

116TH CONGRESS
1ST SESSION

H. R. 1327

AN ACT

To extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2092, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Never Forget the He-
3 roes: James Zadroga, Ray Pfeifer, and Luis Alvarez Per-
4 manent Authorization of the September 11th Victim Com-
5 pensation Fund Act”.

6 **SEC. 2. SEPTEMBER 11TH VICTIM COMPENSATION FUND OF**
7 **2001.**

8 (a) **AUTHORIZATION AND FUNDING.**—Section 410 of
9 the Air Transportation Safety and System Stabilization
10 Act (49 U.S.C. 40101 note) is amended—

11 (1) in subsection (c), by striking
12 “\$4,600,000,000” and all that follows through “ex-
13 pended” and inserting “such sums as may be nec-
14 essary for fiscal year 2019 and each fiscal year
15 thereafter through fiscal year 2092, to remain avail-
16 able until expended”; and

17 (2) in subsection (e), by striking “Upon comple-
18 tion of all payments under this title” and inserting
19 “On October 1, 2092, or at such time thereafter as
20 all funds are expended”.

21 (b) **EXTENSION OF LIMITATION ON CLAIM FILING.**—
22 Section 405(a)(3)(B) of the Air Transportation Safety
23 and System Stabilization Act (40 U.S.C. 401010 note) is
24 amended by striking “the date that is 5 years after the
25 date of enactment of the James Zadroga 9/11 Victim

1 Compensation Fund Reauthorization Act” and inserting
2 “October 1, 2090”.

3 (c) COMPENSATION REDUCED BY SPECIAL MASTER
4 DUE TO LACK OF FUNDING.—Section 406(d)(2) of the
5 Air Transportation Safety and System Stabilization Act
6 (49 U.S.C. 40101 note) is amended by adding at the end
7 the following:

8 “(D) COMPENSATION REDUCED BY SPE-
9 CIAL MASTER DUE TO INSUFFICIENT FUND-
10 ING.—

11 “(i) IN GENERAL.—In any claim in
12 Group B as described in section
13 405(a)(3)(C)(iii) in which, prior to the en-
14 actment of the Never Forget the Heroes:
15 James Zadroga, Ray Pfeifer, and Luis Al-
16 varez Permanent Authorization of the Sep-
17 tember 11th Victim Compensation Fund
18 Act, the Special Master had advised the
19 claimant that the amount of compensation
20 has been reduced on the basis of insuffi-
21 cient funding, the Special Master shall, in
22 the first fiscal year beginning after suffi-
23 cient funding becomes available under such
24 Act, pay to the claimant an amount that

1 is, as determined by the Special Master,
2 equal to the difference between—

3 “(I) the amount the claimant
4 would have been paid under this title
5 if sufficient funding was available to
6 the Special Master at the time the
7 Special Master determined the
8 amount due the claimant under this
9 title; and

10 “(II) the amount the claimant
11 was paid under this title.

12 “(ii) DEFINITIONS.—For purposes of
13 this subparagraph:

14 “(I) INSUFFICIENT FUNDING.—
15 The term ‘insufficient funding’ means
16 funding—

17 “(aa) that is available to the
18 Special Master under section
19 410(c) on the day before the date
20 of enactment of the Never Forget
21 the Heroes: James Zadroga, Ray
22 Pfeifer, and Luis Alvarez Perma-
23 nent Authorization of the Sep-
24 tember 11th Victim Compensa-
25 tion Fund Act for purposes of

1 compensating claims in Group B
2 as described in section
3 405(a)(3)(C)(iii); and

4 “(bb) that the Special Mas-
5 ter determines is insufficient for
6 purposes of compensating all
7 such claims and complying with
8 subparagraph (A).

9 “(II) SUFFICIENT FUNDING.—
10 The term ‘sufficient funding’ means
11 funding—

12 “(aa) made available to the
13 Special Master for purposes of
14 compensating claims in Group B
15 as described in section
16 405(a)(3)(C)(iii) through an Act
17 of Congress that is enacted after
18 the date on which the amount of
19 the claim described in clause (i)
20 has been reduced; and

21 “(bb) that the Special Mas-
22 ter determines is sufficient for
23 purposes of compensating all
24 claims in such Group B.”.

1 (d) LIMITATIONS ON NONECONOMIC LOSS.—Section
 2 405(b)(7)(A) of the of the Air Transportation Safety and
 3 System Stabilization Act (49 U.S.C. 40101 note) is
 4 amended—

5 (1) by redesignating clauses (i) and (ii) as sub-
 6 clauses (I) and (II) respectively, and adjusting the
 7 margins accordingly;

8 (2) by striking “With respect to” and inserting
 9 the following:

10 “(i) IN GENERAL.—Except as pro-
 11 vided in clause (ii), with respect to”; and

12 (3) by adding at the end the following:

13 “(ii) EXCEPTION.—The Special Mas-
 14 ter may exceed the applicable limitation in
 15 clause (i) for a claim in Group B as de-
 16 scribed in subsection (a)(3)(C)(iii) if the
 17 Special Master determines that the claim
 18 presents special circumstances.”.

19 (e) ADJUSTMENT OF ANNUAL GROSS INCOME LIM-
 20 ITATION.—Section 405(b)(7)(B)(ii) of the Air Transpor-
 21 tation Safety and System Stabilization Act (40 U.S.C.
 22 40101 note) is amended by striking “\$200,000.” and in-
 23 serting “the annual gross income limitation. The annual
 24 gross income limitation in effect on the date of enactment
 25 of the Never Forget the Heroes: James Zadroga, Ray

1 Pfeifer, and Luis Alvarez Permanent Authorization of the
 2 September 11th Victim Compensation Fund Act is
 3 \$200,000. The Special Master shall periodically adjust
 4 that annual gross income limitation to account for infla-
 5 tion.”.

6 **SEC. 3. APPOINTMENT OF SPECIAL MASTER AND DEPUTY**
 7 **SPECIAL MASTERS.**

8 Section 404 of the Air Transportation Safety and
 9 System Stabilization Act (49 U.S.C. 40101 note) is
 10 amended—

11 (1) by redesignating subsection (b) as sub-
 12 section (c); and

13 (2) by inserting after subsection (a) the fol-
 14 lowing:

15 “(b) APPOINTMENT OF SPECIAL MASTER AND DEP-
 16 UTY SPECIAL MASTERS.—The Attorney General may ap-
 17 point a Special Master and no more than two Deputy Spe-
 18 cial Masters without regard to the provisions of title 5,
 19 United States Code, governing appointments in the com-
 20 petitive service. Any such employee shall serve at the
 21 pleasure of the Attorney General. The Attorney General
 22 shall fix the annual salary of the Special Master and the
 23 Deputy Special Masters.”.

1 **SEC. 4. BUDGETARY EFFECTS.**

2 (a) STATUTORY PAYGO SCORECARDS.—The budg-
3 etary effects of this Act shall not be entered on either
4 PAYGO scorecard maintained pursuant to section 4(d) of
5 the Statutory Pay-As-You-Go Act of 2010.

6 (b) SENATE PAYGO SCORECARDS.—The budgetary
7 effects of this Act shall not be entered on any PAYGO
8 scorecard maintained for purposes of section 4106 of
9 House Concurrent Resolution 71 (115th Congress).

Passed the House of Representatives July 12, 2019.

Attest:

Clerk.

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