



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

September 9, 2008

**H.R. 5167  
Justice for Victims of Torture and Terrorism Act**

*As ordered reported by the House Committee on the Judiciary on July 30, 2008*

H.R. 5167 would, under certain conditions, rescind the President's authority to exempt Iraq from the jurisdiction of U.S. courts in cases related to acts of terrorism, hostage-taking, or torture. CBO estimates that enacting H.R. 5167 would have no significant effects on the federal budget.

Most foreign states that have been designated as state sponsors of terrorism have no immunity from the jurisdiction of U.S. courts in cases filed by U.S. nationals, members of the armed forces, or federal employees seeking compensation for state-sponsored acts of terrorism, hostage-taking, or torture. However, the President is authorized to provide such immunity to Iraq on the basis of national security.

Unless the President certifies that Iraq has adequately settled, or is making good-faith negotiations to settle, claims against it from pending court cases, H.R. 5167 would rescind that authority, thereby permitting the administrative expenses of special masters appointed for claims against Iraq to be paid from the Crime Victims fund. We estimate that direct spending, if any, from the fund would be insignificant because of the small number of cases likely to be affected.

H.R. 5167 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contacts for this estimate are Sunita D'Monte and Mark Grabowicz. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.