

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5367

To amend the Terrorism Risk Insurance Act of 2002 to allow for the use of certain assets of foreign entities to satisfy certain judgments against terrorist parties, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2014

Mr. POSEY (for himself, Mr. HUIZENGA of Michigan, Mr. MULVANEY, and Mr. WESTMORELAND) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend the Terrorism Risk Insurance Act of 2002 to allow for the use of certain assets of foreign entities to satisfy certain judgments against terrorist parties, 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 “Bank Account Seizure  
5 of Terrorist Assets Act” or “BASTA Act”.

1 **SEC. 2. USE OF CERTAIN ASSETS TO SATISFY JUDGMENTS**  
2 **AGAINST TERRORIST PARTIES.**

3 (a) IN GENERAL.—Section 201(a) of the Terrorism  
4 Risk Insurance Act of 2002 (28 U.S.C. 1610 note) is  
5 amended by adding at the end the following: “For pur-  
6 poses of this section, the blocked assets of a terrorist party  
7 are subject to execution or attachment in aid of execution  
8 in order to satisfy such judgment regardless of whether  
9 the terrorist party ceases to be a terrorist party after such  
10 judgment is entered.”.

11 (b) DEFINITIONS.—Section 201(d) of the Terrorism  
12 Risk Insurance Act of 2002 (28 U.S.C. 1610 note) is  
13 amended—

14 (1) in paragraph (2)—

15 (A) in the matter preceding subparagraph  
16 (A), by striking “means”;

17 (B) by amending paragraph (2)(A) to read  
18 as follows:

19 “(A) means any asset seized or frozen by  
20 the United States under section 5(b) of the  
21 Trading With the Enemy Act (50 U.S.C. App.  
22 5(b)), under sections 202 and 203 of the Inter-  
23 national Emergency Economic Powers Act (50  
24 U.S.C. 1701; 1702), or under section 805(b) of  
25 the Foreign Narcotics Kingpin Designation Act  
26 (21 U.S.C. 1904(b)); and”;

1           (2) by redesignating paragraph (4) as para-  
2 graph (5); and

3           (3) by inserting after paragraph (3) the fol-  
4 lowing:

5           “(4) PERSON.—In subsection (a), the term  
6 ‘person’ means a person who, at the time the act of  
7 terrorism described in subsection (a) was committed  
8 upon which the judgment described in such sub-  
9 section was obtained by that person, was either—

10                   “(A) a national of the United States as de-  
11 fined in section 101(a)(22) of the Immigration  
12 and Nationality Act (8 U.S.C. 1101(a)(22));

13                   “(B) a member of the Armed Forces of the  
14 United States; or

15                   “(C) otherwise an employee of the Govern-  
16 ment of the United States, or of an individual  
17 performing a contract awarded by the United  
18 States Government, acting within the scope of  
19 the employee’s employment.”.

20 **SEC. 3. EFFECTIVE DATE.**

21           The amendments made by this Act apply to any judg-  
22 ment entered before, on, or after the date of the enactment  
23 of this Act.

○