

116TH CONGRESS
2D SESSION

S. _____

To resolve certain pending claims against Sudan by United States citizens,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To resolve certain pending claims against Sudan by United
States citizens, 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 “Sudan Claims Resolu-
5 tion Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the United States should support Sudan’s
9 democratic transition, particularly in light of the
10 country’s dire economic situation, and this is a crit-

1 ical moment to address longstanding issues in the
2 relationship between the United States and Sudan;

3 (2) as part of the process of restoring normal
4 relations between Sudan and the United States,
5 Congress supports efforts to provide meaningful
6 compensation to citizens of the United States and
7 foreign nationals employed by or serving as contrac-
8 tors for the United States Government, as well as
9 their family members, who personally have been
10 awarded by a United States District Court a judg-
11 ment for compensatory damages against Sudan; and

12 (3) the terrorism-related claims of victims and
13 family members of the September 11, 2001, terrorist
14 attacks must be preserved and protected.

15 **SEC. 3. RECEIPT OF ADEQUATE FUNDS; IMMUNITIES OF**
16 **SUDAN.**

17 (a) IMMUNITY.—

18 (1) IN GENERAL.—Subject to sections 4 and 6,
19 and notwithstanding any other provision of law,
20 upon submission of a certification described in para-
21 graph (2)—

22 (A) Sudan, an agency or instrumentality of
23 Sudan, and the property of Sudan or an agency
24 or instrumentality of Sudan, shall not be sub-
25 ject to the exceptions to immunity from jurisdic-

1 diction, liens, attachment, and execution under
2 section 1605(a)(7) (as such section was in ef-
3 fect on January 27, 2008) or section 1605A or
4 1610 (insofar as section 1610 relates to a judg-
5 ment under such section 1605(a)(7) or 1605A)
6 of title 28, United States Code;

7 (B) section 1605A(c) of title 28, United
8 States Code, section 1083(c) of the National
9 Defense Authorization Act for Fiscal Year 2008
10 (Public Law 110–181; 28 U.S.C. 1605A note),
11 section 589 of the Foreign Operations, Export
12 Financing, and Related Programs Appropria-
13 tions Act, 1997 (Public Law 104–208; 28
14 U.S.C. 1605 note), and any other private right
15 of action relating to acts by a state sponsor of
16 terrorism arising under Federal, State, or for-
17 eign law shall not apply with respect to claims
18 against Sudan, or any of its agencies, instru-
19 mentalities, officials, employees, or agents in
20 any action in a Federal or State court; and

21 (C) any attachment, decree, lien, execution,
22 garnishment, or other judicial process brought
23 against property of Sudan, or property of any
24 agency, instrumentality, official, employee, or
25 agent of Sudan, in connection with an action

1 physical injury in cases arising out of the
2 August 7, 1998, bombings of the United
3 States embassies located in Nairobi,
4 Kenya, and Dar es Salaam, Tanzania; and
5 (iii) funds for compensation through a
6 fair process to address compensation for
7 terrorism-related claims of foreign nation-
8 als for wrongful death or physical injury
9 arising out of the events referred to in
10 clause (ii).

11 (b) SCOPE.—Subject to sections 4 and 6, subsection
12 (a) of this section shall apply to all conduct and any event
13 occurring before the date of the certification described in
14 subsection (a)(2) with respect to any action filed before,
15 on, or after October 30, 2020, in which final judgment
16 has not been entered on the date of enactment of this Act.

17 (c) AUTHORITY OF THE SECRETARY.—The certifi-
18 cation by the Secretary referred to in subsection (a)(2)
19 may not be delegated and may not be subject to judicial
20 review.

21 **SEC. 4. AMENDED CLAIMS AGREEMENT.**

22 (a) FINDINGS.—Congress makes the following find-
23 ings:

24 (1) Congress and the executive branch share re-
25 sponsibility for the foreign relations of the United

1 States pursuant to Article I and Article II of the
2 Constitution of the United States.

3 (2) All legislative powers of the Federal Govern-
4 ment, including on matters of foreign relations, are
5 vested in the Congress of the United States pursu-
6 ant to section 1 of Article I of the Constitution.

7 (3) The executive branch may not direct Con-
8 gress to take any action, nor may it convey any leg-
9 islative or other power assigned to Congress under
10 the Constitution to any entity, domestic or foreign.

11 (4) The claims agreement sets out specific legis-
12 lative text, seeks to force Congress to pass that text,
13 and purports to provide Sudan with a veto over ex-
14 ceptions to that text.

15 (5) Congress rejects the approach described in
16 paragraph (4).

17 (b) **CONDITIONAL LEGAL EFFECT OF IMMUNITY**
18 **PROVISION.**—Section 3 shall have force and effect only if
19 the conditions described in subsection (c) are satisfied in
20 full and confirmed as required by subsection (e).

21 (c) **CONDITIONS DESCRIBED.**—The conditions de-
22 scribed in this subsection are satisfied if—

23 (1) each amendment to the claims agreement
24 described in subsection (d) is incorporated, in full

1 and without any deviation, in the amended claims
2 agreement;

3 (2) no amendment other than an amendment
4 described in subsection (d) is incorporated in the
5 amended claims agreement, except in the case of an
6 amendment that is purely clerical in nature and nec-
7 essary to bring the amended claims agreement into
8 force;

9 (3) not less than 7 days before the passage of
10 this Act by either the Senate or the House of Rep-
11 resentatives, the Secretary, or another appropriate
12 officer of the United States, provides to the Com-
13 mittee on Foreign Relations of the Senate and the
14 Committee on Foreign Affairs of the House of Rep-
15 resentatives—

16 (A) the escrow agreement among the Cen-
17 tral Bank of Sudan, the Federal Reserve Bank
18 of New York, and the escrow agent appointed
19 thereby;

20 (B) any document containing a written
21 commitment, whether binding or non-binding,
22 between the United States and Sudan, or any
23 entity thereof, related to the settlement of inter-
24 national terrorism-related claims unless such
25 document was provided to the Committee on

1 Foreign Relations of the Senate and the Com-
2 mittee on Foreign Affairs of the House of Rep-
3 resentatives as part of the Department of
4 State's transmittal of the claims agreement on
5 November 6, 2020; and

6 (C) a detailed written description of any
7 oral commitment, whether binding or non-bind-
8 ing, between the United States and Sudan, or
9 any entity thereof, concerning the settlement of
10 international terrorism-related claims;

11 (4) the Secretary certifies to the Committee on
12 Foreign Relations of the Senate and the Committee
13 on Foreign Affairs of the House of Representatives
14 that—

15 (A) all commitments between the United
16 States and Sudan concerning the settlement of
17 terrorism-related claims are included in the
18 amended claims agreement; and

19 (B) the amended claims agreement has
20 been signed by both parties, or otherwise con-
21 cluded, and will enter into force upon the enact-
22 ment of this Act; and

23 (5) the Secretary transmits the amended claims
24 agreement to the Committee on Foreign Relations of

1 the Senate and the Committee on Foreign Affairs of
2 the House of Representatives.

3 (d) AMENDMENTS DESCRIBED.—The amendments
4 described in this subsection are amendments to the annex
5 to the exchange of diplomatic notes between the United
6 States and Sudan, dated October 21, 2020, as follows:

7 (1) An amendment to paragraph 1(B) that—

8 (A) strikes the following text: “Enactment
9 of legislation that (i) contains the provision set
10 forth at Schedule 2 to this Annex and (ii) does
11 not contain any exception, carve out, or limita-
12 tion to that provision unless the Government of
13 the Republic of the Sudan notifies the Govern-
14 ment of the United States of America by writ-
15 ten diplomatic communication that the Govern-
16 ment of the Republic of the Sudan accepts such
17 exception, carve-out, or limitation;”;

18 (B) inserts the following text: “The De-
19 partment of State commits to working with the
20 United States Congress, consistent with the
21 constitutional structure of the Government of
22 the United States of America, in support of the
23 enactment of legislation providing to Sudan the
24 sovereign, diplomatic, and official immunities

1 normally provided by the United States to other
2 states, as appropriate;”

3 (2) An amendment to strike Schedule 2.

4 (e) CONFIRMATION THAT CONDITIONS HAVE BEEN
5 SATISFIED.—

6 (1) IN GENERAL.—Not later than 10 business
7 days after receiving the amended claims agreement,
8 the chairpersons and ranking members of the Com-
9 mittee on Foreign Relations of the Senate and the
10 Committee on Foreign Affairs of the House of Rep-
11 resentatives shall—

12 (A) confirm whether or not the conditions
13 in subsection (c) have been fully satisfied; and

14 (B) if those conditions have been fully sat-
15 isfied, jointly submit to the Secretary a letter,
16 signed by the chairpersons and ranking mem-
17 bers of both committees, confirming that those
18 conditions have been fully satisfied.

19 (2) PUBLICATION.—The Secretary shall publish
20 the letter described in paragraph (1) in the Federal
21 Register.

22 (3) EFFECTIVE DATE OF SECTION 3.—Section 3
23 shall take effect on the date on which the letter de-
24 scribed in paragraph (1)(B) is published in the Fed-
25 eral Register under paragraph (2).

1 (f) CONSEQUENCES FOR FAILURE TO SATISFY CON-
2 DITIONS.—Section 3 shall have no force or effect and shall
3 provide no immunity in any proceeding before any court
4 in the United States unless the conditions described in
5 subsection (c) are satisfied in full and confirmed as re-
6 quired by subsection (e).

7 (g) APPROVAL OF AMENDED CLAIMS AGREEMENT.—
8 Upon satisfaction in full of the conditions described in
9 subsection (c) and confirmation that those conditions have
10 been satisfied as required by subsection (e), this Act shall
11 constitute approval by Congress of the amended claims
12 agreement.

13 **SEC. 5. REAUTHORIZATION OF AND MODIFICATIONS TO**
14 **UNITED STATES VICTIMS OF STATE SPON-**
15 **SORED TERRORISM FUND.**

16 (a) IN GENERAL.—The Justice for United States
17 Victims of State Sponsored Terrorism Act (34 U.S.C.
18 20144) is amended—

19 (1) in subsection (c)(2)(A)—

20 (A) in clause (i), by striking “state sponsor
21 of terrorism” and inserting “foreign state that
22 was designated as a state sponsor of terrorism
23 at the time the acts described in clause (ii) oc-
24 curred or was so designated as a result of such
25 acts”; and

1 (B) in clause (ii), by inserting “section
2 1605B(b),” after “1605A,”;

3 (2) in subsection (e)(6), by striking “January
4 2, 2030” each place it appears and inserting “Janu-
5 ary 2, 2039”;

6 (3) in subsection (j)(6), in the first sentence, by
7 inserting after “final judgment” the following: “, ex-
8 cept that the term does not include payments re-
9 ceived in connection with an international claims
10 agreement to which the United States is a state
11 party or any other settlement of terrorism-related
12 claims”.

13 (b) LUMP SUM CATCH-UP PAYMENTS FOR 9/11 VIC-
14 TIMS, 9/11 SPOUSES, AND 9/11 DEPENDENTS.—Sub-
15 section (d)(4) of the Justice for United States Victims of
16 State Sponsored Terrorism Act (34 U.S.C. 20144) is
17 amended—

18 (1) in subparagraph (A), by striking “subpara-
19 graph (B)” and inserting “subparagraphs (B) and
20 (C)”;

21 (2) by adding at the end the following:

22 “(C) LUMP SUM CATCH-UP PAYMENTS FOR
23 9/11 VICTIMS, 9/11 SPOUSES, AND 9/11 DEPEND-
24 ENTS.—

1 “(i) IN GENERAL.—Not later than 60
2 days after the date on which the Comp-
3 troller General of the United States sub-
4 mits the report required under clause (ii),
5 the Special Master, after consultation with
6 the Comptroller General, shall, from
7 amounts appropriated to the Fund for pay-
8 ments under this subparagraph, authorize
9 and complete making all lump sum catch-
10 up payments described in that clause to
11 satisfy eligible claims under this section of
12 9/11 victims, 9/11 spouses, and 9/11 de-
13 pendents who have submitted applications
14 in accordance with subparagraph (B).

15 “(ii) AUDIT.—

16 “(I) IN GENERAL.—Not later
17 than 60 days after the date of enact-
18 ment of this subparagraph, the Comp-
19 troller General of the United States
20 shall conduct an audit and publish in
21 the Federal Register a notice of pro-
22 posed lump sum catch-up payments to
23 9/11 victims, 9/11 spouses, and 9/11
24 dependents who have submitted appli-
25 cations in accordance with subpara-

1 graph (B) in amounts that, after re-
2 ceiving the lump sum catch-up pay-
3 ments, would result in the percentage
4 of the final judgments of 9/11 victims,
5 9/11 spouses, and 9/11 dependents re-
6 ceived from the Fund being equal to
7 the percentage of the final judgments
8 of 9/11 family members received from
9 the Fund, as of the date of enactment
10 of this subparagraph.

11 “(II) PUBLIC COMMENT.—The
12 Comptroller General shall provide an
13 opportunity for public comment for a
14 30-day period beginning on the date
15 on which the notice is published under
16 subclause (I).

17 “(III) REPORT.—Not later than
18 30 days after the expiration comment
19 period in subclause (II), the Comp-
20 troller General of the United States
21 shall submit to the Committee on the
22 Judiciary and the Committee on Ap-
23 propriations of the Senate, the Com-
24 mittee on the Judiciary and the Com-
25 mittee on Appropriations of the House

1 of Representatives, and the Special
2 Master a report that includes the de-
3 termination of the Comptroller Gen-
4 eral on—

5 “(aa) the amount of the
6 lump sum catch-up payment for
7 each 9/11 victim;

8 “(bb) the amount of the
9 lump sum catch-up payment for
10 each 9/11 spouse;

11 “(cc) the amount of the
12 lump sum catch-up payment for
13 each 9/11 dependent; and

14 “(dd) the total amount of
15 lump sum catch-up payments de-
16 scribed in items (aa) through
17 (cc).

18 “(iii) FUNDING.—

19 “(I) AUTHORIZATION OF APPRO-
20 PRIATIONS.—There are authorized to
21 be appropriated to the Fund such
22 sums as may be necessary to carry
23 out this subparagraph, to remain
24 available until expended.

1 “(II) LIMITATION.—Amounts ap-
2 propriated pursuant to subclause (I)
3 may not be used for a purpose other
4 than to make lump sum catch-up pay-
5 ments under this subparagraph.”.

6 **SEC. 6. PENDING INTERNATIONAL TERRORISM CLAIMS**
7 **AGAINST SUDAN.**

8 (a) REFILING OF EXISTING CLAIMS.—

9 (1) IN GENERAL.—Notwithstanding any provi-
10 sion of this Act or any applicable statute of limita-
11 tions, and subject to paragraph (2) any person who,
12 as of the date of the enactment of this Act, has a
13 claim pending against Sudan in any of the pro-
14 ceedings comprising the multidistrict proceeding 03–
15 MDL–1570 in the United States District Court for
16 the Southern District of New York may initiate or
17 pursue under the exception to immunity under sec-
18 tion 1605B(b) of title 28, United States Code, any
19 other claim against Sudan based on the same alleged
20 misconduct as the person’s pending claim.

21 (2) TIME FOR FILING.—A claim initiated or
22 pursued against Sudan under paragraph (1) is re-
23 quired to be filed on or before the later of—

24 (A) the date on which the applicable stat-
25 ute of limitation expires; or

1 (B) the date that is 90 days after the date
2 of the enactment of this Act.

3 (b) PROHIBITION ON USE OF FUNDS.—

4 (1) IN GENERAL.—Notwithstanding any com-
5 mitment between the United States and Sudan, no
6 funds authorized to be appropriated or appropriated
7 by any Act may be used to support, directly or indi-
8 rectly, any efforts on the part of any officer or em-
9 ployee of the executive branch to file a Statement of
10 Interest or any other submission, or otherwise inter-
11 vene, in the multidistrict proceeding described in
12 subsection (a) or any proceeding described in sub-
13 section (c) in connection with any dispute concerning
14 jurisdiction or liability or the rescission of the des-
15 ignation of Sudan as a state sponsor of terrorism.

16 (2) APPLICABILITY.—Paragraph (1) shall apply
17 without regard to whether the multidistrict pro-
18 ceeding described in subsection (a), any proceeding
19 described in subsection (c), or an issue related to
20 those proceedings is under consideration by any
21 Federal or State court.

22 (c) PRESERVATION OF EXISTING CLAIMS.—Nothing
23 in this Act shall apply to, be construed to apply to, or
24 affect any claim in any proceeding other than a proceeding
25 described in subsection (a)(1) filed in Federal or State

1 court before October 30, 2020, and involving a claim
2 against Sudan relating to international terrorism, if the
3 event and conduct that are the subject of the claim are
4 not addressed by the certification described in section
5 3(a)(2).

6 (d) APPLICABLE LAW.—Proceedings described in
7 subsection (c) shall be governed by applicable law in effect
8 before the date of the enactment of this Act, including—

9 (1) chapter 97 of title 28, United States Code
10 (commonly known as the “Foreign Sovereign Immu-
11 nities Act of 1976”);

12 (2) section 201 of the Terrorism Risk Insur-
13 ance Act of 2002 (Public Law 107–297; 28 U.S.C.
14 1610 note), with respect to any asset that, on or
15 after the date of the enactment of this Act, is des-
16 ignated as a blocked asset (as defined in subsection
17 (d)(2) of that section);

18 (3) rules governing the rights of parties to
19 amend pleadings; and

20 (4) other relevant provisions of law.

21 **SEC. 7. AMENDMENTS TO FOREIGN SOVEREIGN IMMUNI-**
22 **TIES ACT OF 1976.**

23 (a) IN GENERAL.—Chapter 97 of title 28, United
24 States Code, is amended—

25 (1) in section 1605B—

1 (A) in subsection (b)(2)—

2 (i) by inserting “(A)” after “(2)”;

3 (ii) by striking the period at the end

4 and inserting “; or”; and

5 (iii) by adding at the end the fol-

6 lowing:

7 “(B) the provision of material support or re-
8 sources by the foreign state for the act of inter-
9 national terrorism, regardless of where the provision
10 of materials support or resources occurred.”; and

11 (B) in subsection (c), by inserting
12 “2333(d)(1) or” after “Notwithstanding sec-
13 tion”; and

14 (C) by adding at the end the following:

15 “(e) SCOPE OF JURISDICTIONAL DISCOVERY.—If ju-
16 risdictional discovery is authorized pursuant to subsection
17 (b), a party may obtain discovery regarding any nonprivi-
18 leged matter that is relevant to any jurisdictional claim
19 or defense, consistent with rule 26 of the Federal Rules
20 of Civil Procedure.”; and

21 (2) in section 1610—

22 (A) in subsection (a)(7), by inserting “,
23 section 1605B,” after “1605A”;

24 (B) in subsection (b)(3), by inserting “or
25 1605B” after “1605A”;

1 (C) in subsection (f)—

2 (i) in paragraph (1)(A), by striking
3 “section 1605A.” and inserting “section
4 1605A or 1605B.”; and

5 (ii) in paragraph (2)(A), by striking
6 “section 1605A,” and inserting “section
7 1605A or 1605B,”; and

8 (D) in subsection (g)—

9 (i) in paragraph (1), in the matter
10 preceding subparagraph (A), by inserting
11 “, 1605(a)(7) (as such section was in ef-
12 fect on January 27, 2008), or 1605B”
13 after “1605A”; and

14 (ii) in paragraph (2), by inserting “,
15 1605(a)(7) (as such section was in effect
16 on January 27, 2008), or 1605B” after
17 “1605A”.

18 (b) LIABILITY.—Section 2333(d) of title 18, United
19 States Code, is amended—

20 (1) by amending paragraph (1) to read as fol-
21 lows:

22 “(1) DEFINITIONS.—In this subsection—

23 “(A) the term ‘person’ has the meaning
24 given the term in section 1 of title 1 and in-

1 cludes the agents and co-conspirators of the
2 person; and

3 “(B) the terms ‘aids and abets’, ‘con-
4 spiracy’, and ‘reasonably foreseeable’ have the
5 meanings and scope of liability consistent with
6 the legal framework of the decision of the
7 United States Court of Appeals for the District
8 of Columbia in *Halberstam v. Welch*, 705 F.2d
9 472 (D.C. Cir. 1983).”; and

10 (2) in paragraph (2), by striking “any person
11 who” and all that follows and inserting “any person
12 who, directly or indirectly, aids and abets any per-
13 son, or joins a conspiracy that includes any person,
14 who committed, planned, or authorized such an act
15 of international terrorism, for reasonably foreseeable
16 acts done in connection with, or risks or con-
17 sequences of, the act or acts aided or abetted or the
18 conspiracy joined.”.

19 (c) APPLICABILITY.—The amendments made by this
20 section shall apply to any civil action pending on or com-
21 menced after the date of the enactment of this Act.

22 **SEC. 8. COMPENSATION FOR COVERED NATURALIZED**
23 **UNITED STATES CITIZENS AND FOREIGN NA-**
24 **TIONALS.**

25 (a) TRANSFER AND CONSOLIDATION.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, from funds described in paragraph
3 (3), the President shall cause to be transferred an
4 amount described in paragraph (2) to the account of
5 the United States into which the payment by Sudan
6 in compensation for the victims of terrorism award-
7 ed final judgments against Sudan arising from the
8 1998 East Africa embassy bombings in Kenya and
9 Tanzania was deposited and consolidated with that
10 payment.

11 (2) AMOUNT DESCRIBED.—The amount de-
12 scribed in this paragraph is an amount sufficient to
13 ensure that covered naturalized United States citi-
14 zens who are victims of the acts of terrorism de-
15 scribed in paragraph (1) receive compensation equal
16 to the compensation received by other citizens of the
17 United States who are victims of those acts.

18 (3) FUNDS DESCRIBED.—The funds described
19 in this paragraph are the funds paid to the United
20 States by the Goldman Sachs Group, Inc., as part
21 of, or related to, the deferred prosecution agreement
22 dated October 22, 2020, entered into between the
23 Department of Justice and the Goldman Sachs
24 Group, Inc., and presented in United States v. the
25 Goldman Sachs Group, Inc., Docket No. 20–CR–

1 437, in the United States District Court for the
2 Eastern District of New York.

3 (4) VICTIMS OF TERRORISM.—For purposes of
4 this section, the victims of the acts of terrorism de-
5 scribed in paragraph (1) include the following:

6 (A) The estate of each judgment creditor
7 killed as a result of those acts.

8 (B) Each employee of, and individual per-
9 forming a contract with, the United States Gov-
10 ernment who was injured as a result of those
11 acts.

12 (C) Each family member of an employee or
13 other individual described in subparagraph (B)
14 who personally has been awarded by a United
15 States District Court a judgment for compen-
16 satory damages against Sudan.

17 (b) COVERED NATURALIZED UNITED STATES CITI-
18 ZENS.—

19 (1) DISTRIBUTION.—Not later than April 30,
20 2021, the Secretary shall distribute payments from
21 the consolidated account described in subsection
22 (a)(1) to victims of the acts of terrorism described
23 in that subsection who are covered naturalized
24 United States citizens and were awarded final judg-
25 ments by a United States District Court against

1 Sudan arising from those acts of terrorism in
2 amounts that are not less than the amounts of pay-
3 ments made to other similarly situated citizens of
4 the United States who are eligible for compensation
5 as a result of judgments arising from the same
6 bombings.

7 (2) REQUIREMENT BEFORE DISTRIBUTION.—
8 Before making a payment to a covered naturalized
9 United States citizen under paragraph (1), the Sec-
10 retary shall require the covered naturalized United
11 States citizen to execute a writing as required under
12 Article IV(2) of the amended claims agreement.

13 (3) TRANSFER.—Following the distributions de-
14 scribed in paragraph (1), any remaining funds
15 transferred pursuant to subsection (a) shall be
16 transferred to the general fund of the Treasury.

17 (c) FOREIGN NATIONALS.—Notwithstanding any
18 other provision of law, the claims agreement, or the
19 amended claims agreement—

20 (1) covered naturalized United States citizens
21 are not eligible to receive any compensation as pro-
22 vided by Sudan pursuant to Article III of the
23 amended claims agreement; and

24 (2) the funds allocated by Sudan for distribu-
25 tion of compensation to covered naturalized United

1 States citizens pursuant to the Annex of the amend-
2 ed claims agreement shall be redistributed among all
3 eligible foreign nationals consistent with the prin-
4 ciples set out in the Annex.

5 (d) DEPARTMENT OF STATE REPORTING REQUIRE-
6 MENTS.—

7 (1) INITIAL REPORT.—Not later than 30 days
8 after the date of the enactment of this Act, the Sec-
9 retary shall submit to the Committee on Foreign Re-
10 lations of the Senate and the Committee on Foreign
11 Affairs of the House of Representatives a report
12 that includes—

13 (A) a detailed description of the plan of
14 the Department of State for the distribution of
15 payments to each category of covered natural-
16 ized United States citizens described in sub-
17 section (a)(4), including how the Department is
18 arriving at compensation levels for each covered
19 naturalized United States citizen and the
20 amount of compensation each such citizen will
21 receive from the funds described in subsection
22 (a)(3); and

23 (B) a detailed description of how the funds
24 allocated by Sudan will be redistributed in ac-
25 cordance with subsection (c)(2), including the

1 additional amount of compensation for each
2 category of eligible foreign nationals.

3 (2) UPDATED REPORT.—Not later than May
4 30, 2021, the Secretary shall submit to the Com-
5 mittee on Foreign Relations of the Senate and the
6 Committee on Foreign Affairs of the House of Rep-
7 resentatives a report describing—

8 (A) whether the distribution plan described
9 in paragraph (1)(A) was carried out; and

10 (B) whether compensation levels were pro-
11 vided as described in the report required by
12 paragraph (1).

13 (e) COMPTROLLER GENERAL REPORT.—Not later
14 than April 30, 2022, the Comptroller General of the
15 United States shall submit to the Committee on Foreign
16 Relations of the Senate and the Committee on Foreign
17 Affairs of the House of Representatives a report assessing
18 the implementation of this section by the Department of
19 State, including whether—

20 (1) all distributions were made in accordance
21 with the requirements of subsections (b) and (c);
22 and

23 (2) all covered naturalized United States citi-
24 zens received compensation from the funds described

1 in subsection (a)(3) equal to similarly situated citi-
2 zens of the United States.

3 **SEC. 9. DEFINITIONS.**

4 In this Act:

5 (1) AMENDED CLAIMS AGREEMENT.—The term
6 “amended claims agreement” means a claims settle-
7 ment agreement between the Government of the
8 United States and the Government of the Republic
9 of the Sudan that complies with the requirements of
10 section 4, including all annexes, appendices, side let-
11 ters, related agreements, and instruments for imple-
12 mentation, including the escrow agreement among
13 the Central Bank of Sudan, the Federal Reserve
14 Bank of New York, and the escrow agent appointed
15 thereby.

16 (2) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Relations
20 and the Committee on the Judiciary of the Sen-
21 ate; and

22 (B) the Committee on Foreign Affairs and
23 the Committee on the Judiciary of the House of
24 Representatives.

1 (3) CLAIMS AGREEMENT.—The term “claims
2 agreement” means the Claims Settlement Agreement
3 Between the Government of the United States of
4 America and the Government of the Republic of the
5 Sudan, done at Washington, D.C., on October 30,
6 2020, including all annexes, appendices, side letters,
7 related agreements, and instruments for implemen-
8 tation, including the escrow agreement among the
9 Central Bank of Sudan, the Federal Reserve Bank
10 of New York, and the escrow agent appointed there-
11 by.

12 (4) COVERED NATURALIZED UNITED STATES
13 CITIZEN.—The term “covered naturalized United
14 States citizen” means an individual who became a
15 citizen of the United States after August 7, 1998.

16 (5) FOREIGN NATIONAL.—The term “foreign
17 national” means an individual who is not a citizen
18 of the United States.

19 (6) SECRETARY.—The term “Secretary” means
20 the Secretary of State.

21 (7) STATE SPONSOR OF TERRORISM.—The term
22 “state sponsor of terrorism” means a country the
23 government of which the Secretary of State has de-
24 termined is a government that has repeatedly pro-

1 vided support for acts of international terrorism, for
2 purposes of—

3 (A) section 1754(c)(1)(A)(i) of the Export
4 Control Reform Act of 2018 (50 U.S.C.
5 4813(c)(1)(A)(i));

6 (B) section 620A of the Foreign Assistance
7 Act of 1961 (22 U.S.C. 2371);

8 (C) section 40(d) of the Arms Export Con-
9 trol Act (22 U.S.C. 2780(d)); or

10 (D) any other provision of law.

11 (8) SUDAN.—The term “Sudan” means the
12 Government of the Republic of the Sudan.