

117TH CONGRESS
1ST SESSION

H. R. 5599

To direct the Comptroller General of the United States to conduct a biennial study on the Individual Longitudinal Exposure Record program of the Department of Defense and the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2021

Ms. SHERRILL (for herself and Mr. GARBARINO) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Comptroller General of the United States to conduct a biennial study on the Individual Longitudinal Exposure Record program of the Department of Defense and the Department of Veterans Affairs, 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 “Burn Pit Program to
5 Review Operations and Management of ILER System Ef-
6 ficacy Act” or the “Burn Pit PROMISE Act”.

1 **SEC. 2. GAO BIENNIAL STUDY ON INDIVIDUAL LONGITU-**
2 **DINAL EXPOSURE RECORD PROGRAM.**

3 (a) STUDIES AND REPORTS REQUIRED.—Not later
4 than December 31, 2022, and once every two years there-
5 after until December 31, 2030, the Comptroller General
6 of the United States shall—

7 (1) conduct a study on the implementation and
8 effectiveness of the Individual Longitudinal Expo-
9 sure Record program of the Department of Defense
10 and the Department of Veterans Affairs; and

11 (2) submit to the appropriate congressional
12 committees a report containing the findings of the
13 most recently conducted study.

14 (b) ELEMENTS.—The biennial studies under sub-
15 section (a) shall include an assessment of elements as fol-
16 lows:

17 (1) INITIAL STUDY.—The initial study con-
18 ducted under subsection (a) shall assess, at a min-
19 imum, the following:

20 (A) Statistics relating to use of the Indi-
21 vidual Longitudinal Exposure Record program,
22 including the total number of individuals the
23 records of whom are contained therein and the
24 total number of records accessible under the
25 program.

1 (B) Costs associated with the program, in-
2 cluding any cost overruns associated with the
3 program.

4 (C) The capacity to expand the program to
5 include the medical records of veterans who
6 served prior to the establishment of the pro-
7 gram.

8 (D) Any illness recently identified as relat-
9 ing to a toxic exposure (or any guidance relat-
10 ing to such an illness recently issued) by either
11 the Secretary of Defense or the Secretary of
12 Veterans Affairs, including any such illness or
13 guidance that relates to open burn pit exposure.

14 (E) How the program has enabled (or
15 failed to enable) the discovery, notification, and
16 medical care of individuals affected by an illness
17 described in subparagraph (D).

18 (F) Physician and patient feedback on the
19 program, particularly feedback that relates to
20 ease of use.

21 (G) Cybersecurity and privacy protections
22 of patient data stored under the program, in-
23 cluding whether any classified or restricted data
24 has been stored under the program (such as

1 data relating to deployment locations or duty
2 stations).

3 (H) Any technical or logistical impedi-
4 ments to the implementation or expansion of
5 the program, including any impediments to the
6 inclusion in the program of databases or mate-
7 rials originally intended to be included.

8 (I) Any issues relating to read-only access
9 to data under the program by veterans.

10 (J) Any issues relating to the interoper-
11 ability of the program between the Department
12 of Defense and the Department of Veterans Af-
13 fairs.

14 (2) SUBSEQUENT STUDIES.—Except as pro-
15 vided in paragraph (3), each study conducted under
16 subsection (a) following the initial study specified in
17 paragraph (1) shall assess—

18 (A) statistics relating to use of the Indi-
19 vidual Longitudinal Exposure Record program,
20 including the total number of individuals the
21 records of whom are contained therein and the
22 total number of records accessible under the
23 program; and

24 (B) such other elements as the Comptroller
25 General determines appropriate, which may in-

1 clude any other element specified in paragraph
2 (1).

3 (3) FINAL STUDY.—The final study conducted
4 under subsection (a) shall assess—

5 (A) the elements specified in subpara-
6 graphs (A), (B), (D), (E), (F), and (H) of
7 paragraph (1); and

8 (B) such other elements as the Comptroller
9 General determines appropriate, which may in-
10 clude any other element specified in paragraph
11 (1).

12 (c) ACCESS BY COMPTROLLER GENERAL.—

13 (1) INFORMATION AND MATERIALS.—Upon re-
14 quest of the Comptroller General, the Secretary of
15 Defense and the Secretary of Veterans Affairs shall
16 make available to the Comptroller General any infor-
17 mation or other materials necessary for the conduct
18 of each biennial study under subsection (a).

19 (2) INTERVIEWS.—In addition to such other au-
20 thorities as are available, the Comptroller General
21 shall have the right to interview officials and em-
22 ployees of the Department of Defense and the De-
23 partment of Veterans Affairs (including clinicians,
24 claims adjudicators, and researchers) as necessary

1 for the conduct of each biennial study under sub-
2 section (a).

3 (3) INFORMATION FROM PATIENTS AND
4 FORMER PATIENTS.—

5 (A) DEVELOPMENT OF QUESTIONNAIRE.—

6 In carrying out each biennial study under sub-
7 section (a), the Comptroller General may de-
8 velop a questionnaire for individuals the records
9 of whom are contained in the Individual Longi-
10 tudinal Exposure Record, to obtain the infor-
11 mation necessary for the conduct of the study.

12 (B) DISTRIBUTION.—The Secretary con-
13 cerned shall ensure that any questionnaire de-
14 veloped pursuant to subparagraph (A) is dis-
15 tributed to individuals the records of whom are
16 contained in the Individual Longitudinal Expo-
17 sure Record.

18 (d) DEFINITIONS.—In this Act:

19 (1) The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Armed Services and
22 the Committee on Veterans’ Affairs of the
23 House of Representatives; and

1 (B) the Committee on Armed Services and
2 the Committee on Veterans' Affairs of the Sen-
3 ate.

4 (2) The term "Secretary concerned" means—

5 (A) the Secretary of Defense, with respect
6 to matters concerning the Department of De-
7 fense; and

8 (B) the Secretary of Veterans Affairs, with
9 respect to matters concerning the Department
10 of Veterans Affairs.

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