

105TH CONGRESS  
1ST SESSION

# S. 383

To require the Director of the Federal Emergency Management Agency to provide funds for compensation for expenses incurred by the State of New York, Nassau County and Suffolk County, New York, and New York City, New York, as a result of the crash of flight 800 of Trans World Airlines.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 1997

Mr. D'AMATO introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To require the Director of the Federal Emergency Management Agency to provide funds for compensation for expenses incurred by the State of New York, Nassau County and Suffolk County, New York, and New York City, New York, as a result of the crash of flight 800 of Trans World Airlines.

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. PAYMENT TO THE STATE OF NEW YORK.**

4        (a) IN GENERAL.—Subject to the limitation under  
5        subsection (b), the Director of the Federal Emergency  
6        Management Agency (referred to in this section as the

1 “Director”) shall pay, from funds available to the Direc-  
 2 tor, to the State of New York an amount determined by  
 3 the Director, in consultation with the units of government  
 4 referred to in paragraphs (1) through (3), to be equal to  
 5 the aggregate amount of the expenses incurred (but not  
 6 reimbursed by the Federal Government under other law)  
 7 as a result of the crash of flight 800 of Trans World Air-  
 8 lines on July 17, 1996, off the coast of Long Island, New  
 9 York, by—

10 (1) the State of New York;

11 (2) Nassau County and Suffolk County, New  
 12 York; and

13 (3) New York City, New York.

14 (b) LIMITATION.—The total amount paid by the Di-  
 15 rector to the State of New York under subsection (a) shall  
 16 not exceed \$20,000,000.

17 **SEC. 2. DISTRIBUTION OF FUNDS.**

18 (a) DISTRIBUTION BY STATE OF NEW YORK.—The  
 19 Governor of the State of New York (in this section re-  
 20 ferred to as the “Governor”) shall use the amount paid  
 21 to the State of New York under section 1—

22 (1) as reimbursement for expenses incurred by  
 23 the State as a result of the crash referred to in sec-  
 24 tion 1(a); and

1 (2) to make payments to the units of govern-  
2 ment specified in paragraphs (2) and (3) of section  
3 1(a).

4 (b) REQUESTS FOR COMPENSATION.—

5 (1) IN GENERAL.—

6 (A) SOLICITATION OF REQUESTS.—The  
7 Governor shall solicit requests for compensation  
8 for expenses referred to in section 1(a) from the  
9 units of government referred to in subsection  
10 (a)(2).

11 (B) REQUIREMENTS FOR REQUESTS.—

12 Each request made under this subsection  
13 shall—

14 (i) be in writing;

15 (ii) contain appropriate documenta-  
16 tion; and

17 (iii) be submitted in such form, and in  
18 such manner, as the Governor may specify.

19 (2) DELEGATION OF AUTHORITY.—If the Gov-  
20 ernor determines that the review of the requests by  
21 the Director of Emergency Management of the State  
22 of New York is appropriate, the Governor may dele-  
23 gate the review of the requests to the Director of  
24 Emergency Management.

1           (3) REVIEW OF REQUESTS.—The Governor or  
2 the Director of Emergency Management, as the case  
3 may be, shall review each request submitted under  
4 paragraph (1).

5           (4) PAYMENTS.—If, on completion of a review  
6 under paragraph (3)—

7           (A) the Governor determines that a re-  
8 quest is appropriate and accurate, the Governor  
9 shall make a payment under subsection (a)(2)  
10 to the unit of government that submitted the  
11 request; or

12           (B) the Director of Emergency Manage-  
13 ment determines that a request is appropriate  
14 and accurate, the Director of Emergency Man-  
15 agement shall inform the Governor of the re-  
16 sults of the review, and the Governor shall  
17 make a payment under subsection (a)(2) to the  
18 unit of government that submitted the request.

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