

(July 1, 1944, ch. 373, title XXI, §2105, as added Pub. L. 99-660, title III, §311(a), Nov. 14, 1986, 100 Stat. 3758.)

### Editorial Notes

#### REFERENCES IN TEXT

Section 300aa-4 of this title, referred to in subsec. (b)(3), (4), was repealed by Pub. L. 105-362, title VI, §601(a)(1)(H), Nov. 10, 1998, 112 Stat. 3285.

#### PRIOR PROVISIONS

A prior section 300aa-5, act July 1, 1944, §2106, was successively renumbered by subsequent acts and transferred, see section 238c of this title.

A prior section 2105 of act July 1, 1944, was repealed by Pub. L. 99-117, §12(f), Oct. 7, 1985, 99 Stat. 495. See section 300cc-4 of this title.

### Statutory Notes and Related Subsidiaries

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

Pub. L. 93-641, §6, Jan. 4, 1975, 88 Stat. 2275, set out as a note under section 217a of this title, provided that an advisory committee established pursuant to the Public Health Service Act shall terminate at such time as may be specifically prescribed by an Act of Congress enacted after Jan. 4, 1975.

### § 300aa-6. Authorization of appropriations

(a) To carry out this part other than section 300aa-2(9) of this title there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2004 and 2005.

(b) To carry out section 300aa-2(9) of this title there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2004 and 2005.

(July 1, 1944, ch. 373, title XXI, §2106, as added Pub. L. 99-660, title III, §311(a), Nov. 14, 1986, 100 Stat. 3758; amended Pub. L. 101-502, §4, Nov. 3, 1990, 104 Stat. 1286; Pub. L. 108-276, §2(c), July 21, 2004, 118 Stat. 842.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 300aa-6, act July 1, 1944, §2107, was successively renumbered by subsequent acts and transferred, see section 238d of this title.

A prior section 2106 of act July 1, 1944, was successively renumbered by subsequent acts and transferred, see section 238c of this title.

Prior sections 300aa-7 to 300aa-9, act July 1, 1944, §§2108-2110, respectively, were successively renumbered by subsequent acts and transferred, see sections 238e to 238g, respectively, of this title.

#### AMENDMENTS

2004—Pub. L. 108-276 substituted provisions authorizing appropriations for fiscal years 2004 and 2005 for provisions authorizing appropriations for fiscal years 1991 through 1995 in subsecs. (a) and (b).

1990—Pub. L. 101-502 substituted provisions authorizing appropriations for fiscal years 1991 through 1995

for provisions authorizing appropriations for fiscal years 1987 through 1991 in subsecs. (a) and (b).

## PART 2—NATIONAL VACCINE INJURY COMPENSATION PROGRAM

### SUBPART A—PROGRAM REQUIREMENTS

### § 300aa-10. Establishment of program

#### (a) Program established

There is established the National Vaccine Injury Compensation Program to be administered by the Secretary under which compensation may be paid for a vaccine-related injury or death.

#### (b) Attorney's obligation

It shall be the ethical obligation of any attorney who is consulted by an individual with respect to a vaccine-related injury or death to advise such individual that compensation may be available under the program<sup>1</sup> for such injury or death.

#### (c) Publicity

The Secretary shall undertake reasonable efforts to inform the public of the availability of the Program.

(July 1, 1944, ch. 373, title XXI, §2110, as added Pub. L. 99-660, title III, §311(a), Nov. 14, 1986, 100 Stat. 3758; amended Pub. L. 101-239, title VI, §6601(b), Dec. 19, 1989, 103 Stat. 2285.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 300aa-10, act July 1, 1944, §2111, was successively renumbered by subsequent acts and transferred, see section 238h of this title.

A prior section 2110 of act July 1, 1944, was successively renumbered by subsequent acts and transferred, see section 238g of this title.

#### AMENDMENTS

1989—Subsec. (c). Pub. L. 101-239 added subsec. (c).

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 1989 AMENDMENT

Section 6601(s) of Pub. L. 101-239, as amended by Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516, provided that:

“(1) Except as provided in paragraph (2), the amendments made by this section [amending this section and sections 300aa-11 to 300aa-17, 300aa-21, 300aa-23, 300aa-26, and 300aa-27 of this title] shall apply as follows:

“(A) Petitions filed after the date of enactment of this section [Dec. 19, 1989] shall proceed under the National Vaccine Injury Compensation Program under title XXI of the Public Health Service Act [42 U.S.C. 300aa-1 et seq.] as amended by this section.

“(B) Petitions currently pending in which the evidentiary record is closed shall continue to proceed under the Program in accordance with the law in effect before the date of the enactment of this section, except that if the United States Court of Federal Claims is to review the findings of fact and conclusions of law of a special master on such a petition, the court may receive further evidence in conducting such review.

“(C) Petitions currently pending in which the evidentiary record is not closed shall proceed under the

<sup>1</sup> So in original. Probably should be capitalized.