

## 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.

**(3) Limitation on authorization for further appropriations**

This subchapter does not establish any authorization for appropriation of amounts in excess of the amounts available from the Fund under paragraph (1).

**(c) Limits on spending for certain purposes**

Of the amounts made available under subsection (b)(1), not more than each of the following amounts may be available for each of the following purposes:

**(1) Surviving immediate family members of firefighters**

For the purposes of carrying out part B with respect to WTC responders described in section 300mm-21(a)(2)(A)(ii) of this title—

(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C)<sup>1</sup> as in effect on the day before December 18, 2015; and

(B) for each subsequent fiscal year, the amount specified under this paragraph 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.

**(2) WTC Health Program Scientific/Technical Advisory Committee**

For the purpose of carrying out section 300mm-1(a) of this title—

(A) for fiscal year 2016, \$200,000;<sup>2</sup>

(B) for each subsequent fiscal year, the amount specified under this paragraph 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.

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be followed by “and”.

**(3) Education and outreach**

For the purpose of carrying out section 300mm-2 of this title, for fiscal year 2016 and each subsequent fiscal year, \$750,000.

**(4) Uniform data collection**

For the purpose of carrying out section 300mm-3 of this title and for reimbursing Data Centers (as defined in section 300mm-4(b)(2) of this title) for the costs incurred by such Centers in carrying out activities under contracts entered into under section 300mm-4(a)(2) of this title—

(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C) as in effect on the day before December 18, 2015;

(B) for fiscal year 2017, \$15,000,000; and

(C) for each subsequent fiscal year, the amount specified under this paragraph 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.

**(5) Research regarding certain health conditions**

For the purpose of carrying out section 300mm-51 of this title—

(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C)<sup>1</sup> as in effect on the day before December 18, 2015; and

(B) for each subsequent fiscal year, the amount specified under this paragraph 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.

**(6) World Trade Center Health Registry**

For the purpose of carrying out section 300mm-52 of this title—

(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C)<sup>1</sup> as in effect on the day before December 18, 2015; and

(B) for each subsequent fiscal year, the amount specified under this paragraph 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.

(July 1, 1944, ch. 373, title XXXIII, §3351, 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(a), Dec. 18, 2015, 129 Stat. 2996.)

**Editorial Notes**

## REFERENCES IN TEXT

Subparagraph (C) as in effect on the day before December 18, 2015, referred to in subsec. (c)(1)(A), (5)(A), (6)(A), refers to subpar. (C) as in effect on the day before the amendments made by Pub. L. 114-113, which redesignated subpar. (C) as (B) in pars. (1), (5), and (6) of subsec. (c). See 2015 Amendment notes below.

## PRIOR PROVISIONS

A prior section 300aaa, act July 1, 1944, ch. 373, title XXVII, §2701, formerly title V, §501, 58 Stat. 709, as amended, which related to gifts for benefit of Service, was renumbered section 231 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238 of this title.

A prior section 300aaa-1, act July 1, 1944, ch. 373, title XXVII, §2702, formerly title V, §502, 58 Stat. 710, as amended, which related to use of immigration station hospitals, was renumbered section 232 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238a of this title.

A prior section 300aaa-2, act July 1, 1944, ch. 373, title XXVII, §2703, formerly title V, §503, 58 Stat. 710, as amended, which related to disposition of money collected for care of patients, was renumbered section 233 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238b of this title.

A prior section 300aaa-3, act July 1, 1944, ch. 373, title XXVII, §2704, formerly title V, §506, 58 Stat. 710, as amended, which related to transportation of remains of officers, was renumbered section 234 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238c of this title.

A prior section 300aaa-4, act July 1, 1944, ch. 373, title XXVII, §2705, formerly title V, §507, as added June 24, 1967, Pub. L. 90-31, §5, 81 Stat. 79, and amended, which related to availability of appropriations for grants to Federal institutions, was renumbered section 235 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238d of this title.

A prior section 300aaa-5, act July 1, 1944, ch. 373, title XXVII, §2706, formerly title V, §508, 58 Stat. 711, as amended, which related to transfer of funds for continuance of transferred functions, was renumbered section 236 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238e of this title.

A prior section 300aaa-6, act July 1, 1944, ch. 373, title XXVII, §2707, formerly title V, §509, 58 Stat. 711, as amended, which related to availability of appropriations, was renumbered section 237 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238f of this title.

A prior section 300aaa-7, act July 1, 1944, ch. 373, title XXVII, §2708, formerly title V, §510, 58 Stat. 711, as amended, which related to wearing of uniforms, was renumbered section 238 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238g of this title.

A prior section 300aaa-8, act July 1, 1944, ch. 373, title XXVII, §2709, formerly title V, §511, 58 Stat. 711, as amended, which related to annual report of Surgeon General, was renumbered section 239 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238h of this title.

A prior section 300aaa-9, act July 1, 1944, ch. 373, title XXVII, §2710, formerly title V, §512, as added Oct. 15, 1968, Pub. L. 90-574, title V, §503(a), 82 Stat. 1012, and amended, which related to memorials and other acknowledgements for contributions to the health of the Nation, was renumbered section 240 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238i of this title.

A prior section 300aaa-10, act July 1, 1944, ch. 373, title XXVII, §2711, formerly title V, §513, as added June 30, 1970, Pub. L. 91-296, title IV, §401(a), 84 Stat. 351, and amended, which related to evaluation of programs, was renumbered section 241 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238j of this title.

A prior section 300aaa-11, act July 1, 1944, ch. 373, title XXVII, §2712, formerly title V, §514, as added Nov. 9, 1978, Pub. L. 95-623, §11(e), 92 Stat. 3456, and amended, which related to contract authority, was renumbered section 242 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238k of this title.

A prior section 300aaa-12, act July 1, 1944, ch. 373, title XXVII, §2713, formerly title V, §515, formerly Pub. L. 88-164, title II, §225, as added Pub. L. 94-63, title III, §303, July 29, 1975, 89 Stat. 326, and amended, which related to recovery by United States of base amount plus interest in certain circumstances, was renumbered section 243 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238l of this title.

A prior section 300aaa-13, act July 1, 1944, ch. 373, title XXVII, §2714, formerly title XXI, §2116, as added Apr. 7, 1986, Pub. L. 99-272, title XVII, §17003, 100 Stat. 359, and amended, which related to use of fiscal agents, was renumbered section 244 of title II of act July 1, 1944, by Pub. L. 103-43, title XX, §2010(a)(1)-(3), June 10, 1993, 107 Stat. 213, and transferred to section 238m of this title.

#### AMENDMENTS

2015—Subsec. (a)(2). Pub. L. 114-113, §302(a)(1)(A)(i), substituted “fiscal year 2016 and each subsequent fiscal year through fiscal year 2090” for “each of fiscal years 2012 through 2016 (and the last calendar quarter of fiscal year 2011)” in introductory provisions.

Subsec. (a)(2)(A). Pub. L. 114-113, §302(a)(1)(A)(ii), added subpar. (A) and struck out former subpar. (A) which read as follows: “the Federal share, consisting of an amount equal to the lesser of—

“(i) 90 percent of the expenditures in carrying out this subchapter for the respective fiscal year (initially based on estimates, subject to subsequent reconciliation based on actual expenditures); or

“(ii)(I) \$71,000,000 for the last calendar quarter of fiscal year 2011, \$318,000,000 for fiscal year 2012, \$354,000,000 for fiscal year 2013, \$382,000,000 for fiscal year 2014, and \$431,000,000 for fiscal year 2015; and

“(II) subject to paragraph (4), an additional amount for fiscal year 2016 from unexpended amounts for previous fiscal years; plus”.

Subsec. (a)(4), (5). Pub. L. 114-113, §302(a)(1)(B), added pars. (4) and (5) and struck out former par. (4). Prior to amendment, text of par. (4) read as follows: “Beginning with fiscal year 2016, in no case shall the share of Federal funds deposited into the Fund under paragraph (2) for such fiscal year and previous fiscal years and quarters exceed the sum of the amounts specified in paragraph (2)(A)(ii)(I).”

Subsec. (b)(1). Pub. L. 114-113, §302(a)(2), substituted “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” for “sections 300mm-1(a), 300mm-2, 300mm-3, 300mm-4(a)(2), 300mm-4(c), 300mm-51, and 300mm-52 of this title”.

Subsec. (c)(1)(A). Pub. L. 114-113, §302(a)(3)(A)(iii), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “for the last calendar quarter of fiscal year 2011, \$100,000;”.

Subsec. (c)(1)(B), (C). Pub. L. 114-113, §302(a)(3)(A)(i), (ii), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: “for fiscal year 2012, \$400,000; and”.

Subsec. (c)(2)(A). Pub. L. 114-113, §302(a)(3)(B)(i), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “for the last calendar quarter of fiscal year 2011, \$25,000;”.

Subsec. (c)(2)(B), (C). Pub. L. 114-113, §302(a)(3)(B)(ii), (iii), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: “for fiscal year 2012, \$100,000; and”.

Subsec. (c)(3). Pub. L. 114-113, §302(a)(3)(C), substituted “section 300mm-2 of this title, for fiscal year 2016 and each subsequent fiscal year, \$750,000.” for “section 300mm-2 of this title—

“(A) for the last calendar quarter of fiscal year 2011, \$500,000;

“(B) for fiscal year 2012, \$2,000,000; and

“(C) for each subsequent fiscal year, the amount specified under this paragraph 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.”

Subsec. (c)(4)(A), (B). Pub. L. 114-113, §302(a)(3)(D), added subpars. (A) and (B) and struck out former subpars. (A) and (B) which read as follows:

“(A) for the last calendar quarter of fiscal year 2011, \$2,500,000;

“(B) for fiscal year 2012, \$10,000,000; and”.

Subsec. (c)(5)(A). Pub. L. 114-113, §302(a)(3)(E)(iii), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “for the last calendar quarter of fiscal year 2011, \$3,750,000;”.

Subsec. (c)(5)(B), (C). Pub. L. 114-113, §302(a)(3)(E)(i), (ii), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: “for fiscal year 2012, \$15,000,000; and”.

Subsec. (c)(6)(A). Pub. L. 114-113, §302(a)(3)(F)(iii), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “for the last calendar quarter of fiscal year 2011, \$1,750,000;”.

Subsec. (c)(6)(B), (C). Pub. L. 114-113, §302(a)(3)(F)(i), (ii), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: “for fiscal year 2012, \$7,000,000; and”.

## CHAPTER 7—SOCIAL SECURITY

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