

114TH CONGRESS
2D SESSION

S. 2679

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2016

Ms. KLOBUCHAR (for herself and Mr. TILLIS) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

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 “Helping Veterans Ex-
5 posed to Burn Pits Act”.

1 **SEC. 2. ESTABLISHMENT OF CENTER OF EXCELLENCE IN**
2 **PREVENTION, DIAGNOSIS, MITIGATION,**
3 **TREATMENT, AND REHABILITATION OF**
4 **HEALTH CONDITIONS RELATING TO EXPO-**
5 **SURE TO BURN PITS AND OTHER ENVIRON-**
6 **MENTAL EXPOSURES.**

7 (a) IN GENERAL.—Subchapter II of chapter 73 of
8 title 38, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 7330B. Center of excellence in prevention, diag-**
11 **nosis, mitigation, treatment, and rehabili-**
12 **tation of health conditions relating to ex-**
13 **posure to burn pits and other environ-**
14 **mental exposures**

15 “(a) ESTABLISHMENT.—(1) The Secretary shall es-
16 tablish within the Department a center of excellence in
17 the prevention, diagnosis, mitigation, treatment, and reha-
18 bilitation of health conditions relating to exposure to burn
19 pits and other environmental exposures to carry out the
20 responsibilities specified in subsection (d).

21 “(2) The Secretary shall establish the center of excel-
22 lence under paragraph (1) through the use of—

23 “(A) the directives and policies of the Depart-
24 ment in effect as of the date of the enactment of the
25 Helping Veterans Exposed to Burn Pits Act;

1 “(B) the recommendations of the Comptroller
2 General of the United States and Inspector General
3 of the Department in effect as of such date; and

4 “(C) guidance issued by the Secretary of De-
5 fense under section 313 of the National Defense Au-
6 thorization Act for Fiscal Year 2013 (Public Law
7 112–239; 10 U.S.C. 1074 note).

8 “(b) SELECTION OF SITE.—In selecting the site for
9 the center of excellence established under subsection (a),
10 the Secretary shall consider entities that—

11 “(1) are equipped with the specialized equip-
12 ment needed to study, diagnose, and treat health
13 conditions relating to exposure to burn pits and
14 other environmental exposures;

15 “(2) have a track record of publishing informa-
16 tion relating to post-deployment health exposures
17 among veterans who served in the Armed Forces in
18 support of Operation Iraqi Freedom and Operation
19 Enduring Freedom;

20 “(3) have collaborated with a geosciences de-
21 partment that has a medical geology division;

22 “(4) have developed animal models and in vitro
23 models of dust immunology and lung injury con-
24 sistent with the injuries of members of the Armed

1 Forces who served in support of Operation Iraqi
2 Freedom and Operation Enduring Freedom; and

3 “(5) have expertise in allergy and immunology,
4 pulmonary diseases, and industrial and management
5 engineering.

6 “(c) COLLABORATION.—The Secretary shall ensure
7 that the center of excellence collaborates, to the maximum
8 extent practicable, with the Secretary of Defense, institu-
9 tions of higher education, and other appropriate public
10 and private entities (including international entities) to
11 carry out the responsibilities specified in subsection (d).

12 “(d) RESPONSIBILITIES.—The center of excellence
13 shall have the following responsibilities:

14 “(1) To provide for the development, testing,
15 and dissemination within the Department of best
16 practices for the treatment of health conditions re-
17 lating to exposure to burn pits and other environ-
18 mental exposures.

19 “(2) To provide guidance for the health systems
20 of the Department and the Department of Defense
21 in determining the personnel required to provide
22 quality health care for members of the Armed
23 Forces and veterans with health conditions relating
24 to exposure to burn pits and other environmental ex-
25 posures.

1 “(3) To establish, implement, and oversee a
2 comprehensive program to train health professionals
3 of the Department and the Department of Defense
4 in the treatment of health conditions relating to ex-
5 posure to burn pits and other environmental expo-
6 sures.

7 “(4) To facilitate advancements in the study of
8 the short-term and long-term effects of exposure to
9 burn pits and other environmental exposures.

10 “(5) To disseminate within medical facilities of
11 the Department best practices for training health
12 professionals with respect to health conditions relat-
13 ing to exposure to burn pits and other environmental
14 exposures.

15 “(6) To conduct basic science and translational
16 research on health conditions relating to exposure to
17 burn pits and other environmental exposures for the
18 purposes of understanding the etiology of such con-
19 ditions and developing preventive interventions and
20 new treatments.

21 “(7) To provide medical treatment to all vet-
22 erans identified as part of the open burn pit registry
23 established under section 201 of the Dignified Bur-
24 ial and Other Veterans’ Benefits Improvement Act
25 of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

1 “(e) USE OF BURN PITS REGISTRY DATA.—In car-
2 rying out its responsibilities under subsection (d), the cen-
3 ter shall have access to and make use of the data accumu-
4 lated by the burn pits registry established under section
5 201 of the Dignified Burial and Other Veterans’ Benefits
6 Improvement Act of 2012 (Public Law 112–260; 38
7 U.S.C. 527 note).

8 “(f) DEFINITIONS.—In this section:

9 “(1) The term ‘burn pit’ means an area of land
10 located in Afghanistan or Iraq that—

11 “(A) is designated by the Secretary of De-
12 fense to be used for disposing solid waste by
13 burning in the outdoor air; and

14 “(B) does not contain a commercially man-
15 ufactured incinerator or other equipment spe-
16 cifically designed and manufactured for the
17 burning of solid waste.

18 “(2) The term ‘other environmental exposures’
19 means exposure to environmental hazards, including
20 burn pits, dust or sand, hazardous materials, and
21 waste at any site in Afghanistan or Iraq that emits
22 smoke containing pollutants present in the environ-
23 ment or smoke from fires or explosions.

24 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
25 is authorized to be appropriated to carry out this section

1 \$30,000,000 for each of the first five fiscal years begin-
2 ning after the date of the enactment of the Helping Vet-
3 erans Exposed to Burn Pits Act.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 73 of such title is amended
6 by inserting after the item relating to section 7330A the
7 following new item:

“7330B. Center of excellence in prevention, diagnosis, mitigation, treatment,
and rehabilitation of health conditions relating to exposure to
burn pits and other environmental exposures.”.

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