

114TH CONGRESS  
1ST SESSION

# S. 928

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

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## IN THE SENATE OF THE UNITED STATES

APRIL 14, 2015

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

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## 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 “each of fiscal years  
10 2012” and all that follows through  
11 “2011)” and inserting “fiscal year 2015  
12 and each subsequent fiscal year”; and

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

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

16 “(i) for fiscal year 2015,  
17 \$431,000,000; and

18 “(ii) for each subsequent fiscal year,  
19 the amount specified under this subpara-  
20 graph for the previous fiscal year increased  
21 by the percentage increase in the medical  
22 care component of the consumer price  
23 index for all urban consumers as estimated  
24 by the Secretary for the 12-month period  
25 ending with March of the previous year;  
26 plus”; 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  
 3       such Administrator determines necessary to administer  
 4       this 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)(4)(B)(i)(II) of the Public Health Service Act (42  
 23       U.S.C. 300mm–21(a)(4)(B)(i)(II)) is amended by striking  
 24       “through the end of fiscal year 2020”.

1 (e) WORLD TRADE CENTER SURVIVORS.—Section  
 2 3321(a)(3)(B)(i)(II) of the Public Health Service Act (42  
 3 U.S.C. 300mm–31(a)(3)(B)(i)(II)) is amended by striking  
 4 “through the end of fiscal year 2020”.

5 (f) PAYMENT OF CLAIMS.—Section 3331(d)(1)(B) of  
 6 the Public Health Service Act (42 U.S.C. 300mm–  
 7 41(d)(1)(B)) is amended—

8 (1) by striking “in fiscal years 2012 through  
 9 2015” and inserting “of each subsequent fiscal  
 10 year”; and

11 (2) by striking “and with respect to calendar  
 12 quarters in fiscal year 2016” and all that follows  
 13 and inserting a period.

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 “January 1, 2015”.

18 **SEC. 3. REAUTHORIZING THE SEPTEMBER 11TH VICTIM**  
 19 **COMPENSATION FUND OF 2001.**

20 (a) PURPOSE.—Section 403 of the Air Transpor-  
 21 tation Safety and System Stabilization Act (49 U.S.C.  
 22 40101 note) is amended—

23 (1) by inserting “full” before “compensation”;  
 24 and

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

4           (b) TIMING REQUIREMENTS FOR FILING A CLAIM.—  
5           Section 405 of the Air Transportation Safety and System  
6           Stabilization Act (49 U.S.C. 40101 note) is amended—

7           (1) in subsection (a)(3)(B)—

8                   (A) by striking “during the period” and in-  
9                   serting “during an indefinite period”;

10                  (B) by striking “section 407(b)” and in-  
11                  serting “section 407(b)(1)”; and

12                  (C) by striking “and ending on” and all  
13                  that follows and inserting a period; and

14           (2) in subsection (c)(3)—

15                   (A) in subparagraph (A)(iii), by striking  
16                   “section 407(a)” and inserting “section  
17                   407(b)(1)”; and

18                   (B) in subparagraph (C)(ii)(II), by striking  
19                   “section 407(b)” and inserting “section  
20                   407(b)(1)”.

21           (c) PAYMENTS TO ELIGIBLE INDIVIDUALS.—Section  
22           406(d) of the Air Transportation Safety and System Sta-  
23           bilization Act (49 U.S.C. 40101 note) is amended—

24           (1) in paragraph (1)—

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

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

6 (2) in paragraph (2)—

7 (A) in subparagraph (A), in the matter  
 8 preceding clause (i), by striking “shall ratably  
 9 reduce the amount of compensation due claim-  
 10 ants under this title in a manner” and inserting  
 11 “may ratably reduce the amount of compensa-  
 12 tion due claimants under this title if nec-  
 13 essary”; and

14 (B) in subparagraph (B)—

15 (i) in the matter preceding clause (i),  
 16 by striking “on or after the first day” and  
 17 all that follows through “the difference be-  
 18 tween” and inserting “the Special Master,  
 19 when amounts are available, shall pay to  
 20 the claimant the amount that is equal to  
 21 the difference between”;

22 (ii) in clause (i)—

23 (I) by striking “during such pe-  
 24 riod”; and

1 (II) by striking “applicable to  
 2 such period” and inserting “applicable  
 3 to the 5-year period described in such  
 4 paragraph”; and  
 5 (iii) in clause (ii), by striking “during  
 6 such period”.

7 (d) REGULATIONS.—Section 407(b) of the Air Trans-  
 8 portation Safety and System Stabilization Act (49 U.S.C.  
 9 40101 note) is amended—

10 (1) by striking “Not later than” and inserting  
 11 the following:

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

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

15 “(2) JAMES ZADROGA 9/11 HEALTH AND COM-  
 16 PENSATION REAUTHORIZATION ACT.—Not later than  
 17 180 days after the date of enactment of the James  
 18 Zadroga 9/11 Health and Compensation Reauthor-  
 19 ization Act, the Special Master shall update the reg-  
 20 ulations promulgated under subsection (a) to the ex-  
 21 tent necessary to comply with the amendments made  
 22 by such Act.”.

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

2 (a) IN GENERAL.—Section 255(g)(1)(B) of the Bal-  
3 anced Budget and Emergency Deficit Control Act of 1985  
4 (2 U.S.C. 905(g)(1)(B)) is amended by—

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

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

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

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

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

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