

115TH CONGRESS  
1ST SESSION

# H. R. 1279

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.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2017

Ms. ESTY (for herself, Mr. KING of New York, Ms. MCCOLLUM, and Mr. COSTELLO of Pennsylvania) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Helping Veterans Ex-  
3 posed to Burn Pits Act”.

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

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

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

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

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

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

4           “(B) the recommendations of the Comptroller  
5           General of the United States and Inspector General  
6           of the Department in effect as of such date; and

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

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

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

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

23               “(3) have access to animal models and in vitro  
24               models of dust immunology and lung injury con-  
25               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 “(4) have expertise in allergy, immunology, and  
4 pulmonary diseases.

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

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

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

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

24           “(e) USE OF BURN PITS REGISTRY DATA.—In car-  
25           rying out its responsibilities under subsection (d), the cen-

1 ter of excellence shall have access to and make use of the  
2 data accumulated by the burn pits registry established  
3 under section 201 of the Dignified Burial and Other Vet-  
4 erans' Benefits Improvement Act of 2012 (Public Law  
5 112–260; 38 U.S.C. 527 note).

6 “(f) DEFINITIONS.—In this section:

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

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

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

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

22 “(g) FUNDING.—(1) There is authorized to be appro-  
23 priated to carry out this section \$4,100,000 for each of  
24 the first five fiscal years beginning after the date of the

1 enactment of the Helping Veterans Exposed to Burn Pits  
2 Act.

3 “(2) The Secretary may award additional amounts on  
4 a competitive basis to the center of excellence from the  
5 medical and prosthetics research account of the Depart-  
6 ment for the purpose of conducting research under this  
7 section relating to clinical and scientific investigation.”.

8 (b) CLERICAL AMENDMENT.—The table of sections  
9 at the beginning of chapter 73 of such title is amended  
10 by inserting after the item relating to section 7330B the  
11 following new item:

“7330C. 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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