

109TH CONGRESS  
1ST SESSION

# H. R. 565

To extend the time for filing certain claims under the September 11th Victim Compensation Fund of 2001, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mrs. MALONEY (for herself, Mr. NADLER, Mr. BISHOP of New York, Mr. OWENS, Mrs. MCCARTHY, and Mr. SERRANO) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To extend the time for filing certain claims under the September 11th Victim Compensation Fund of 2001, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Victim Compensation  
5 Fund Extension Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The September 11th Victim Compensation  
9 Fund of 2001 was established to provide compensa-

1       tion to individuals (or relatives of deceased individ-  
2       uals) who were physically injured or killed as a re-  
3       sult of the terrorist-related aircraft crashes of Sep-  
4       tember 11, 2001.

5               (2) The deadline for filing claims for compensa-  
6       tion under the Victim Compensation Fund was De-  
7       cember 22, 2003.

8               (3) Some individuals did not know they were el-  
9       igible to file claims for compensation or did not  
10      know they had suffered physical harm as a result of  
11      the terrorist-related aircraft crashes until after the  
12      December 22, 2003, deadline.

13 **SEC. 3. DEADLINE EXTENSION FOR CERTAIN CLAIMS**  
14                               **UNDER SEPTEMBER 11TH VICTIM COMPENSA-**  
15                               **TION FUND OF 2001.**

16      Section 405(a)(3) of the Air Transportation Safety  
17      and System Stabilization Act (49 U.S.C. 40101 note) is  
18      amended to read as follows:

19               “(3) LIMITATION.—

20                       “(A) IN GENERAL.—Except as provided in  
21                       subparagraph (B), no claim may be filed under  
22                       paragraph (1) after December 22, 2003.

23                       “(B) EXCEPTIONS.—A claim may be filed  
24                       under paragraph (1)—

1 “(i) during the 3-year period after the  
2 date of the enactment of this subpara-  
3 graph, if the Special Master determines  
4 that the claimant—

5 “(I) did not know that the claim-  
6 ant had suffered physical harm as a  
7 result of the terrorist-related aircraft  
8 crashes of September 11, 2001, until  
9 after December 22, 2003, and before  
10 the date of the enactment of this sub-  
11 paragraph; or

12 “(II) did not for any reason  
13 other than as described in subclause  
14 (I) know that the claimant was eligi-  
15 ble to file a claim under paragraph  
16 (1) until after December 22, 2003;  
17 and

18 “(ii) during the 3-year period after  
19 the date that the claimant first knew that  
20 the claimant had suffered physical harm as  
21 a result of the terrorist-related aircraft  
22 crashes of September 11, 2001, if the Spe-  
23 cial Master determines that the claimant  
24 did not know that the claimant had suf-  
25 fered physical harm as a result of the

1 crashes until a date that is on or after the  
2 date of the enactment of this subpara-  
3 graph.”.

4 **SEC. 4. IMMEDIATE AFTERMATH DEFINED.**

5 Section 402 of the Air Transportation Safety and  
6 System Stabilization Act (49 U.S.C. 40101 note) is  
7 amended by adding at the end the following new para-  
8 graph:

9 “(9) IMMEDIATE AFTERMATH.—In section  
10 405(c)(2)(A)(i), the term ‘immediate aftermath’  
11 means any period of time after the terrorist-related  
12 aircraft crashes of September 11, 2001, as deter-  
13 mined by the Special Master, that was sufficiently  
14 close in time to the crashes that there was a demon-  
15 strable risk to the claimant of physical harm result-  
16 ing from the crashes.”.

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