

118TH CONGRESS
2D SESSION

S. 5413

To amend the Justice for United States Victims of State Sponsored Terrorism Act to provide rules for payments to Havlish Settling Judgment Creditors.

IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2024

Mr. FETTERMAN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Justice for United States Victims of State Sponsored Terrorism Act to provide rules for payments to Havlish Settling Judgment Creditors.

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. JUSTICE FOR UNITED STATES VICTIMS OF**
4 **STATE SPONSORED TERRORISM.**

5 (a) IN GENERAL.—The Justice for United States
6 Victims of State Sponsored Terrorism Act (34 U.S.C.
7 20144) is amended—

8 (1) in subsection (e)(2)(B), by adding at the
9 end the following:

“(vi) EXCEPTION FOR THE HAVLISH
SETTLING JUDGMENT CREDITORS.—

“(I) IN GENERAL.—This sub-
section does not apply with respect
to—

“(aa) a Havlish Settling
Judgment Creditor who pre-
viously elected to participate in
the Fund in accordance with
clause (iii) or who submitted an
application for conditional pay-
ment in accordance with clause
(iv); or

“(bb) the assets, or the net
proceeds of the sale of properties
or related assets, attributable to
a person described in item (aa).

“(II) RELEASE OF FUNDS HELD
IN ESCROW.—All funds allocated to a
Havlish Settling Judgment Creditor
and withheld from distribution under
clause (iv) shall be released and paid
to the Havlish Settling Judgment
Creditor to whom such withheld funds
had been allocated.

1 “(III) FUTURE PAYMENT ELIGI-
 2 BILITY.—Each Havlish Settling Judg-
 3 ment Creditor shall be entitled to par-
 4 ticipate in future rounds of payments
 5 in the same manner as all other
 6 claimants described in paragraphs
 7 (10) through (14) of subsection (j), ir-
 8 respective of any application for con-
 9 ditional payment submitted under
 10 clause (iv).”; and

11 (2) in subsection (j), by adding at the end the
 12 following:

13 “(17) HAVLISH SETTTLING JUDGMENT CRED-
 14 ITOR.—The term ‘Havlish Settling Judgment Cred-
 15 itor’ means a plaintiff, an estate or successor in in-
 16 terest thereof, who—

17 “(A) has an eligible claim under subsection
 18 (c) that arises out of the September 11, 2001,
 19 terrorist attacks against the United States; and

20 “(B) is a Settling Judgment Creditor iden-
 21 tified in the Order dated April 16, 2014, in the
 22 proceedings captioned In re 650 Fifth Avenue
 23 and Related Properties, No. 08–CV–10934
 24 (S.D.N.Y.).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect as if enacted on December
3 29, 2022.

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