

118TH CONGRESS
2D SESSION

H. R. 8419

To amend the Justice for United States Victims of State Sponsored Terrorism Act to provide funding for United States victims of state-sponsored terrorism by ensuring consistent and meaningful distributions from the United States Victims of State Sponsored Terrorism Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2024

Mr. LAWLER (for himself, Ms. MALLIOTAKIS, Mr. GOTTHEIMER, Mr. GOLDMAN of New York, Mr. JAMES, Mr. STANTON, Mr. ESPAILLAT, Mr. D'ESPOSITO, Mr. VAN DREW, Mr. SUOZZI, Mr. NADLER, Mr. MOLINARO, Mr. WILLIAMS of New York, Mr. RYAN, Mr. NORCROSS, Mr. SCHIFF, Ms. STEFANIK, Mr. LALOTA, Mr. LANGWORTHY, Ms. TENNEY, Mr. NEHLS, Mr. GARBARINO, Ms. MENG, Mr. PALLONE, Mr. DELUZIO, and Mr. TORRES of New York) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Justice for United States Victims of State Sponsored Terrorism Act to provide funding for United States victims of state-sponsored terrorism by ensuring consistent and meaningful distributions from the United States Victims of State Sponsored Terrorism Fund, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Victims of
3 Terrorism Compensation Act”.

4 **SEC. 2. TRANSFER OF CERTAIN FUNDS INTO UNITED**
5 **STATES VICTIMS OF STATE SPONSORED TER-**
6 **RORISM FUND.**

7 (a) IN GENERAL.—Section 404 of the Justice for
8 United States Victims of State Sponsored Terrorism Act
9 (34 U.S.C. 20144) is amended—

10 (1) in subsection (d)(4), by adding at the end
11 the following:

12 “(E) FIFTH-ROUND PAYMENTS.—

13 “(i) IN GENERAL.—The Special Mas-
14 ter shall authorize fifth-round payments to
15 satisfy eligible claims under this section
16 not later than July 1, 2024. All authorized
17 payments shall be distributed to eligible
18 claimants not later than December 31,
19 2024, or, if an eligible claimant has not
20 provided the Special Master with the pay-
21 ment information required for distribution,
22 as soon as practicable after the date of re-
23 ceipt by the Special Master of such infor-
24 mation.”; and

25 (2) in subsection (e)—

1 (A) in paragraph (2), by adding at the end
2 the following:

3 “(C) CERTAIN ASSIGNED AND FORFEITED
4 ASSETS.—

5 “(i) BINANCE HOLDINGS LIMITED.—

6 “(I) IN GENERAL.—Funds and
7 the net proceeds from the sale of
8 property, forfeited or paid to the
9 United States as a criminal penalty or
10 fine in connection with the plea agree-
11 ment in the proceedings captioned as
12 United States v. Binance Holdings
13 Limited, No. 2:23-cr-00178 (RAJ)
14 (W.D. Wash. filed Nov. 14, 2023)—

15 “(aa) which shall include the
16 \$898,618,825 that is required to
17 be paid within 30 days of sen-
18 tencing; and

19 “(bb) which may include
20 other funds and net proceeds
21 that qualify for deposit or trans-
22 fer into the Fund.

23 “(II) TIMING.—An agency of the
24 United States shall deposit or transfer
25 into the Fund any amount paid by a

1 defendant in such proceedings pursu-
2 ant to the plea agreement that is to
3 be deposited or transferred into the
4 Fund in accordance with subclause (I)
5 not later than the later of—

6 “(aa) 30 days after the re-
7 ceipt of such amount by the
8 agency; or

9 “(bb) 15 days after the date
10 of enactment of this subpara-
11 graph.

12 “(ii) DOJ ASSETS FORFEITURE
13 FUND.—Fifty percent of the excess unobli-
14 gated balance of the Department of Justice
15 Assets Forfeiture Fund established under
16 524(c)(1) of title 28, United States Code,
17 to be paid on annually on December 1, be-
18 ginning on December 1, 2024.

19 “(iii) TREASURY FORFEITURE
20 FUND.—Fifty percent of the excess unobli-
21 gated balance of the Department of the
22 Treasury Forfeiture Fund established
23 under section 9705 of title 31, United
24 States Code, to be paid annually on De-
25 cember 1, beginning on December 1, 2024.

1 “(iv) DEFINITION.—In this subpara-
2 graph:

3 “(I) IN GENERAL.—The term
4 ‘excess unobligated balance’ with re-
5 spect to a fund, means the difference
6 between—

7 “(aa) the unobligated bal-
8 ance of the fund, as of Sep-
9 tember 30 of the fiscal year be-
10 fore the date specified in sub-
11 clause (I) or (II) of clause (ii) or
12 in subclause (I) or (II) of clause
13 (iii), as applicable; and

14 “(bb) the amount that is re-
15 quired to be retained in the fund
16 to ensure the availability of
17 amounts in the fiscal year after
18 the fiscal year described in item
19 (aa) for the purposes for which
20 amounts in the fund are author-
21 ized to be used.

22 “(II) EXCLUSION OF RESCIS-
23 SIONS FOR FISCAL YEAR AFTER DE-
24 TERMINATION OF AMOUNT.—For pur-
25 poses of subclause (I)(aa), the amount

1 of the unobligated balance of a fund,
2 as of September 30 of a fiscal year,
3 shall be determined without regard to
4 any rescission of amounts in the fund
5 for the next fiscal year included in an
6 appropriation Act referred to in sec-
7 tion 105 of title 1, United States
8 Code, including any anticipated or po-
9 tential rescission and any rescission
10 given continuing effect for such next
11 fiscal year under an Act making con-
12 tinuing appropriations for such next
13 fiscal year.”.

14 (b) **RULE OF CONSTRUCTION.**—Nothing in the
15 amendments made by subsection (a) shall be construed to
16 harm, jeopardize, or impair equitable sharing with law en-
17 forcement or restitution owed to crime victims.

18 **SEC. 3. DEPOSIT OF TERRORISM-RELATED PENALTIES AND**
19 **FINES INTO THE UNITED STATES VICTIMS OF**
20 **STATE SPONSORED TERRORISM FUND.**

21 (a) **CRIMINAL FUNDS AND PROPERTY.**—Section
22 404(e)(2)(A) of the Justice for United States Victims of
23 State Sponsored Terrorism Act (34 U.S.C.
24 20144(e)(2)(A)) is amended by striking clause (i) and in-
25 serting the following:

1 “(i) CRIMINAL FUNDS AND PROP-
2 ERTY.—

3 “(I) IN GENERAL.—All funds,
4 and the net proceeds from the sale of
5 property, forfeited or paid to the
6 United States after the date of enact-
7 ment of the American Victims of Ter-
8 rorism Compensation Act as a crimi-
9 nal penalty or fine in a matter or pro-
10 ceeding involving, relating to, or aris-
11 ing from the actions of, or doing busi-
12 ness with, or acting on behalf of, a
13 state sponsor of terrorism, without re-
14 gard to the nature of the offense.

15 “(II) SCOPE.—All funds and net
16 proceeds described in this clause shall
17 be deposited or transferred into the
18 Fund if the state sponsor of terrorism
19 was so designated at the time of the
20 penalty or fine, at any time during the
21 course of any related legal pro-
22 ceedings, or at the time of any related
23 conduct.

24 “(III) RULE OF CONSTRUC-
25 TION.—Nothing in this clause shall be

1 construed to limit any rights to court-
2 ordered restitution of any direct vic-
3 tim of an offense in a matter or pro-
4 ceeding from which amounts are to be
5 deposited into the Fund pursuant to
6 this clause.”.

7 (b) CIVIL FUNDS AND PROPERTY.—Section
8 404(e)(2)(A) of the Justice for United States Victims of
9 State Sponsored Terrorism Act (34 U.S.C.
10 20144(e)(2)(A)) is amended by striking clause (ii) and in-
11 serting the following:

12 “(ii) CIVIL FUNDS AND PROPERTY.—
13 “(I) IN GENERAL.—Seventy-five
14 percent of all funds, and seventy-five
15 percent of the net proceeds from the
16 sale of property, forfeited or paid to
17 the United States after the date of en-
18 actment of the American Victims of
19 Terrorism Compensation Act, as a
20 civil penalty or fine in a matter or
21 proceeding involving, relating to, or
22 arising from the actions of, or doing
23 business with, or acting on behalf of,
24 a state sponsor of terrorism, without
25 regard to the nature of the offense.

1 “(II) SCOPE.—All funds and net
2 proceeds described in this clause shall
3 be deposited or transferred into the
4 Fund if the state sponsor of terrorism
5 was so designated at the time of the
6 penalty or fine, at any time during the
7 course of any related legal pro-
8 ceedings, or at the time of any related
9 conduct.

10 “(III) RULE OF CONSTRUC-
11 TION.—Nothing in this clause shall be
12 construed to limit any rights to court-
13 ordered restitution of any direct vic-
14 tim of an offense in a matter or pro-
15 ceeding from which amounts are to be
16 deposited into the Fund pursuant to
17 this clause.”.

18 **SEC. 4. ANNUAL PAYMENTS.**

19 Section 404(d)(4) of the Justice for United States
20 Victims of State Sponsored Terrorism Act (34 U.S.C.
21 20144(d)(4)) is amended by striking subparagraph (A)
22 and inserting the following:

23 “(A) IN GENERAL.—Except as provided in
24 subparagraphs (B), (C), and (D), on January
25 1, 2025, and January 1 of each calendar year

1 thereafter, the Special Master or the Attorney
2 General shall authorize a general distribution of
3 payments on a pro rata basis to those claimants
4 with eligible claims under subsection (c)(2). All
5 authorized payments shall be distributed to the
6 eligible claimants as soon as practicable in the
7 calendar year of authorization, or, if the Special
8 Master or Attorney General authorizes pay-
9 ments prior to January 1, not later than 1 year
10 after the date of such authorization. Except as
11 provided in this subparagraph, the Special Mas-
12 ter shall not be required to authorize more than
13 1 general distribution in any calendar year, but
14 may, in the sole discretion of the Special Mas-
15 ter, authorize any such additional general dis-
16 tributions, if appropriate.”.

17 **SEC. 5. REPORT OF FUND ACTIVITY.**

18 Section 404(b)(1)(A) of the Justice for United States
19 Victims of State Sponsored Terrorism Act (34 U.S.C.
20 20144(b)(1)(A)) is amended by adding at the end the fol-
21 lowing:

22 “(iv) SPECIAL MASTER REPORT.—On
23 January 1 of each year, the Special Master
24 shall submit to the chairman and ranking
25 minority member of the Committee on the

1 Judiciary of the Senate and the chairman
2 and ranking minority member of the Com-
3 mittee on the Judiciary of the House of
4 Representatives a report on the balance
5 and activity of the Fund, which shall in-
6 clude—

7 “(I) the total amount in the
8 Fund at the end of the preceding fis-
9 cal year;

10 “(II) deposits into the Fund dur-
11 ing the preceding fiscal year sufficient
12 to identify the source, including, if ap-
13 plicable, the case name and the
14 amount of each deposit, except to the
15 extent that any sealing order requires
16 any portion of such information to re-
17 main confidential; and

18 “(III) disbursements from the
19 Fund during the preceding fiscal year
20 sufficient to identify specific amounts
21 disbursed for victim compensation and
22 other purposes, including for adminis-
23 trative costs and use of Department
24 of Justice personnel;

1 “(v) GAO REPORT.—Not later than
2 January 1, 2027, and every 3 years there-
3 after, the Comptroller General of the
4 United States shall submit to Congress a
5 report—

6 “(I) evaluating the administra-
7 tion of the Fund and the sufficiency
8 of funding for the Fund; and

9 “(II) making recommendations
10 for any further funding of the
11 Fund.”.

12 **SEC. 6. DEFINITIONS.**

13 Section 404(j) of the Justice for United States Vic-
14 tims of State Sponsored Terrorism Act (34 U.S.C.
15 20144(d)(4)) is amended by adding at the end the fol-
16 lowing:

17 “(17) GENERAL DISTRIBUTION.—The term
18 ‘general distribution’ means any distribution for all
19 eligible claims pursuant to section (d)(1).”.

20 **SEC. 7. ADMINISTRATIVE COSTS AND USE OF DEPARTMENT**
21 **OF JUSTICE PERSONNEL.**

22 Section 404(b)(1) of the Justice for United States
23 Victims of State Sponsored Terrorism Act (34 U.S.C.
24 20144(b)(1)) is amended by striking subparagraph (B)
25 and inserting the following:

1 “(B) ADMINISTRATIVE COSTS AND USE OF
2 DEPARTMENT OF JUSTICE PERSONNEL.—The
3 Special Master may utilize, as necessary, no
4 more than 10 full-time equivalent Department
5 of Justice personnel to assist in carrying out
6 the duties of the Special Master under this sec-
7 tion. Any costs associated with the use of such
8 personnel, and any other administrative costs of
9 carrying out this section, shall be paid from the
10 Fund.”.

11 **SEC. 8. ADDITIONAL REPORTS.**

12 Section 404(d)(4)(D)(iv)(IV)(bb) of the Justice for
13 United States Victims of State Sponsored Terrorism Act
14 (34 U.S.C. 20144(d)(4)(D)(iv)(IV)(bb)) is amended by in-
15 serting “not later than 90 days after the date on which
16 the Special Master makes the authorization under sub-
17 clause (II)” before the period at the end.

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