

**AMENDMENT TO H.R. 5136, AS REPORTED
OFFERED BY MR. DINGELL OF MICHIGAN**

Page 84, after line 24, insert the following:

1 **SEC. 315. INFORMATION SHARING RELATING TO INVESTIGATION OF EXPOSURE TO DRINKING WATER CONTAMINATION AT CAMP LEJEUNE, NORTH CAROLINA.**

5 (a) FINDINGS.—Congress makes the following findings:
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7 (1) The Secretary of the Navy and Com-
8 mandant of the Marine Corps are responsible for the
9 identification and timely sharing of all relevant
10 records relating to the Camp Lejeune base-wide
11 drinking-water systems, including all records of
12 which the Agency for Toxic Substances and Disease
13 Registry (hereinafter in this section referred to as
14 the “ATSDR”) may not be aware and all records
15 that are in the possession of the Department of De-
16 fense, and all contractors, sub-contractors, and con-
17 sultants of the Department but may no longer be lo-
18 cated at the Camp Lejeune base.

19 (2) On April 28, 2009, during a Camp Lejeune
20 Community Assistance Panel (hereinafter in this

1 section referred to as “CAP”) meeting, it was stated
2 by the ATSDR that it had recently discovered elec-
3 tronic data on a “hundred or more underground
4 storage and above-ground storage tanks” housed on
5 a Naval Facilities Engineering Command Internet
6 web portal.

7 (3) This revelation occurred after the ATSDR
8 requested in 2005 that all relevant data for its
9 health studies be turned over from the Department
10 of Defense to the agency, and the response by the
11 Department’s CAP representative was that the in-
12 formation was “not new, just newly found.”

13 (4) On March 22, 2010, the ATSDR stated in
14 a letter to the Navy and Marine Corps that the
15 ATSDR was informed for the first time of an elec-
16 tronic database containing approximately 700,000
17 records of analytical data.

18 (5) In a response letter, dated March 26, 2010,
19 the Navy stated that “the Marine Corps is neither
20 in a position to determine the relevance of informa-
21 tion nor does it have the subject matter expertise to
22 determine the relevance of documents in all cases.”.

23 (6) It is necessary that the Secretary of the
24 Navy be required to add or assign personnel with
25 the relevant expertise to complete the transfer of all

1 documents and materials pertaining to the contami-
2 nated drinking water at Camp Lejeune.

3 (7) Discovery of such records must not rely on
4 specific requests from the ATSDR but on a shared
5 goal of ensuring the scientific accuracy of the cur-
6 rent health study and the responsibility of the Sec-
7 retary of Defense to provide such information.

8 (b) REQUIREMENT.—By not later than 90 days after
9 the date of the enactment of this Act, the Secretary of
10 Defense shall provide ATSDR with an electronic inventory
11 of all existing documents, records, and electronic data per-
12 taining to the CERCLA listed and RCRA listed contami-
13 nation sites at Camp Lejeune and all existing documents,
14 records, and electronic data pertaining to the contami-
15 nated drinking water at Camp Lejeune. If after the date
16 of enactment of this Act, the Secretary of Defense gen-
17 erates new documents, records and electronic data, or
18 comes into possession of existing documents, records or
19 electronic data not previously included in the electronic in-
20 ventory, the Secretary of the Navy shall provide ATSDR
21 with an updated electronic inventory incorporating the
22 newly located or generated documents, records and elec-
23 tronic data. The Secretary of the Navy shall ensure that
24 Department of Defense personnel with appropriate experi-
25 ence and expertise, including in the area of environmental

1 engineering and the conduct of water modeling, working
2 in conjunction with ATSDR, are utilized to identify, com-
3 pile, and submit existing and new documents, records, and
4 electronic data in Navy and Marine Corps records and
5 electronic libraries that would assist the ATSDR in gath-
6 ering data relating to the contamination and remediation
7 of Camp Lejeune base-wide drinking-water systems.

