

mined by the Administrator) based on the average yield to maturity, plus 1 percentage point, on outstanding municipal bonds issued by New York City with a remaining maturity of at least 1 year.

(ii) Recovery of amounts owed

The amounts owed to the WTC Program Administrator under such contract shall be recoverable by the United States in an action in the same manner as payments made under title XVIII of the Social Security Act [42 U.S.C. 1395 et seq.] may be recoverable in an action brought under section 1862(b)(2)(B)(iii) of such Act [42 U.S.C. 1395y(b)(2)(B)(iii)].

(F) Deposit in fund

The WTC Program Administrator shall deposit amounts paid under such contract into the World Trade Center Health Program Fund under section 300mm-61 of this title.

(2) Payment of New York City share of monitoring and treatment costs

With respect to each calendar quarter for which a contribution is required by New York City under the contract under paragraph (1), the WTC Program Administrator shall—

(A) provide New York City with an estimate of such amount of the required contribution at the beginning of such quarter and with an updated estimate of such amount at the beginning of each of the subsequent 2 quarters;

(B) bill such amount directly to New York City; and

(C) certify periodically, for purposes of this subsection, whether or not New York City has paid the amount so billed.

Such amount shall initially be estimated by the WTC Program Administrator and shall be subject to adjustment and reconciliation based upon actual expenditures in carrying out this subchapter.

(3) Rule of construction

Nothing in this subsection shall be construed as authorizing the WTC Administrator, with respect to a fiscal year, to reduce the numerical limitation under section 300mm-21(a)(4) or 300mm-31(a)(3) of this title for such fiscal year if New York City fails to comply with paragraph (1) for a calendar quarter in such fiscal year.

(e) Work-related described

For the purposes of this section, a WTC-related health condition shall be treated as a condition that is work-related if—

(1) the condition is diagnosed in an enrolled WTC responder, or in an individual who qualifies as a certified-eligible WTC survivor on the basis of being a rescue, recovery, or cleanup worker; or

(2) with respect to the condition the individual has filed and had established a claim under a workers' compensation law or plan of the United States or a State, or other work-related injury or illness benefit plan of the employer of such individual.

(July 1, 1944, ch. 373, title XXXIII, §3331, as added Pub. L. 111-347, title I, §101, Jan. 2, 2011,

124 Stat. 3653; amended Pub. L. 114-113, div. O, title III, §302(g), Dec. 18, 2015, 129 Stat. 3000.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsecs. (b)(1), (c)(1), and (d)(1)(E)(ii), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Titles XVIII, XIX, and XXI of the Act are classified generally to subchapters XVIII (§1395 et seq.), XIX (§1396 et seq.), and XXI (§1397aa et seq.), respectively, of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

AMENDMENTS

2015—Subsec. (d)(1)(B). Pub. L. 114-113 substituted “each calendar quarter of fiscal year 2016 and of each subsequent fiscal year through fiscal year 2090,” for “the last calendar quarter of fiscal year 2011 and each calendar quarter in fiscal years 2012 through 2015” and struck out “and with respect to calendar quarters in fiscal year 2016, such full contribution amount shall be equal to ½ of the Federal expenditures in carrying out this subchapter for the respective quarter” before period at end.

§ 300mm-42. Administrative arrangement authority

The WTC Program Administrator may enter into arrangements with other government agencies, insurance companies, or other third-party administrators to provide for timely and accurate processing of claims under sections 300mm-22, 300mm-23, 300mm-32, and 300mm-33 of this title.

(July 1, 1944, ch. 373, title XXXIII, §3332, as added Pub. L. 111-347, title I, §101, Jan. 2, 2011, 124 Stat. 3656.)

PART C—RESEARCH INTO CONDITIONS

§ 300mm-51. Research regarding certain health conditions related to September 11 terrorist attacks

(a) In general

With respect to individuals, including enrolled WTC responders and certified-eligible WTC survivors, receiving monitoring or treatment under part B, the WTC Program Administrator shall conduct or support—

(1) research on physical and mental health conditions that may be related to the September 11, 2001, terrorist attacks;

(2) research on diagnosing WTC-related health conditions of such individuals, in the case of conditions for which there has been diagnostic uncertainty; and

(3) research on treating WTC-related health conditions of such individuals, in the case of conditions for which there has been treatment uncertainty.

The Administrator may provide such support through continuation and expansion of research that was initiated before January 2, 2011, and through the World Trade Center Health Registry (referred to in section 300mm-52 of this title), through a Clinical Center of Excellence, or through a Data Center.

(b) Types of research

The research under subsection (a)(1) shall include epidemiologic and other research studies on WTC-related health conditions or emerging conditions—

(1) among enrolled WTC responders and certified-eligible WTC survivors under treatment; and

(2) in sampled populations outside the New York City disaster area in Manhattan as far north as 14th Street and in Brooklyn, along with control populations, to identify potential for long-term adverse health effects in less exposed populations.

(c) Consultation

The WTC Program Administrator shall carry out this section in consultation with the WTC Scientific/Technical Advisory Committee.

(d) Application of privacy and human subject protections

The privacy and human subject protections applicable to research conducted under this section shall not be less than such protections applicable to research conducted or funded by the Department of Health and Human Services.

(July 1, 1944, ch. 373, title XXXIII, §3341, as added Pub. L. 111-347, title I, §101, Jan. 2, 2011, 124 Stat. 3656.)

§ 300mm-52. World Trade Center Health Registry

For the purpose of ensuring ongoing data collection relating to victims of the September 11, 2001, terrorist attacks, the WTC Program Administrator shall ensure that a registry of such victims is maintained that is at least as comprehensive as the World Trade Center Health Registry maintained under the arrangements in effect as of January 1, 2015, with the New York City Department of Health and Mental Hygiene.

(July 1, 1944, ch. 373, title XXXIII, §3342, as added Pub. L. 111-347, title I, §101, Jan. 2, 2011, 124 Stat. 3657; amended Pub. L. 114-113, div. O, title III, §302(h), Dec. 18, 2015, 129 Stat. 3000.)

AMENDMENTS

2015—Pub. L. 114-113 substituted “January 1, 2015” for “April 20, 2009”.

PART D—FUNDING

§ 300mm-61. World Trade Center Health Program Fund

(a) Establishment of Fund

(1) In general

There is established a fund to be known as the World Trade Center Health Program Fund (referred to in this section as the “Fund”).

(2) Funding

Out of any money in the Treasury not otherwise appropriated, there shall be deposited into the Fund for fiscal year 2016 and each subsequent fiscal year through fiscal year 2090—

(A) the Federal share, consisting of an amount equal to—

- (i) for fiscal year 2016, \$330,000,000;
- (ii) for fiscal year 2017, \$345,610,000;
- (iii) for fiscal year 2018, \$380,000,000;
- (iv) for fiscal year 2019, \$440,000,000;
- (v) for fiscal year 2020, \$485,000,000;
- (vi) for fiscal year 2021, \$501,000,000;
- (vii) for fiscal year 2022, \$518,000,000;
- (viii) for fiscal year 2023, \$535,000,000;

- (ix) for fiscal year 2024, \$552,000,000;
- (x) for fiscal year 2025, \$570,000,000; and
- (xi) for each subsequent fiscal year through fiscal year 2090, the amount specified under this subparagraph for the previous fiscal year increased by the percentage increase in the consumer price index for all urban consumers (all items; United States city average) as estimated by the Secretary for the 12-month period ending with March of the previous year; plus

(B) the New York City share, consisting of the amount contributed under the contract under section 300mm-41(d) of this title.

(3) Contract requirement

(A) In general

No funds may be disbursed from the Fund unless New York City has entered into a contract with the WTC Program Administrator under section 300mm-41(d)(1) of this title.

(B) Breach of contract

In the case of a failure to pay the amount so required under the contract—

- (i) the amount is recoverable under subparagraph (E)(ii) of such section;
- (ii) such failure shall not affect the disbursement of amounts from the Fund; and
- (iii) the Federal share described in paragraph (2)(A) shall not be increased by the amount so unpaid.

(4) Amounts from prior fiscal years

Amounts that were deposited, or identified for deposit, into the Fund for any fiscal year under paragraph (2), as such paragraph was in effect on the day before December 18, 2015, that were not expended in carrying out this subchapter for any such fiscal year, shall remain deposited, or be deposited, as the case may be, into the Fund.

(5) Amounts to remain available until expended

Amounts deposited into the Fund under this subsection, including amounts deposited under paragraph (2) as in effect on the day before December 18, 2015, for a fiscal year shall remain available, for the purposes described in this subchapter, until expended for such fiscal year and any subsequent fiscal year through fiscal year 2090.

(b) Mandatory funds for monitoring, initial health evaluations, treatment, and claims processing

(1) In general

The amounts deposited into the Fund under subsection (a)(2) shall be available, without further appropriation, consistent with paragraph (2) and subsection (c), to carry out part B and sections 300mm(e), 300mm(f), 300mm-1(a), 300mm-1(b), 300mm-2, 300mm-3, 300mm-4(a)(1), 300mm-4(a)(2), 300mm-4(c), 300mm-51, and 300mm-52 of this title.

(2) Limitation on mandatory funding

This subchapter does not establish any Federal obligation for payment of amounts in excess of the amounts available from the Fund for such purpose.