

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. LAWLER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Justice for United States Victims of State Sponsored Terrorism Act to clarify and supplement the funding sources for United States victims of state-sponsored terrorism to ensure 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.—All fifth-
13 round payments required to be authorized by
14 the Special Master on or before January 1,
15 2025, shall be distributed to eligible claimants
16 not later than March 14, 2025, or, if an eligible
17 claimant has not provided the Special Master
18 with the payment information required for dis-
19 tribution, as soon as practicable after the date
20 of receipt by the Special Master of such infor-
21 mation.”; and

22 (2) in subsection (e)(2), by adding at the end
23 the following:

24 “(C) CERTAIN ASSIGNED AND FORFEITED
25 ASSETS.—

26 “(i) BINANCE HOLDINGS LIMITED.—

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

“(I) IN GENERAL.—

“(aa) ALREADY DEPOSITED.—The sum of \$898,619,225, corresponding to the funds, and the net proceeds from the sale of property, forfeited to the United States from or in connection with the plea agreement in the proceedings captioned as United States v. Binance Holdings Limited, No. 2:23-cr-00178 (RAJ) (W.D. Wash. filed Nov. 14, 2023), already deposited into the Fund.

“(bb) ADDITIONAL FUNDS.—The sum of \$1,912,031,763, corresponding to a portion of the funds, and the net proceeds from the sale of property, forfeited or paid to the United States arising from or in connection with the proceedings described in item (aa) or any related civil or administrative proceedings.

1 “(cc) INTEREST.—All inter-
2 est earned on the amounts de-
3 scribed in item (aa) or (bb) from
4 the date of such forfeiture or
5 payment.

6 “(II) DEPOSIT IN CVF.—The
7 sum of \$1,505,475,575, from the
8 funds, and the net proceeds from the
9 sale of property, paid to the United
10 States arising from or in connection
11 with proceedings described in sub-
12 clause (I)(aa) shall be deposited into
13 the Crime Victims Fund established
14 under section 1402 of the Victims of
15 Crime Act of 1984 (34 U.S.C.
16 20101).

17 “(III) TIMING.—An agency of
18 the United States shall deposit or
19 transfer into the Fund any amount
20 paid by a defendant in such pro-
21 ceedings that is required to be depos-
22 ited into the Fund pursuant to sub-
23 clause (I), plus any interest earned
24 thereon, not later than the later of—

1 “(aa) 30 days after the re-
2 ceipt of such amount by the
3 agency; or

4 “(bb) 15 days after the date
5 of enactment of this subpara-
6 graph.

7 “(ii) DOJ ASSETS FORFEITURE
8 FUND.—

9 “(I) IN GENERAL.—Fifty percent
10 of the excess unobligated balance, as
11 defined in section 524(c)(8) of title
12 28, United States Code, of the De-
13 partment of Justice Assets Forfeiture
14 Fund established under 524(c)(1) of
15 that title, determined on the later of
16 January 31, or the date of enactment
17 of a final appropriations Act for each
18 fiscal year, to be transferred annually
19 thereafter not later than 30 days after
20 the date of such determination, plus
21 50 percent of any interest amount
22 earned on the investment of any bal-
23 ance of the Assets Forfeiture Fund as
24 of that date.

1 “(II) TRANSFERS.—No transfer
2 pursuant to this subparagraph shall
3 count against any limitation on the
4 use of the excess unobligated balances
5 described in subclause (I) as provided
6 in an annual appropriations Act or
7 other legislation.

8 “(III) EXCLUSION OF RESCIS-
9 SIONS FOR FISCAL YEAR AFTER DE-
10 TERMINATION OF AMOUNT.—For pur-
11 poses of subclause (I), the amount of
12 the unobligated balance of the Depart-
13 ment of Justice Asset Forfeiture
14 Fund, as of September 30 of a fiscal
15 year, shall be determined without re-
16 gard to any rescission of amounts in
17 the fund for the next fiscal year in-
18 cluded in an appropriation Act re-
19 ferred to in section 105 of title 1,
20 United States Code, including any an-
21 ticipated or potential rescission and
22 any rescission given continuing effect
23 for such next fiscal year under an Act
24 making continuing appropriations for
25 such next fiscal year.

1 “(iii) TREASURY FORFEITURE
2 FUND.—

3 “(I) IN GENERAL.—Fifty percent
4 of the excess unobligated balance of
5 the Department of the Treasury For-
6 feiture Fund established under section
7 9705 of title 31, United States Code,
8 determined on the later of January
9 31, or the date of enactment of a final
10 appropriations Act for each fiscal
11 year, to be transferred annually there-
12 after not later than 30 days after
13 such determination, plus 50 percent of
14 any interest amount earned on the in-
15 vestment of any balance of the Treas-
16 ury Forfeiture Fund as of that date.

17 “(II) TRANSFERS.—No transfer
18 pursuant to this subparagraph shall
19 count against any limitation on the
20 use of excess unobligated balances de-
21 scribed in subclause (I) as provided in
22 an annual appropriations Act or other
23 legislation.

24 “(III) DEFINITION OF EXCESS
25 UNOBLIGATED BALANCE.—

1 “(aa) IN GENERAL.—In this
2 clause, the term ‘excess unobli-
3 gated balance’ means the dif-
4 ference between—

5 “(AA) the unobligated
6 balance of the Department
7 of the Treasury Forfeiture
8 Fund, as of September 30 of
9 the fiscal year before the
10 date specified in subclause
11 (I); and

12 “(BB) the amount that
13 is required to be retained in
14 the Department of the
15 Treasury Forfeiture Fund to
16 ensure the availability of
17 amounts in the fiscal year
18 after the fiscal year de-
19 scribed in subitem (AA) for
20 the purposes for which
21 amounts in the fund are au-
22 thorized to be used.

23 “(bb) EXCLUSION OF RE-
24 SCISSIONS FOR FISCAL YEAR
25 AFTER DETERMINATION OF

1 AMOUNT.—For purposes of sub-
2 clause (I), the amount of the un-
3 obligated balance of the Depart-
4 ment of the Treasury Forfeiture
5 Fund, as of September 30 of a
6 fiscal year, shall be determined
7 without regard to any rescission
8 of amounts in the fund for the
9 next fiscal year included in an
10 appropriation Act referred to in
11 section 105 of title 1, United
12 States Code, including any antici-
13 pated or potential rescission and
14 any rescission given continuing
15 effect for such next fiscal year
16 under an Act making continuing
17 appropriations for such next fis-
18 cal year.

19 “(D) INTEREST.—All interest earned on
20 any amount deposited or to be deposited into
21 the Fund pursuant to this section, the Amer-
22 ican Victims of Terrorism Compensation Act, or
23 an amendment made by that Act, following re-
24 ceipt of such amount by any agency of the
25 United States, including all interest earned on

1 the amounts described in subparagraph
2 (C)(i).”.

3 (b) **RULE OF CONSTRUCTION.**—Nothing in the
4 amendments made by subsection (a) shall be construed to
5 harm, jeopardize, or impair any amounts previously identi-
6 fied for equitable sharing with law enforcement or to limit
7 the right of a direct crime victim to receive restitution or-
8 dered by a court before the date of enactment of this Act
9 with respect to any offense in a matter or proceeding from
10 which amounts are to be deposited into the Fund pursuant
11 to the amendments made by subsection (a).

12 **SEC. 3. TIMING OF DEPOSIT OF PENALTIES AND FINES**
13 **INTO THE UNITED STATES VICTIMS OF STATE**
14 **SPONSORED TERRORISM FUND.**

15 (a) **FORFEITED FUNDS AND PROPERTY.**—Section
16 404(e)(2)(A) of the Justice for United States Victims of
17 State Sponsored Terrorism Act (34 U.S.C.
18 20144(e)(2)(A)) is amended—

19 (1) in clause (i), by striking “forfeited or”;
20 (2) in clause (ii), by striking “forfeited or”; and
21 (3) by adding at the end the following:

22 “(iii) **FORFEITURES.**—

23 “(I) **IN GENERAL.**—All funds,
24 and the net proceeds from the sale of
25 property, forfeited to the United

1 States after the date of enactment of
2 the American Victims of Terrorism
3 Compensation Act, in a matter or pro-
4 ceeding arising from a violation of any
5 license, order, regulation or prohibi-
6 tion issued under the International
7 Emergency Economic Powers Act (50
8 U.S.C. 1701 et seq.) or the Trading
9 with the Enemy Act (50 U.S.C. App.
10 1 et seq.) and all funds, and the net
11 proceeds from the sale of property,
12 forfeited to the United States after
13 the date of enactment of the Amer-
14 ican Victims of Terrorism Compensa-
15 tion Act, in a matter or proceeding in-
16 volving, or relating to, or arising from
17 the actions of, or doing business with,
18 or acting on behalf of, a state sponsor
19 of terrorism, without regard to the
20 nature of the offense.

21 “(II) SCOPE.—All funds and net
22 proceeds described in this clause shall
23 be deposited or transferred into the
24 Fund if the state sponsor of terrorism
25 was so designated at the time of the

1 penalty or fine, at any time during the
2 course of any related legal pro-
3 ceedings, or at the time of any related
4 conduct.

5 “(III) RULES OF CONSTRUC-
6 TION.—Nothing in this clause shall be
7 construed to limit any rights to court-
8 ordered restitution of any direct crime
9 victim of an offense in a matter or
10 proceeding from which amounts are to
11 be deposited into the Fund pursuant
12 to this subparagraph. Nothing in the
13 American Victims of Terrorism Com-
14 pensation Act or an amendment made
15 by that Act that clarifies the scope of
16 forfeiture proceeds to be deposited
17 into the Fund shall be construed to
18 impact the scope or interpretation of
19 criminal or civil penalties or fines that
20 are required to be deposited into the
21 Fund under clause (i) or (ii) of this
22 subparagraph, which scope is the sub-
23 ject of pending litigation and shall be
24 addressed in such litigation or by fu-
25 ture legislation as warranted, includ-

1 ing as informed by the report by the
2 Comptroller General of the United
3 States regarding proceeds available
4 for deposit to the Fund required
5 under subsection (b)(1)(A)(v).

6 “(iv) TIMING.—An agency of the
7 United States shall deposit or transfer into
8 the Fund all funds, and the net proceeds
9 from the sale of property, forfeited or paid
10 to the United States described in this sub-
11 paragraph not later than the later of—

12 “(I) 60 days after the receipt of
13 such amount by the agency; or

14 “(II) 30 days after the date of
15 enactment of this clause.”.

16 **SEC. 4. ANNUAL PAYMENTS.**

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

21 “(A) IN GENERAL.—Except as provided in
22 subparagraphs (B), (C), and (D), on January
23 1, 2026, and January 1 of each calendar year
24 thereafter, the Special Master or the Attorney
25 General shall authorize additional payments on

1 a pro rata basis to those claimants with eligible
2 claims under subsection (c)(2) to include all
3 amounts received as of that date by any agency
4 of the United States that qualifies for deposit
5 or transfer into the Fund, plus all interest
6 earned from the date of receipt of any such
7 amounts through the date of deposit or transfer
8 into the Fund that has not already been distrib-
9 uted pursuant to this subsection and is not re-
10 quired for the payment of administrative costs
11 or compensation as set forth in subparagraphs
12 (B) and (C) of subsection (b)(1). All authorized
13 payments shall be distributed to the eligible
14 claimants as soon as practicable in the calendar
15 year of authorization, or, if the Special Master
16 or Attorney General authorizes payments prior
17 to January 1, not later than 1 year after the
18 date of such authorization.”.

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

20 Section 404(b)(1)(A) of the Justice for United States
21 Victims of State Sponsored Terrorism Act (34 U.S.C.
22 20144(b)(1)(A)) is amended by adding at the end the fol-
23 lowing:

24 “(iv) ATTORNEY GENERAL REPORT.—

1 “(I) REPORT.—On January 31
2 of each year, the Special Master shall
3 submit to the chairman and ranking
4 minority member of the Committee on
5 the Judiciary of the Senate and the
6 chairman and ranking minority mem-
7 ber of the Committee on the Judiciary
8 of the House of Representatives a re-
9 port on the balance and activity of the
10 Fund, which shall include—

11 “(aa) the total amount in
12 the Fund at the end of the pre-
13 ceding fiscal year;

14 “(bb) deposits into the Fund
15 during the preceding fiscal year
16 sufficient to identify the source,
17 including, if applicable, the case
18 name and the amount of each de-
19 posit, except to the extent that
20 any sealing order requires any
21 portion of such information to re-
22 main confidential;

23 “(cc) disbursements from
24 the Fund during the preceding
25 fiscal year sufficient to identify

1 specific amounts disbursed for
2 victim compensation and other
3 purposes, including for adminis-
4 trative costs and use of Depart-
5 ment of Justice personnel;

6 “(dd) the amount, and the
7 basis for the calculation, of any
8 funds deposited into the Fund
9 from the Department of Justice
10 Assets Forfeiture Fund estab-
11 lished under 524(e)(1) of title 28,
12 United States Code, and the De-
13 partment of the Treasury For-
14 feiture Fund established under
15 section 9705 of title 31, United
16 States Code, in the prior fiscal
17 year;

18 “(ee) an explanation of any
19 amounts not deposited into the
20 Fund as a result of any rule of
21 construction pursuant to this Act
22 or the American Victims of Ter-
23 rorism Compensation Act; and

24 “(ff) an explanation of all
25 amounts from or relating to

1 cases qualifying for deposit under
2 this Act that are not deposited
3 into the Fund as a result of
4 inter-agency credits, administra-
5 tive costs, or any other reason.

6 “(II) PUBLICATION.—Not later
7 than March 1 of each year, the Attor-
8 ney General shall publish the report
9 required under subclause (I) on the
10 internet website of the Fund.

11 “(v) GAO REPORT REGARDING PRO-
12 CEEDS AVAILABLE FOR DEPOSIT TO THE
13 FUND.—Not later than April 1, 2025, the
14 Comptroller General of the United States
15 shall submit to Congress a report, which
16 shall include—

17 “(I) a listing of all funds, and
18 the net proceeds from the sale of
19 property, forfeited or paid to the
20 United States since January 1, 2020,
21 in an amount greater than
22 \$10,000,000 as a criminal penalty or
23 fine in any matter, sufficient to iden-
24 tify the source, including, if applica-
25 ble, the case name and the amount of

1 each forfeiture or payment, except to
2 the extent that any sealing order re-
3 quires any portion of such information
4 to remain confidential;

5 “(II) a listing of all funds, and
6 the net proceeds from the sale of
7 property, forfeited or paid to the
8 United States since January 1, 2020,
9 in an amount greater than
10 \$10,000,000 as a civil penalty or fine
11 in any matter, sufficient to identify
12 the source, including, if applicable, the
13 case name and the amount of each
14 forfeiture or payment, except to the
15 extent that any sealing order requires
16 any portion of such information to re-
17 main confidential;

18 “(III) an explanation of where
19 each amount described in subclause
20 (I) or (II) was deposited, including
21 deposits into the Fund or the Crime
22 Victims Fund, which shall include the
23 nature of each such deposit, and the
24 statutory basis for each such deposit;
25 and

1 “(IV) any interest amount earned
2 on each amount described in sub-
3 clause (I) or (II).

4 “(vi) GAO TRIENNIAL REPORT.—Not
5 later than January 1, 2027, and every 3
6 years thereafter, the Comptroller General
7 of the United States shall submit to Con-
8 gress a report—

9 “(I) evaluating the administra-
10 tion of the Fund and the sufficiency
11 of funding for the Fund;

12 “(II) analyzing funding and pay-
13 ment trends; and

14 “(III) describing amounts out-
15 standing and unpaid on eligible claims
16 overall, including such amounts
17 disaggregated by victim group and by
18 when victims entered the Fund.”.

19 **SEC. 6. ADMINISTRATIVE COSTS AND USE OF DEPARTMENT**
20 **OF JUSTICE PERSONNEL.**

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

1 into the Fund under this section,
2 including all interest earned on
3 amounts in the lump sum catch-
4 up payment reserve fund. All
5 such amounts, including interest,
6 shall be included in a supple-
7 mental fifth-round distribution to
8 be authorized by the Special
9 Master no later than April 1,
10 2025, and distributed pursuant
11 to this section no later than June
12 30, 2025 to all claimants for
13 whom the Special Master author-
14 ized fifth-round distributions.”.