

Calendar No. 207

109TH CONGRESS
1ST SESSION

S. 1682

To provide for reimbursement for business revenue lost as a result of a facility being used as an emergency shelter for Katrina Survivors.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2005

Mrs. HUTCHISON (for herself and Mr. CORNYN) introduced the following bill;
which was read the first time

SEPTEMBER 13, 2005

Read the second time and placed on the calendar

A BILL

To provide for reimbursement for business revenue lost as a result of a facility being used as an emergency shelter for Katrina Survivors.

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. REIMBURSEMENT FOR LOST BUSINESS REV-**
4 **ENUE.**

5 (a) DEFINITIONS.—

6 (1) DISASTER PERIOD.—The term “disaster pe-

7 riod” means, with respect to any State that includes

1 an area for which a major disaster has been declared
2 in accordance with section 401 of the Robert T.
3 Stafford Disaster Relief and Emergency Assistance
4 Act (42 U.S.C. 5170) as a result of Hurricane
5 Katrina, the period beginning on the earliest date on
6 which any area of the State was so declared and
7 ending on the latest date for which any such dec-
8 laration of an area of the State terminates.

9 (2) KATRINA SURVIVOR.—The term “Katrina
10 Survivor” means an individual who—

11 (A) resides in an area for which a major
12 disaster has been declared in accordance with
13 401 of the Robert T. Stafford Disaster Relief
14 and Emergency Assistance Act (42 U.S.C.
15 5170) as a result of Hurricane Katrina; or

16 (B) resided in an area described in sub-
17 paragraph (A) during the 7 days immediately
18 preceding the declaration of a major disaster
19 described in subparagraph (A).

20 (3) MAJOR DISASTER.—The term “major dis-
21 aster” has the meaning given the term in section
22 102 of the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5122).

24 (b) REIMBURSEMENT FOR LOST BUSINESS REV-

25 ENUE.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, subject to subsection (c), the Presi-
3 dent shall reimburse an individual or entity that
4 owns or operates a facility used as an emergency
5 shelter for Katrina Survivors for 100 percent of the
6 business revenue lost as a result of cancellation of
7 revenue-raising events, as determined jointly by the
8 President and the individual or entity.

9 (2) DISPUTES.—Any dispute relating to the eli-
10 gibility of lost revenue for reimbursement under
11 paragraph (1) shall be determined through binding
12 arbitration in accordance with the policies and pro-
13 cedures promulgated by the American Arbitration
14 Association applicable to private arbitration of dis-
15 putes.

16 (c) PERIOD OF APPLICABILITY.—This section and
17 the authority provided by this section apply only to lost
18 business revenue of a facility assisting Katrina Survivors
19 from a State during the disaster period of the State.

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