

118TH CONGRESS
2D SESSION

H. R. 788

IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2024

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To limit donations made pursuant to settlement agreements to which the United States is a party, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stop Settlement Slush
3 Funds Act of 2023”.

4 **SEC. 2. LIMITATION ON DONATIONS MADE PURSUANT TO**
5 **SETTLEMENT AGREEMENTS TO WHICH THE**
6 **UNITED STATES IS A PARTY.**

7 (a) **LIMITATION ON REQUIRED DONATIONS.**—An of-
8 ficial or agent of the Government may not enter into or
9 enforce any settlement agreement on behalf of the United
10 States directing or providing for a payment to any person
11 or entity other than the United States, other than a pay-
12 ment that provides restitution for or otherwise directly
13 remedies actual harm (including to the environment) di-
14 rectly and proximately caused by the party making the
15 payment, or constitutes payment for services rendered in
16 connection with the case.

17 (b) **PENALTY.**—Any official or agent of the Govern-
18 ment who violates subsection (a) shall be subject to the
19 same penalties that would apply in the case of a violation
20 of section 3302 of title 31, United States Code.

21 (c) **EFFECTIVE DATE.**—Subsections (a) and (b)
22 apply only in the case of a settlement agreement entered
23 on or after the date of enactment of this Act.

24 (d) **DEFINITION.**—The term “settlement agreement”
25 means a settlement agreement resolving a civil action or
26 potential civil action.

1 (e) REPORTS ON SETTLEMENT AGREEMENTS.—

2 (1) IN GENERAL.—Not later than at the end of
3 the first fiscal year that begins after the date of en-
4 actment of this Act, and annually thereafter, the
5 head of each Federal agency shall submit electroni-
6 cally to the Congressional Budget Office a report on
7 each settlement agreement entered into by that
8 agency during that fiscal year that directs or pro-
9 vides for a payment to a person or entity other than
10 the United States that is providing restitution for or
11 otherwise directly remedies actual harm (including
12 to the environment) directly and proximately caused
13 by the party making the payment, or that con-
14 stitutes payment for services rendered in connection
15 with the case, which shall include the parties to each
16 settlement agreement, the source of the settlement
17 funds, and where and how such funds were and will
18 be distributed.

19 (2) PROHIBITION ON ADDITIONAL FUNDING.—

20 No additional funds are authorized to be appro-
21 priated to carry out this subsection.

22 (3) SUNSET.—This subsection shall cease to be
23 effective on the date that is 7 years after the date
24 of enactment of this Act.

25 (f) ANNUAL AUDIT REQUIREMENT.—

(B) the Committee on the Judiciary, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

(2) PROHIBITION ON ADDITIONAL FUNDING.—
No additional funds are authorized to be appro-
priated to carry out this subsection.

Passed the House of Representatives January 11,
2024.

Attest: KEVIN F. MCCUMBER,
Clerk.