

107TH CONGRESS
1ST SESSION

H. R. 3228

To amend the Air Transportation Safety and System Stabilization Act to provide compensation to victims of terrorist-related anthrax infections following the terrorist-related aircraft crashes of September 11, 2001.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 5, 2001

Mr. GEPHARDT (for himself, Ms. NORTON, Mr. SERRANO, Mr. WEXLER, and Mr. WYNN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Air Transportation Safety and System Stabilization Act to provide compensation to victims of terrorist-related anthrax infections following the terrorist-related aircraft crashes of September 11, 2001.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anthrax Victims Com-
5 pensation Act”.

1 **SEC. 2. AMENDMENTS TO SEPTEMBER 11 VICTIM COM-**
2 **PENSATION FUND OF 2001.**

3 (a) **DEFINITIONS.**—Section 402 of the Air Transpor-
4 tation Safety and System Stabilization Act (Public Law
5 107–42) is amended—

6 (1) in paragraph (4) by inserting before the pe-
7 riod at the end the following: “, or to a death result-
8 ing from a terrorist-related anthrax infection fol-
9 lowing such crashes”; and

10 (2) by adding at the end the following:

11 “(9) **TERRORISM.**—The term ‘terrorism’ has
12 the meaning the term ‘act of terrorism’ has in sec-
13 tion 3077 of title 18, United States Code.”.

14 (b) **PURPOSE.**—Section 403 of such Act is amended
15 by inserting after “September 11, 2001” the following: “,
16 or killed as a result of a terrorist-related anthrax infection
17 following such crashes”.

18 (c) **CONTENTS OF CLAIM FORM.**—Section
19 405(a)(2)(B) of such Act is amended—

20 (1) in clause (i) by inserting before the semi-
21 colon at the end the following: “, or as a result of
22 a terrorist-related anthrax infection following such
23 crashes”; and

24 (2) in each of clauses (ii) and (iii) by inserting
25 “or as a result of such infection” after “such crash-
26 es”.

1 (d) FILING DEADLINE.—Section 405(a)(3) of such
2 Act is amended by inserting before the period at the end
3 “or, in the case of a death resulting from a terrorist-re-
4 lated anthrax infection, the date of such death”.

5 (e) COLLATERAL OF COMPENSATION.—Section
6 405(b)(6) of such Act is amended by inserting before the
7 period at the end the following: “, or as a result of a ter-
8 rorist-related anthrax infection following such crashes”.

9 (f) ELIGIBILITY.—Section 405(c)(2) of such Act is
10 amended—

11 (1) by striking “or” at the end of subparagraph
12 (B);

13 (2) by redesignating subparagraph (C) as sub-
14 paragraph (D);

15 (3) by inserting after subparagraph (B) the fol-
16 lowing:

17 “(C) an individual who suffers after Sep-
18 tember 11, 2001, death as a result of a ter-
19 rorist-related anthrax infection following such
20 crashes; or”; and

21 (4) in subparagraph (D), as redesignated by
22 paragraph (2) of this subsection, by striking “or
23 (B)” and inserting “, (B), or (C)”.

24 (g) LIMITATION ON CIVIL ACTION.—Section
25 405(c)(3)(B)(i) of such Act is amended by inserting before

1 the period at the end of the first sentence the following:
2 “, or as a result of a terrorist-related anthrax infection
3 following such crashes”.

4 (h) FEDERAL CAUSES OF ACTION.—Section 408 of
5 such Act is amended—

6 (1) by striking the subsection heading for sub-
7 section (b) and inserting “FEDERAL CAUSE OF AC-
8 TION FOR HIJACKINGS AND SUBSEQUENT CRASH-
9 ES”;

10 (2) by redesignating subsection (c) as sub-
11 section (d); and

12 (3) by inserting after subsection (b) the fol-
13 lowing:

14 “(c) FEDERAL JURISDICTION FOR TERRORIST-RE-
15 LATED ANTHRAX DEATHS.—The United States district
16 court in which a person who died as a result of a terrorist-
17 related anthrax infection following hijacking and subse-
18 quent crashes of American Airlines flights 11 and 77, and
19 United Airlines flights 93 and 175 on September 11,
20 2001, resided shall have original and exclusive jurisdiction
21 over all Federal causes of actions brought for any claim
22 resulting from or relating to such death.”.

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