

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

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

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

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

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

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

20 “(C) LUMP SUM CATCH-UP PAYMENTS FOR
21 9/11 VICTIMS, 9/11 SPOUSES, AND 9/11 DEPEND-
22 ENTS.—

23 “(i) IN GENERAL.—Not later than 60
24 days after the date on which the Comp-
25 troller General of the United States sub-

1 mits the report required under clause (ii),
2 the Special Master, after consultation with
3 the Comptroller General, shall, from
4 amounts appropriated to the Fund for pay-
5 ments under this subparagraph, authorize
6 and complete making all lump sum catch-
7 up payments described in that clause to
8 satisfy eligible claims under this section of
9 9/11 victims, 9/11 spouses, and 9/11 de-
10 pendents who have submitted applications
11 in accordance with subparagraph (B).

12 “(ii) AUDIT.—

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

1 of the final judgments of 9/11 victims,
2 9/11 spouses, and 9/11 dependents re-
3 ceived from the Fund being equal to
4 the percentage of the final judgments
5 of 9/11 family members received from
6 the Fund, as of the date of enactment
7 of this subparagraph.

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

14 “(III) REPORT.—Not later than
15 30 days after the expiration comment
16 period in subclause (II), the Comp-
17 troller General of the United States
18 shall submit to the Committee on the
19 Judiciary and the Committee on Ap-
20 propriations of the Senate, the Com-
21 mittee on the Judiciary and the Com-
22 mittee on Appropriations of the House
23 of Representatives, and the Special
24 Master a report that includes the de-

15

1 termination of the Comptroller Gen-
2 eral on—

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

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

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

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

16 “(iii) FUNDING.—

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

23 “(II) LIMITATION.—Amounts ap-
24 propriated pursuant to subclause (I)
25 may not be used for a purpose other

1 than to make lump sum catch-up pay-
2 ments under this subparagraph.”.

3 **SEC. 6. PRESERVATION OF CERTAIN PENDING INTER-**
4 **NATIONAL TERRORISM CLAIMS AGAINST**
5 **SUDAN.**

6 (a) IN GENERAL.—Nothing in this Act shall apply
7 to, be construed to apply to, or affect any claim in—

8 (1) any of the proceedings comprising, or relat-
9 ing to the enforcement of any judgments entered in,
10 the multidistrict proceeding 03–MDL–1570 in the
11 United States District Court for the Southern Dis-
12 trict of New York; or

13 (2) any other proceeding filed in any Federal or
14 State court before October 30, 2020, involving a
15 claim against Sudan relating to international ter-
16 rorism if the event and conduct that are the subject
17 of the claim are not addressed by the certification
18 described in section 3(a)(2).

19 (b) APPLICABLE LAW.—Proceedings described in
20 subsection (a) shall be governed by applicable law in effect
21 before the date of the enactment of this Act, including—

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

1 (2) section 201 of the Terrorism Risk Insur-
2 ance Act of 2002 (Public Law 107–297; 28 U.S.C.
3 1610 note), with respect to any asset that, on or
4 after the date of the enactment of this Act, is des-
5 ignated as a blocked asset (as defined in subsection
6 (d)(2) of that section);

7 (3) rules governing the rights of parties to
8 amend pleadings; and

9 (4) other relevant provisions of law.

10 (c) **RULE OF CONSTRUCTION.**—Nothing in this Act
11 shall apply to, be construed to apply to, or affect claims
12 pursuant to section 1605B of title 28, United States Code.

13 (d) **PROHIBITION ON USE OF FUNDS.**—

14 (1) **IN GENERAL.**—Notwithstanding any com-
15 mitment between the United States and Sudan, no
16 funds authorized to be appropriated or appropriated
17 by any Act may be used to support, directly or indi-
18 rectly, any efforts on the part of any officer or em-
19 ployee of the executive branch to file a Statement of
20 Interest or any other submission, or otherwise inter-
21 vene, in the multidistrict proceeding described in
22 paragraph (1) of subsection (a) or any proceeding
23 described in paragraph (2) of that subsection in con-
24 nection with the rescission of the designation of
25 Sudan as a state sponsor of terrorism.

1 (2) APPLICABILITY.—Paragraph (1) shall apply
2 without regard to whether any proceeding described
3 in subsection (a) or any issue related to any such
4 proceeding is under consideration by any Federal or
5 State court.

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

8 Section 1610 of title 28, United States Code, is
9 amended—

10 (1) in subsection (a)(7), by inserting after “is
11 based” the following: “, and regardless of whether
12 the foreign state is no longer designated as a state
13 sponsor of terrorism”;

14 (2) in subsection (b)(3), by inserting after “is
15 based” the following: “, and regardless of whether
16 the foreign state is no longer designated as a state
17 sponsor of terrorism”;

18 (3) in subsection (f)(1)(A), by inserting after
19 “section 1605A” the following: “, regardless of
20 whether the foreign state is no longer designated as
21 a state sponsor of terrorism”; and

22 (4) in subsection (g)—

23 (A) in paragraph (1)—

24 (i) in the matter preceding subpara-
25 graph (A), by inserting “, 1605(a)(7) (as

1 such section was in effect on January 27,
2 2008), or 1605B” after “1605A”;

3 (ii) by redesignating subparagraphs
4 (A) through (E) as subparagraphs (B)
5 through (F), respectively; and

6 (iii) by inserting before subparagraph
7 (B) the following new paragraph:

8 “(A) whether the foreign state is no longer
9 designated as a state sponsor of terrorism;”;
10 and

11 (B) in paragraph (2), by inserting “,
12 1605(a)(7) (as such section was in effect on
13 January 27, 2008), or 1605B” after “1605A”.

14 **SEC. 8. COMPENSATION FOR COVERED NATURALIZED**
15 **UNITED STATES CITIZENS AND FOREIGN NA-**
16 **TIONALS.**

17 (a) TRANSFER AND CONSOLIDATION.—

18 (1) IN GENERAL.—Notwithstanding any other
19 provision of law, from funds described in paragraph
20 (3), the President shall cause to be transferred an
21 amount described in paragraph (2) to the account of
22 the United States into which the payment by Sudan
23 in compensation for the victims of terrorism award-
24 ed final judgments against Sudan arising from the
25 1998 East Africa embassy bombings in Kenya and

1 Tanzania was deposited and consolidated with that
2 payment.

3 (2) AMOUNT DESCRIBED.—The amount de-
4 scribed in this paragraph is an amount sufficient to
5 ensure that covered naturalized United States citi-
6 zens who are victims of the acts of terrorism de-
7 scribed in paragraph (1) receive compensation equal
8 to the compensation received by other citizens of the
9 United States who are victims of those acts.

10 (3) FUNDS DESCRIBED.—The funds described
11 in this paragraph are the funds paid to the United
12 States by the Goldman Sachs Group, Inc., as part
13 of, or related to, the deferred prosecution agreement
14 dated October 22, 2020, entered into between the
15 Department of Justice and the Goldman Sachs
16 Group, Inc., and presented in United States v. the
17 Goldman Sachs Group, Inc., Docket No. 20–CR–
18 437, in the United States District Court for the
19 Eastern District of New York.

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

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

1 (B) Each employee of, and individual per-
2 forming a contract with, the United States Gov-
3 ernment who was injured as a result of those
4 acts.

5 (C) Each family member of an employee or
6 other individual described in subparagraph (B)
7 who personally has been awarded by a United
8 States District Court a judgment for compen-
9 satory damages against Sudan.

10 (b) COVERED NATURALIZED UNITED STATES CITI-
11 ZENS.—

12 (1) DISTRIBUTION.—Not later than April 30,
13 2021, the Secretary shall distribute payments from
14 the consolidated account described in subsection
15 (a)(1) to victims of the acts of terrorism described
16 in that subsection who are covered naturalized
17 United States citizens and were awarded final judg-
18 ments by a United States District Court against
19 Sudan arising from those acts of terrorism in
20 amounts that are not less than the amounts of pay-
21 ments made to other similarly situated citizens of
22 the United States who are eligible for compensation
23 as a result of judgments arising from the same
24 bombings.

1 (2) REQUIREMENT BEFORE DISTRIBUTION.—
2 Before making a payment to a covered naturalized
3 United States citizen under paragraph (1), the Sec-
4 retary shall require the covered naturalized United
5 States citizen to execute a writing as required under
6 Article IV(2) of the amended claims agreement.

7 (3) TRANSFER.—Following the distributions de-
8 scribed in paragraph (1), any remaining funds
9 transferred pursuant to subsection (a) shall be
10 transferred to the general fund of the Treasury.

11 (c) FOREIGN NATIONALS.—Notwithstanding any
12 other provision of law, the claims agreement, or the
13 amended claims agreement—

14 (1) covered naturalized United States citizens
15 are not eligible to receive any compensation as pro-
16 vided by Sudan pursuant to Article III of the
17 amended claims agreement; and

18 (2) the funds allocated by Sudan for distribu-
19 tion of compensation to covered naturalized United
20 States citizens pursuant to the Annex of the amend-
21 ed claims agreement shall be redistributed among all
22 eligible foreign nationals consistent with the prin-
23 ciples set out in the Annex.

24 (d) DEPARTMENT OF STATE REPORTING REQUIRE-
25 MENTS.—

1 (1) INITIAL REPORT.—Not later than 30 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall submit to the Committee on Foreign Re-
4 lations of the Senate and the Committee on Foreign
5 Affairs of the House of Representatives a report
6 that includes—

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

17 (B) a detailed description of how the funds
18 allocated by Sudan will be redistributed in ac-
19 cordance with subsection (c)(2), including the
20 additional amount of compensation for each
21 category of eligible foreign nationals.

22 (2) UPDATED REPORT.—Not later than May
23 30, 2021, the Secretary shall submit to the Com-
24 mittee on Foreign Relations of the Senate and the

1 Committee on Foreign Affairs of the House of Rep-
2 resentatives a report describing—

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

5 (B) whether compensation levels were pro-
6 vided as described in the report required by
7 paragraph (1).

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

15 (1) all distributions were made in accordance
16 with the requirements of subsections (b) and (c);
17 and

18 (2) all covered naturalized United States citi-
19 zens received compensation from the funds described
20 in subsection (a)(3) equal to similarly situated citi-
21 zens of the United States.

22 **SEC. 9. DEFINITIONS.**

23 In this Act:

24 (1) **AMENDED CLAIMS AGREEMENT.**—The term
25 “amended claims agreement” means a claims settle-

1 ment agreement between the Government of the
2 United States and the Government of the Republic
3 of the Sudan that complies with the requirements of
4 section 4, including all annexes, appendices, side let-
5 ters, related agreements, and instruments for imple-
6 mentation, including the escrow agreement among
7 the Central Bank of Sudan, the Federal Reserve
8 Bank of New York, and the escrow agent appointed
9 thereby.

10 (2) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Foreign Relations
14 and the Committee on the Judiciary of the Sen-
15 ate; and

16 (B) the Committee on Foreign Affairs and
17 the Committee on the Judiciary of the House of
18 Representatives.

19 (3) CLAIMS AGREEMENT.—The term “claims
20 agreement” means the Claims Settlement Agreement
21 Between the Government of the United States of
22 America and the Government of the Republic of the
23 Sudan, done at Washington, D.C., on October 30,
24 2020, including all annexes, appendices, side letters,
25 related agreements, and instruments for implemen-

1 tation, including the escrow agreement among the
2 Central Bank of Sudan, the Federal Reserve Bank
3 of New York, and the escrow agent appointed there-
4 by.

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

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

12 (6) SECRETARY.—The term “Secretary” means
13 the Secretary of State.

14 (7) STATE SPONSOR OF TERRORISM.—The term
15 “state sponsor of terrorism” means a country the
16 government of which the Secretary of State has de-
17 termined is a government that has repeatedly pro-
18 vided support for acts of international terrorism, for
19 purposes of—

20 (A) section 1754(c)(1)(A)(i) of the Export
21 Control Reform Act of 2018 (50 U.S.C.
22 4813(c)(1)(A)(i));

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

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

3 (D) any other provision of law.

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