

113TH CONGRESS
2D SESSION

H. R. 5503

To reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2014

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. NADLER, Mr. KING of New York, Mr. MAFFEI, Mr. FITZPATRICK, Mr. RANGEL, Mr. GRIMM, Mrs. LOWEY, Mr. MEEKS, Mr. OWENS, Mrs. MCCARTHY of New York, Mr. CROWLEY, Mr. SERRANO, Mr. SEAN PATRICK MALONEY of New York, Mr. ISRAEL, Ms. VELÁZQUEZ, Mr. HIGGINS, Mr. ENGEL, Ms. MENG, Mr. GIBSON, Mr. BISHOP of New York, Mr. TONKO, Mr. PALONE, Mr. PASCRELL, Mr. NEAL, Ms. DELAURO, Mr. HOLT, Mr. GRIMALVA, Ms. JACKSON LEE, Mr. SIRES, Ms. SCHWARTZ, Ms. NORTON, Ms. SHEA-PORTER, Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. LYNCH, Ms. LOFGREN, Mr. MCGOVERN, Mr. CONNOLLY, and Mr. HIMES) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Budget and the Judiciary, 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 reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “James Zadroga 9/11
3 Health and Compensation Reauthorization Act”.

4 **SEC. 2. REAUTHORIZING THE WORLD TRADE CENTER**
5 **HEALTH PROGRAM.**

6 (a) WORLD TRADE CENTER HEALTH PROGRAM
7 FUND.—Section 3351 of the Public Health Service Act
8 (42 U.S.C. 300mm–61) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2)—

11 (i) in the matter preceding subpara-
12 graph (A), by striking “2012” and all that
13 follows through “2011)” and inserting
14 “2015 through 2041”; and

15 (ii) by striking subparagraph (A) and
16 inserting the following:

17 “(A) the Federal share, consisting of—

18 “(i) for fiscal year 2015,
19 \$431,000,000; and

20 “(ii) for each fiscal year thereafter
21 through fiscal year 2041, the amount spec-
22 ified under this subparagraph for the pre-
23 vious fiscal year increased by the percent-
24 age increase in the medical care component
25 of the consumer price index for all urban
26 consumers as estimated by the Secretary

1 for the 12-month period ending with
2 March of the previous fiscal year; plus”;
3 and

4 (B) by striking paragraph (4) and insert-
5 ing the following:

6 “(4) AMOUNTS FROM PRIOR FISCAL YEARS.—
7 Amounts that were deposited, or identified for de-
8 posit, for any fiscal year preceding fiscal year 2015,
9 under paragraph (2)(A)(ii)(I), as such paragraph
10 was in effect on the day before the date of enact-
11 ment of the James Zadroga 9/11 Health and Com-
12 pensation Reauthorization Act, that were not ex-
13 pended in carrying out this title for any such fiscal
14 year, shall remain deposited, or be deposited, as the
15 case may be, into the Fund.

16 “(5) AMOUNTS TO REMAIN AVAILABLE UNTIL
17 EXPENDED.—Amounts deposited into the Fund
18 under this subsection shall remain available until ex-
19 pended.”;

20 (2) in subsection (b)(1), by striking “sections
21 3302(a)” and all that follows through “3342” and
22 inserting “sections 3301(e), 3301(f), 3302(a),
23 3302(b), 3303, 3304, 3305(a)(1), 3305(a)(2),
24 3305(c), 3341, and 3342”; and

25 (3) in subsection (c)—

1 (A) in paragraph (1)(C), by striking “con-
2 sumer price index for all urban consumers (all
3 items; United States city average)” and insert-
4 ing “medical care component of the consumer
5 price index for all urban consumers”;

6 (B) in paragraph (2)—

7 (i) in subparagraph (B), by striking
8 “and” at the end;

9 (ii) in subparagraph (C)—

10 (I) by striking “for each subse-
11 quent fiscal year” and inserting “for
12 each of fiscal years 2013 through
13 2014”; and

14 (II) by striking the period and
15 inserting a semicolon; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(D) for fiscal year 2015, \$200,000; and

19 “(E) for each subsequent fiscal year, the
20 amount specified under this paragraph for the
21 previous fiscal year increased by the percentage
22 increase in the consumer price index for all
23 urban consumers (all items; United States city
24 average) as estimated by the Secretary for the

1 12-month period ending with March of the pre-
2 vious year.”; and

3 (C) in paragraph (4)—

4 (i) in subparagraph (B), by striking
5 “and” at the end;

6 (ii) in subparagraph (C)—

7 (I) by striking “for each subse-
8 quent fiscal year” and inserting “for
9 each of fiscal years 2013 through
10 2016”; and

11 (II) by striking the period and
12 inserting a semicolon; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(D) for fiscal year 2017, \$15,000,000;

16 and

17 “(E) for each subsequent fiscal year, the
18 amount specified under this paragraph for the
19 previous fiscal year increased by the percentage
20 increase in the consumer price index for all
21 urban consumers (all items; United States city
22 average) as estimated by the Secretary for the
23 12-month period ending with March of the pre-
24 vious year.”.

1 (b) REGULATIONS.—Section 3301 of the Public
2 Health Service Act (42 U.S.C. 300mm) is amended by
3 adding at the end the following:

4 “(i) REGULATIONS.—The WTC Program Adminis-
5 trator is authorized to promulgate such regulations as the
6 Administrator determines necessary to administer this
7 title.”.

8 (c) CLINICAL CENTERS OF EXCELLENCE AND DATA
9 CENTERS.—Section 3305 of the Public Health Service Act
10 (42 U.S.C. 300mm–4) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1)(B), by inserting “and
13 retention” after “outreach”; and

14 (B) in paragraph (2)(A)—

15 (i) in clause (i), by inserting before
16 the semicolon “, including data on the
17 evaluation of any new WTC-related health
18 conditions identified under section
19 3304(a)”; and

20 (ii) in clause (iii), by inserting “and
21 retention” after “outreach”; and

22 (2) in subsection (b)(1)(B)(vi), by striking “sec-
23 tion 3304(c)” and inserting “section 3304(d)”.

1 (d) WORLD TRADE CENTER RESPONDERS.—Section
2 3311(a) of the Public Health Service Act (42 U.S.C.
3 300mm–21(a)) is amended—

4 (1) in paragraph (4)(B)(i)(II), by striking
5 “2020” and inserting “2041”; and

6 (2) by striking paragraph (5).

7 (e) WORLD TRADE CENTER SURVIVORS.—Section
8 3321(a) of the Public Health Service Act (42 U.S.C.
9 300mm–31(a)) is amended—

10 (1) in paragraph (3)(B)(i)(II), by striking
11 “2020” and inserting “2041”; and

12 (2) by striking paragraph (4).

13 (f) PAYMENT OF CLAIMS.—Section 3331(d)(1)(B) of
14 the Public Health Service Act (42 U.S.C. 300mm–
15 41(d)(1)(B)) is amended—

16 (1) by striking “2015” and inserting “2040”;
17 and

18 (2) by striking “2016” and inserting “2041”.

19 (g) WORLD TRADE CENTER HEALTH REGISTRY.—
20 Section 3342 of the Public Health Service Act (42 U.S.C.
21 300mm–52) is amended by striking “April 20, 2009” and
22 inserting “September 7, 2014”.

1 **SEC. 3. REAUTHORIZING THE SEPTEMBER 11TH VICTIM**
2 **COMPENSATION FUND OF 2001.**

3 (a) DEFINITIONS.—Section 402(6) of the Air Trans-
4 portation Safety and System Stabilization Act (49 U.S.C.
5 40101 note) is amended by striking “, including under the
6 World Trade Center Health Program established under
7 section 3001 of the Public Health Service Act”.

8 (b) PURPOSE.—Section 403 of the Air Transpor-
9 tation Safety and System Stabilization Act (49 U.S.C.
10 40101 note) is amended—

11 (1) by inserting “full” before “compensation”;

12 and

13 (2) by inserting “, or the rescue and recovery
14 efforts during the immediate aftermath of such
15 crashes” before the period.

16 (c) TIMING REQUIREMENTS FOR FILING A CLAIM.—
17 Section 405 of the Air Transportation Safety and System
18 Stabilization Act (49 U.S.C. 40101 note) is amended—

19 (1) in subsection (a)(3)(B)—

20 (A) by striking “section 407(b)” and in-
21 serting “section 407(b)(1)”;

22 (B) by striking “5 years” and inserting
23 “30 years”; and

24 (C) by inserting “under section 407(b)(1)”
25 after “which such regulations are updated”;

26 and

1 (2) in subsection (c)(3)—

2 (A) in subparagraph (A)(iii), by striking
3 “section 407(a)” and inserting “section
4 407(b)(1)”; and

5 (B) in subparagraph (C)(ii)(II), by striking
6 “section 407(b)” and inserting “section
7 407(b)(1)”.

8 (d) PAYMENTS TO ELIGIBLE INDIVIDUALS.—Section
9 406(d) of the Air Transportation Safety and System Sta-
10 bilization Act (49 U.S.C. 40101 note) is amended—

11 (1) in paragraph (1)—

12 (A) by striking “section 407(b)” and in-
13 serting “section 407(b)(1)”; and

14 (B) by striking “\$2,775,000,000” and in-
15 serting “such sums as may be necessary to
16 carry out this Act”; and

17 (2) in paragraph (2)—

18 (A) in subparagraph (A), in the matter
19 preceding clause (i), by striking “shall ratably
20 reduce the amount of compensation due claim-
21 ants under this title in a manner” and inserting
22 “may ratably reduce the amount of compensa-
23 tion due claimants under this title if nec-
24 essary”; and

25 (B) in subparagraph (B)—

1 (i) in the matter preceding clause (i),
2 by striking “on or after the first day” and
3 all that follows through “the difference be-
4 tween” and inserting “the Special Master,
5 when amounts are available, shall pay to
6 the claimant the amount that is equal to
7 the difference between”;

8 (ii) in clause (i)—

9 (I) by striking “during such pe-
10 riod”; and

11 (II) by striking “applicable to
12 such period” and inserting “applicable
13 to the 5-year period described in such
14 paragraph”; and

15 (iii) in clause (ii), by striking “during
16 such period”.

17 (e) REGULATIONS.—Section 407(b) of the Air Trans-
18 portation Safety and System Stabilization Act (49 U.S.C.
19 40101 note) is amended—

20 (1) by striking “Not later than” and inserting
21 the following:

22 “(1) JAMES ZADROGA 9/11 HEALTH AND COM-
23 PENSATION ACT OF 2010.—Not later than”; and

24 (2) by adding at the end the following:

1 “(2) JAMES ZADROGA 9/11 HEALTH AND COM-
2 PENSATION REAUTHORIZATION ACT.—Not later than
3 180 days after the date of enactment of the James
4 Zadroga 9/11 Health and Compensation Reauthor-
5 ization Act, the Special Master shall update the reg-
6 ulations promulgated under subsection (a) to the ex-
7 tent necessary to comply with the amendments made
8 by such Act.”.

9 **SEC. 4. AMENDMENT TO EXEMPT PROGRAMS.**

10 (a) IN GENERAL.—Section 255(g)(1)(B) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985
12 (2 U.S.C. 905(g)(1)(B)) is amended by—

13 (1) inserting after the item relating to Retire-
14 ment Pay and Medical Benefits for Commissioned
15 Officers, Public Health Service the following:

16 “September 11th Victim Compensation
17 Fund (15–0340–0–1–754).”; and

18 (2) inserting after the item relating to the Vol-
19 untary Separation Incentive Fund the following:

20 “World Trade Center Health Program
21 Fund (75–0946–0–1–551).”.

22 (b) APPLICABILITY.—The amendments made by this
23 section shall apply to any sequestration order issued under
24 the Balanced Budget and Emergency Deficit Control Act

1 of 1985 (2 U.S.C. 900 et seq.) on or after the date of
2 enactment of this Act.

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