

113TH CONGRESS
2D SESSION

S. 2844

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17 (legislative day, SEPTEMBER 16), 2014

Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. MURPHY, Mr. BLUMENTHAL, Mr. BOOKER, Mr. MENENDEZ, Ms. WARREN, Mrs. SHAHEEN, Mr. MERKLEY, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. REAUTHORIZING THE WORLD TRADE CENTER**
2 **HEALTH PROGRAM.**

3 (a) WORLD TRADE CENTER HEALTH PROGRAM
4 FUND.—Section 3351 of the Public Health Service Act
5 (42 U.S.C. 300mm–61) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2)—

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

12 (ii) by striking subparagraph (A) and
13 inserting the following:

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

15 “(i) for fiscal year 2015,
16 \$431,000,000; and

17 “(ii) for each fiscal year thereafter
18 through fiscal year 2041, the amount spec-
19 ified under this subparagraph for the pre-
20 vious fiscal year increased by the percent-
21 age increase in the medical care component
22 of the consumer price index for all urban
23 consumers as estimated by the Secretary
24 for the 12-month period ending with
25 March of the previous fiscal year; plus”;
26 and

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

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

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

17 (2) in subsection (b)(1), by striking “sections
 18 3302(a)” and all that follows through “3342” and
 19 inserting “sections 3301(e), 3301(f), 3302(a),
 20 3302(b), 3303, 3304, 3305(a)(1), 3305(a)(2),
 21 3305(c), 3341, and 3342”; and

22 (3) in subsection (c)—

23 (A) in paragraph (1)(C), by striking “con-
 24 sumer price index for all urban consumers (all
 25 items; United States city average)” and insert-

1 ing “medical care component of the consumer
2 price index for all urban consumers”;

3 (B) in paragraph (2)—

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 2014”; 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 2015, \$200,000; and

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

24 (C) in paragraph (4)—

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

3 (ii) in subparagraph (C)—

4 (I) by striking “for each subse-
5 quent fiscal year” and inserting “for
6 each of fiscal years 2013 through
7 2016”; and

8 (II) by striking the period and
9 inserting a semicolon; and

10 (iii) by adding at the end the fol-
11 lowing:

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

13 and

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

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

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

5 (c) CLINICAL CENTERS OF EXCELLENCE AND DATA
6 CENTERS.—Section 3305 of the Public Health Service Act
7 (42 U.S.C. 300mm-4) is amended—

8 (1) in subsection (a)—

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

11 (B) in paragraph (2)(A)—

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

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

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

21 (d) WORLD TRADE CENTER RESPONDERS.—Section
22 3311(a) of the Public Health Service Act (42 U.S.C.
23 300mm-21(a)) is amended—

24 (1) in paragraph (4)(B)(i)(II), by striking
25 “2020” and inserting “2041”; and

1 (2) by striking paragraph (5).

2 (e) WORLD TRADE CENTER SURVIVORS.—Section
3 3321(a) of the Public Health Service Act (42 U.S.C.
4 300mm–31(a)) is amended—

5 (1) in paragraph (3)(B)(i)(II), by striking
6 “2020” and inserting “2041”; and

7 (2) by striking paragraph (4).

8 (f) PAYMENT OF CLAIMS.—Section 3331(d)(1)(B) of
9 the Public Health Service Act (42 U.S.C. 300mm–
10 41(d)(1)(B)) is amended—

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

12 and

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

14 (g) WORLD TRADE CENTER HEALTH REGISTRY.—
15 Section 3342 of the Public Health Service Act (42 U.S.C.
16 300mm–52) is amended by striking “April 20, 2009” and
17 inserting “September 7, 2014”.

18 **SEC. 3. REAUTHORIZING THE SEPTEMBER 11TH VICTIM**

19 **COMPENSATION FUND OF 2001.**

20 (a) DEFINITIONS.—Section 402(6) of the Air Trans-
21 portation Safety and System Stabilization Act (49 U.S.C.
22 40101 note) is amended by striking “, including under the
23 World Trade Center Health Program established under
24 section 3001 of the Public Health Service Act”.

1 (b) PURPOSE.—Section 403 of the Air Transpor-
2 tation Safety and System Stabilization Act (49 U.S.C.
3 40101 note) is amended—

4 (1) by inserting “full” before “compensation”;
5 and

6 (2) by inserting “, or the rescue and recovery
7 efforts during the immediate aftermath of such
8 crashes” before the period.

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

12 (1) in subsection (a)(3)(B)—

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

15 (B) by striking “5 years” and inserting
16 “30 years”; and

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

19 and

20 (2) in subsection (c)(3)—

21 (A) in subparagraph (A)(iii), by striking
22 “section 407(a)” and inserting “section
23 407(b)(1)”;

1 (B) in subparagraph (C)(ii)(II), by striking
2 “section 407(b)” and inserting “section
3 407(b)(1)”.

4 (d) PAYMENTS TO ELIGIBLE INDIVIDUALS.—Section
5 406(d) of the Air Transportation Safety and System Sta-
6 bilization Act (49 U.S.C. 40101 note) is amended—

7 (1) in paragraph (1)—

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

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

13 (2) in paragraph (2)—

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

21 (B) in subparagraph (B)—

22 (i) in the matter preceding clause (i),
23 by striking “on or after the first day” and
24 all that follows through “the difference be-
25 tween” and inserting “the Special Master,

1 when amounts are available, shall pay to
2 the claimant the amount that is equal to
3 the difference between”;

4 (ii) in clause (i)—

5 (I) by striking “during such pe-
6 riod”; and

7 (II) by striking “applicable to
8 such period” and inserting “applicable
9 to the 5-year period described in such
10 paragraph”; and

11 (iii) in clause (ii), by striking “during
12 such period”.

13 (e) REGULATIONS.—Section 407(b) of the Air Trans-
14 portation Safety and System Stabilization Act (49 U.S.C.
15 40101 note) is amended—

16 (1) by striking “Not later than” and inserting
17 the following:

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

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

21 “(2) JAMES ZADROGA 9/11 HEALTH AND COM-
22 PENSATION REAUTHORIZATION ACT.—Not later than
23 180 days after the date of enactment of the James
24 Zadroga 9/11 Health and Compensation Reauthor-
25 ization Act, the Special Master shall update the reg-

1 ulations promulgated under subsection (a) to the ex-
2 tent necessary to comply with the amendments made
3 by such Act.”.

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

5 (a) IN GENERAL.—Section 255(g)(1)(B) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985
7 (2 U.S.C. 905(g)(1)(B)) is amended by—

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

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

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

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

17 (b) APPLICABILITY.—The amendments made by this
18 section shall apply to any sequestration order issued under
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985 (2 U.S.C. 900 et seq.) on or after the date of
21 enactment of this Act.

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