

105TH CONGRESS
2D SESSION

H. R. 4188

To amend title 38, United States Code, to provide for a portion of funds received from national tobacco legislation to be made available for health care for veterans.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 1998

Mr. STEARNS (for himself, Mr. STUMP, Mr. SNYDER, Mr. HAYWORTH, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for a portion of funds received from national tobacco legislation to be made available for health care for veterans.

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 “Veterans Tobacco
5 Trust Fund Act of 1998”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) A consensus exists within the scientific and
9 medical communities that tobacco products are in-

1 herently dangerous and cause cancer, heart disease,
2 emphysema, and other serious illnesses.

3 (2) Tobacco advertising and marketing has for
4 decades contributed significantly to the use of to-
5 bacco products by adolescents and young adults,
6 and, particularly, members of the Nation's uni-
7 formed services.

8 (3) Reliable studies indicate that 75 percent of
9 World War II veterans began smoking as young
10 adults, and today large numbers of veterans are
11 smokers.

12 (4) Smoking related illnesses are highly preva-
13 lent among the more than 3,000,000 veterans who
14 use the Department of Veterans Affairs health care
15 system annually.

16 (5) The Department of Veterans Affairs esti-
17 mates that it spent \$3,600,000,000 in 1997 to treat
18 smoking-related illnesses and that over the next five
19 years it will spend \$20,000,000,000 on such care.

20 (6) Congress established the Department of
21 Veterans Affairs in furtherance of its constitutional
22 power to provide for the national defense in order to
23 provide benefits and services to veterans of the uni-
24 formed services.

1 (7) There is in the Department of Veterans Af-
2 fairs a health care system which has as its primary
3 function to provide a complete medical and hospital
4 service for the medical care and treatment of such
5 veterans as can be served through available appro-
6 priations.

7 (8) The sale, distribution, marketing, advertis-
8 ing, and use of tobacco products has substantially
9 and adversely impaired the ability of the Depart-
10 ment of Veterans Affairs to carry out its health care
11 mission because of the prevalence of smoking-related
12 illnesses among veterans.

13 (9) The Federal Government, including the De-
14 partment of Veterans Affairs, has lacked the means
15 to prevent the onset of smoking-related illnesses
16 among veterans and has had no authority to deny
17 needed treatment to any veteran on the basis that
18 an illness is or might be smoking-related.

19 (10) With some 20 percent of its health care
20 budget absorbed in treating smoking-related ill-
21 nesses, the Department of Veterans Affairs health
22 care system has lacked resources to provide needed
23 nursing home care, home care, community-based
24 ambulatory care, and other services to tens of thou-
25 sands of other veterans.

1 (11) The network of academically affiliated
2 medical centers of the Department of Veterans Af-
3 fairs provides a unique system within which out-
4 standing medical research is conducted and which
5 has the potential to expand significantly ongoing re-
6 search on tobacco-related illnesses.

7 (12) It is in the public interest for Congress to
8 enact legislation requiring that a portion of any
9 amounts received from manufacturers of tobacco
10 products be used to meet the costs of (A) treatment
11 for diseases and adverse health effects associated
12 with the use of tobacco products by those who served
13 their country in uniform, and (B) medical and
14 health services research relating to prevention and
15 treatment of, and rehabilitation from, tobacco addic-
16 tion and diseases associated with tobacco use.

17 **SEC. 3. ESTABLISHMENT OF TRUST FUND.**

18 (a) IN GENERAL.—Chapter 17 of title 38, United
19 States Code, is amended by inserting after section 1729A
20 the following new section:

21 **“§ 1729B. Veterans Tobacco Trust Fund**

22 “(a) There is established in the Treasury of the
23 United States a trust fund to be known as the ‘Veterans
24 Tobacco Trust Fund’, consisting of such amounts as may
25 be appropriated, credited, or donated to the trust fund.

1 “(b) If a law is enacted that provides for the alloca-
2 tion of funds received from tobacco product manufacturers
3 for programs to reduce use of tobacco products by minors
4 and for health-care research, among other purposes, there
5 shall be credited to the trust fund from amounts received
6 by the United States pursuant to that law, without further
7 appropriation, the amount of \$3,000,000,000.

8 “(c) Amounts in the trust fund shall be available,
9 without fiscal year limitation, to the Secretary of Veterans
10 Affairs for the following purposes:

11 “(1) Furnishing medical care and services
12 under this chapter, to be available during any fiscal
13 year for the same purposes and subject to the same
14 limitations (other than with respect to the period of
15 availability for obligation) as apply to amounts ap-
16 propriated from the general fund of the Treasury for
17 that fiscal year for medical care.

18 “(2) Conducting medical research, rehabilita-
19 tion research, and health systems research, with par-
20 ticular emphasis on research relating to prevention
21 and treatment of, and rehabilitation from, tobacco
22 addiction and diseases associated with tobacco use.”.

23 (b) CLERICAL AMENDMENT.— The table of sections
24 at the beginning of such chapter is amended by inserting

- 1 after the item relating to section 1729A the following new
- 2 item:

“Sec. 1729B. Veterans Tobacco Trust Fund.”.

