

115TH CONGRESS
1ST SESSION

S. 386

To amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2017

Mr. LANKFORD (for himself, Mrs. FISCHER, Mr. CRUZ, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund.

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 “Judgment Fund
5 Transparency and Terrorism Financing Prevention Act of
6 2017”.

7 **SEC. 2. JUDGMENT FUND TRANSPARENCY.**

8 (a) TRANSPARENCY REQUIREMENT.—Section 1304
9 of title 31, United States Code, is amended by adding at
10 the end the following:

1 “(d)(1) Unless the disclosure of such information is
2 otherwise prohibited by law or court order, the Secretary
3 of the Treasury shall make available to the public on a
4 website, as soon as practicable, but not later than 30 days
5 after the date on which a payment under this section is
6 tendered on or after January 1, 2016, the following infor-
7 mation with regard to that payment:

8 “(A) The name of the specific agency or entity
9 whose actions gave rise to the claim or judgment.

10 “(B) The name of the plaintiff or claimant.

11 “(C) The name of counsel for the plaintiff or
12 claimant.

13 “(D) The amount paid representing principal li-
14 ability, and any amounts paid representing any an-
15 cillary liability, including attorney fees, costs, and
16 interest.

17 “(E) A brief description of the facts that gave
18 rise to the claim.

19 “(F) The name of the agency that submitted
20 the claim.

21 “(G) Any information available on reports gen-
22 erated by the Judgment Fund Payment Search ad-
23 ministered by the Treasury Department.

24 “(2) In addition to the information described in para-
25 graph (1), if a payment under this section is made to a

1 foreign state on or after January 1, 2016, the Secretary
2 of the Treasury shall make available to the public in ac-
3 cordance with paragraph (1), the following information
4 with regard to that payment:

5 “(A) A description of the method of payment.

6 “(B) A description of the currency denomina-
7 tions used for the payment.

8 “(C) The name and location of each financial
9 institution owned or controlled, directly or indirectly,
10 by a foreign state or an agent of a foreign state
11 through which the payment passed or from which
12 the payment was withdrawn, including any financial
13 institution owned or controlled, directly or indirectly,
14 by a foreign state or an agent of a foreign state that
15 is holding the payment as of the date on which the
16 information is made available.

17 “(3) In this subsection, the term ‘foreign state’ has
18 the meaning given the term in section 1603 of title 28.

19 “(e) Except with regard to children under 18, the dis-
20 closure of information required in this section shall not
21 be considered a clearly unwarranted invasion of personal
22 privacy for purposes of section 552 of title 5 (commonly
23 known as the ‘Freedom of Information Act’).

1 “(f) No payment may be made under this section to
2 a state sponsor of terrorism, as defined in section
3 1605A(h) of title 28.”.

4 (b) IMPLEMENTATION.—The Secretary of the Treas-
5 ury shall carry out the amendment made by this section
6 not later than 60 days after the date of enactment of this
7 Act.

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