

117TH CONGRESS
2D SESSION

S. 5357

To provide compensation for United States victims of Libyan state-sponsored terrorism, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 22, 2022

Ms. COLLINS (for herself, Mrs. FEINSTEIN, Ms. ROSEN, Mr. KELLY, Ms. HASSAN, and Mr. WARNOCK) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To provide compensation for United States victims of Libyan state-sponsored terrorism, 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 “Justice for the Living
5 Victims of Lockerbie Act”.

6 **SEC. 2. DEFINED TERM.**

7 In this Act, the term “compensable living victim of
8 Libyan state-sponsored terrorism” means an individual
9 who—

10 (1) is a United States person;

1 (2) was 45 years of age or older on December
2 3, 1991;

3 (3) was employed by Pan American World Air-
4 ways, Inc., on December 3, 1991;

5 (4) was a named claimant in *Abbott et al. v.*
6 *Socialist People’s Libyan Arab Jamahiriya* (case
7 number 1:94-cv-02444-SS) in the United States
8 District Court for the District of Columbia; and

9 (5) was alive on August 14, 2008.

10 **SEC. 3. LIVING VICTIMS OF LOCKERBIE CLAIMS TRUST**
11 **FUND.**

12 (a) ESTABLISHMENT.—Not later than 30 days after
13 the date of the enactment of this Act, the Secretary of
14 the Treasury shall establish, in the Treasury of the United
15 States, a trust fund, to be known as the “Living Victims
16 of Lockerbie Claims Trust Fund” (in this section referred
17 to as the “Fund”) for the payment of claims submitted
18 by compensable living victims of Libyan state-sponsored
19 terrorism under section 4.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Once the
21 Fund is established pursuant to subsection (a), there shall
22 be appropriated to the Fund, out of any money in the
23 Treasury of the United States not otherwise appropriated,
24 \$20,000,000 for fiscal year 2023, which shall be made

1 available to provide compensation to compensable living
2 victims of Libyan state-sponsored terrorism.

3 **SEC. 4. COMPENSATION FOR LIVING VICTIMS OF LIBYAN**
4 **STATE-SPONSORED TERRORISM.**

5 (a) CERTIFICATION BY THE FOREIGN CLAIMS SET-
6 TLEMENT COMMISSION.—The Foreign Claims Settlement
7 Commission shall—

8 (1) not later than 30 days after the date of the
9 enactment of this Act, publish in the Federal Reg-
10 ister a notice of a process for filing claims on behalf
11 of compensable living victims of Libyan state-spon-
12 sored terrorism, which shall include a deadline for
13 the filing of claims of not later than the date that
14 is 60 days after the date of publication of the notice;

15 (2) not later than 60 days after the end of the
16 period for filing claims described in paragraph (1)—

17 (A) determine if each individual who sub-
18 mitted a claim under that paragraph is a com-
19 pensable living victim of Libyan state-sponsored
20 terrorism; and

21 (B) approve the claim of each individual
22 the Commission determines under subpara-
23 graph (A) to be a compensable living victim of
24 Libyan state-sponsored terrorism; and

1 (3) upon approving a claim under paragraph
2 (2)(B), certify approval of the claim to the Secretary
3 of the Treasury for purposes of authorization of pay-
4 ment under subsection (b).

5 (b) PAYMENTS AUTHORIZED.—Upon receiving a cer-
6 tification from the Foreign Claims Settlement Commission
7 under subsection (a)(3), the Secretary of the Treasury
8 shall make payments from the Fund to compensable living
9 victims of Libyan state-sponsored terrorism in accordance
10 with subsection (c).

11 (c) COMPENSATION.—

12 (1) IN GENERAL.—Upon a certification by the
13 Foreign Claims Settlement Commission under sub-
14 section (a)(3) of the claim of a compensable living
15 victim of Libyan state-sponsored terrorism, the
16 claimant (or, in the case of a deceased claimant, the
17 personal representative of the claimant's estate)
18 shall be entitled to an award in an amount equal
19 to—

20 (A) \$20,000,000, divided by

21 (B) the total number of claims certified
22 under subsection (a)(3).

23 (2) REPRESENTATIVE.—If a putative claimant
24 that otherwise qualifies for compensation under this

- 1 section is deceased, a personal representative may
- 2 bring a claim on behalf of the estate of the claimant.

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