



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

February 22, 2013

The Honorable Kirsten Gillibrand  
United States Senate  
Washington, D.C. 20510

Dear Senator Gillibrand,

Thank you for your letter regarding the *James Zadroga 9/11 Health and Compensation Act*, specifically whether funding provided pursuant to the Act is subject to the Joint Committee sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA), as amended. I appreciate your taking the time to contact me about this matter.

As the Administration has stated before, the Joint Committee sequestration, by design, is bad policy, and the Congress should pass balanced, bipartisan deficit reduction to avoid it. The intent of the Joint Committee sequestration was to encourage the Congress to reach a compromise on a balanced deficit reduction plan through the threat of mutually disagreeable cuts to both defense and non-defense programs. If allowed to occur, sequestration would be highly destructive to domestic investments, national security, and core government functions. We are very aware of, and concerned by, the consequences of the potential sequestration for important programs such as health care services for 9/11 victims.

In the unfortunate event that the Congress fails to pass a balanced deficit reduction package that avoids sequestration by March 1, 2013, the Joint Committee sequestration would be governed by the procedures set forth in BBEDCA. Under the law, the Administration has very little flexibility or discretion in implementing sequestration. The Congress did not exempt from sequestration funding provided pursuant to the *James Zadroga 9/11 Health and Compensation Act*. Absent such an exemption, BBEDCA requires that the funding be sequestered. Additionally, New York's contribution to the World Trade Center Health program is required by statute in order to secure Federal funds. Therefore, these contributions are not considered voluntary, and thus the exemption in BBEDCA for voluntary payments to the Federal government does not apply.

We will continue to work with the Congress to enact further balanced deficit reduction that avoids sequestration. Thank you again for your letter.

Sincerely,

Kristen Sarri  
Associate Director for Legislative Affairs