during service members’ active duty. Notable examples of this include  
11 exposure to Agent Orange during the Vietnam War and the condition known as  
12 Gulf War Syndrome.

13 (7) After a period of equivocation, the U.S. government has usually  
14 acknowledged what veterans know too well—that their illnesses and suffering  
15 are real, that it is connected to their military service, and that the U.S.  
16 government must treat and compensate the veterans.

17 (8) Exposure to burn pits should be addressed proactively, and the State  
18 of Vermont and the U.S. government should prioritize the health of service  
19 members and veterans and not repeat past patterns of denial.

20 (9) A registry called the Airborne Hazards and Open Burn Pit Registry  
21 has been created to track service members who may have been exposed to burn

1 pits. Between June 2014 and September 2018, 366 Vermonters joined the  
2 registry.

3 (10) It is important that every Vermonter who was or may have been  
4 exposed to burn pits join the registry because veterans are permitted to file a  
5 claim for disability compensation for health problems they believe are related  
6 to exposure to burn pits during military service.

7 Sec. 2. DEPARTMENT OF HEALTH; EDUCATIONAL MATERIALS

8 (a) On or before July 1, 2019, the Department of Health shall develop  
9 written educational materials that provide information about symptoms  
10 associated with exposure to open burn pits during overseas military  
11 deployments. The materials shall include contact information for the U.S.  
12 Department of Veterans Affairs' Airborne Hazards and Open Burn Pit Registry  
13 and for the Vermont Environmental Health Coordinator at the White River  
14 Junction VA facility.

15 (b)(1) The information shall be made available on the Department of  
16 Health and the Office of Veterans Affairs websites.

17 (2) The Department of Health shall disseminate the information to  
18 health care providers through the Vermont Medical Society and other medical  
19 professional associations.

1       Sec. 3. COMMUNICATION TO SERVICE MEMBERS AND VETERANS;  
2                NATIONAL GUARD; OFFICE OF VETERANS AFFAIRS

3                (a) The Adjutant and Inspector General and the Executive Director of the  
4       Vermont Office of Veterans Affairs shall collaborate to contact all members of  
5       the Vermont National Guard and all veterans and members of the U.S. Armed  
6       Forces residing in Vermont who may be eligible to participate in the U.S  
7       Department of Veterans Affairs' Airborne Hazards and Open Burn Pit  
8       Registry. In particular, the Adjutant and Inspector General and the Executive  
9       Director of the Vermont Office of Veterans Affairs shall contact all members  
10       of the Vermont National Guard, and any veteran or member of the U.S. Armed  
11       Forces who served in any of the following:

12                (1) Operation Enduring Freedom, Operation Iraqi Freedom, or  
13       Operation New Dawn;

14                (2) Djibouti, Africa, on or after September 11, 2001;

15                (3) Operation Desert Shield or Operation Desert Storm; or

16                (4) in the Southwest Asia theater of operations on or after August 2,  
17       1990.

18                (b) Each veteran or service member contacted shall be encouraged to join  
19       the Registry and shall be provided with:

20                (1) contact information for the U.S. Department of Veterans Affairs'  
21       Airborne Hazards and Open Burn Pit Registry; and

1           (2) basic information regarding the potential symptoms and health  
2           effects of exposure to open burn pits, which may include educational materials  
3           created by the Commissioner of Health pursuant to Sec. 2 of this Act.

4           Sec. 4. EFFECTIVE DATE

5           This act shall take effect on passage.