

22 U.S. Code § 2708. Department of State rewards program

(a) Establishment

(1) In general

There is established a program for the payment of rewards to carry out the purposes of this section.

(2) Purpose

The rewards program shall be designed to assist in the prevention of acts of international terrorism, international narcotics trafficking, serious violations of international humanitarian law, transnational organized crime, and other related criminal acts.

(3) Implementation

The rewards program shall be administered by the Secretary of State, in consultation, as appropriate, with the Attorney General.

(b) Rewards authorized

In the sole discretion of the Secretary (except as provided in subsection (c)(2)) and in consultation, as appropriate, with the heads of other relevant departments or agencies, the Secretary may pay a reward to any individual who furnishes information leading to—

(1) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a United States person or United States property;

(2) the arrest or conviction in any country of any individual conspiring or attempting to commit an act of international terrorism against a United States person or United States property;

(3) the arrest or conviction in any country of any individual for committing, primarily outside the territorial jurisdiction of the United States, any narcotics-related offense if that offense involves or is a significant part of conduct that involves—

(A) a violation of United States narcotics laws such that the individual would be a major violator of such laws;

(B) the killing or kidnapping of—

(i) any officer, employee, or contract employee of the United States Government while such individual is engaged in official duties, or on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

(ii) a member of the immediate family of any such individual on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

(C) an attempt or conspiracy to commit any act described in subparagraph (A) or (B);

(4) the arrest or conviction in any country of any individual aiding or abetting in the commission of an act described in paragraph (1), (2), (3), (8), (9), or (10);

(5) the prevention, frustration, or favorable resolution of an act described in paragraph (1), (2), (3), (8), (9), or (10), including by dismantling an organization in whole or significant part;

(6) the identification or location of an individual who holds a key leadership position in a terrorist organization or transnational organized crime group;

(7) the disruption of financial mechanisms of a foreign terrorist organization or transnational organized crime group, including the use by such organization or group of illicit narcotics production or international narcotics trafficking—

(A) to finance acts of international terrorism or transnational organized crime; or

(B) to sustain or support any terrorist organization or transnational organized crime group;

(8) the arrest or conviction in any country of any individual for participating in, primarily outside the United States, transnational organized crime;

(9) the arrest or conviction in any country of any individual conspiring to participate in or attempting to participate in transnational organized crime;

(10) the arrest or conviction in any country, or the transfer to or conviction by an international criminal tribunal (including a hybrid or mixed tribunal), of any foreign national accused of war crimes, crimes against humanity, or genocide (including war crimes, crimes against humanity, or genocide committed in Syria beginning in March 2011), as defined under the statute of such tribunal;

(11) the identification or location of any person who, while acting at the direction of or under the control of a foreign government, aids or abets a violation of section 1030 of title 18; or

(12) the disruption of financial mechanisms of any person who has engaged in the conduct described in sections [1] 2914(a) or 2914(b)(1) of this title.

(c) Coordination

(1) Procedures

To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the obtaining of evidence or information, as authorized to the Department of Justice, the offering, administration, and payment of rewards under this section, including procedures for—

(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;

(B) the publication of rewards;

(C) the offering of joint rewards with foreign governments;

(D) the receipt and analysis of data; and

(E) the payment and approval of payment,

shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

(2) Prior approval of Attorney General required

Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall obtain the concurrence of the Attorney General.

(d) Funding

(1) Authorization of appropriations

Notwithstanding section 102 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99-93; 99 Stat. 408), but subject to paragraph (2), there are authorized to be appropriated to the Department of State from time to time such amounts as may be necessary to carry out this section.

(2) Period of availability

Amounts appropriated under paragraph (1) shall remain available until expended.

(e) Limitations and certification

(1) Maximum amount

No reward paid under this section may exceed \$25,000,000, except as personally authorized by the Secretary of State if he determines that offer or payment of an award of a larger amount is necessary to combat terrorism or defend the Nation against terrorist acts. Without first making such determination, the Secretary may authorize a reward of up to twice the amount specified in this paragraph for the capture or information leading to the capture of a leader of a foreign terrorist organization.

(2) Approval

A reward under this section of more than \$100,000 may not be made without the approval of the Secretary.

(3) Certification for payment

Any reward granted under this section shall be approved and certified for payment by the Secretary.

(4) Nondelegation of authority

The authority to approve rewards of more than \$100,000 set forth in paragraph (2) may not be delegated.

(5) Protection measures

If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he considers necessary to effect such protection.

(6) Forms of reward payment

The Secretary may make a reward under this section in the form of money, a nonmonetary item (including such items as automotive vehicles), or a combination thereof.

(f) Ineligibility

An officer or employee of any entity of Federal, State, or local government or of a foreign government who, while in the performance of his or her official duties, furnishes information described in subsection (b) shall not be eligible for a reward under this section.

(g) Reports

(1) Reports on payment of rewards

Not later than 30 days after the payment of any reward under this section, the Secretary shall submit a report to the appropriate congressional committees with respect to such reward. The report, which may be submitted in classified form if necessary, shall specify the amount of the reward paid, to whom the reward was paid, and the acts with respect to which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid in dealing with those acts.

(2) Annual reports

Not later than 60 days after the end of each fiscal year, the Secretary shall submit a report to the appropriate congressional committees with respect to the operation of the rewards program. The report shall provide information on the total amounts expended during the fiscal year ending in that year to carry out this section, including amounts expended to publicize the availability of rewards.

(3) Advance notification for international criminal tribunal rewards

Not less than 15 days before publicly announcing that a reward may be offered for a particular foreign national accused of war crimes, crimes against humanity, or genocide, the Secretary of State shall submit to the appropriate congressional committees a report, which may be submitted in classified form if necessary, setting forth the reasons why the arrest or conviction of such foreign national is in the national interests of the United States.

(4) Reports on rewards authorized

Not less than 15 days after a reward is authorized under this section, the Secretary of State shall submit to the appropriate congressional committees a report, which may be submitted in classified form if necessary to protect intelligence sources and methods, detailing information about the reward, including the identity of the individual for whom the reward is being made, the amount of the reward, the acts with respect to which the reward is being made, and how the reward is being publicized.

(h) Publication regarding rewards offered by foreign governments

Notwithstanding any other provision of this section, in the sole discretion of the Secretary, the resources of the rewards program shall be available for the publication of rewards offered by foreign governments regarding acts of international terrorism which do not involve United States persons or property or a violation of the narcotics laws of the United States.

(i) Media surveys and advertisements

(1) Surveys conducted

For the purpose of more effectively disseminating information about the rewards program, the Secretary may use the resources of the rewards program to conduct media surveys, including analyses of media markets, means of communication, and levels of literacy, in countries determined by the Secretary to be associated with acts of international terrorism.

(2) Creation and purchase of advertisements

The Secretary may use the resources of the rewards program to create advertisements to disseminate information about the rewards program. The Secretary may base the content of such advertisements on the findings of the surveys conducted under paragraph (1). The Secretary may purchase radio or television time, newspaper space, or make use of any other means of advertisement, as appropriate.

(j) Determinations of Secretary

A determination made by the Secretary under this section shall be final and conclusive and shall not be subject to judicial review.

(k) Definitions

As used in this section:

(1) Act of international terrorism

The term "act of international terrorism" includes—

(A) any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in paragraph (8) of section 6305 of this title) or any nuclear explosive device (as defined in paragraph (4) of that section) by an individual, group, or non-nuclear-weapon state (as defined in paragraph (5) of that section); and

(B) any act, as determined by the Secretary, which materially supports the conduct of international terrorism, including the counterfeiting of United States currency or the illegal use of other monetary instruments by an individual, group, or country supporting international terrorism as determined for purposes of section 4605(j)(1)(A) [2] of title 50.

(2) Appropriate congressional committees

The term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(3) Member of the immediate family

The term "member of the immediate family", with respect to an individual, includes—

(A) a spouse, parent, brother, sister, or child of the individual;

(B) a person with respect to whom the individual stands in loco parentis; and

(C) any person not covered by subparagraph (A) or (B) who is living in the individual's household and is related to the individual by blood or marriage.

(4) Rewards program

The term "rewards program" means the program established in subsection (a)(1).

(5) Transnational organized crime

The term "transnational organized crime"—

(A) means—

(i) racketeering activity (as such term is defined in section 1961 of title 18) that involves at least one jurisdiction outside the United States; or

(ii) any other criminal offense punishable by a term of imprisonment of at least four years under Federal, State, or local law that involves at least one jurisdiction outside the United States and that is intended to obtain, directly or indirectly, a financial or other material benefit; and

(B) includes wildlife trafficking (as defined by section 7601(12) of title 16) and severe forms of trafficking in persons (as defined in section 7102 of this title) involving at least 1 jurisdiction outside of the United States.

(6) Transnational organized crime group

The term "transnational organized crime group" means a group of persons that includes one or more citizens of a foreign country, exists for a period of time, and acts in concert with the aim of engaging in transnational organized crime.

(7) United States narcotics laws

The term "United States narcotics laws" means the laws of the United States for the prevention and control of illicit trafficking in controlled substances (as such term is defined in section 802(6) of title 21).

(8) United States personThe term "United States person" means—

(A) a citizen or national of the United States; and

(B) an alien lawfully present in the United States.

(Aug. 1, 1956, ch. 841, title I, § 36, as added Pub. L. 98-533, title I, § 102, Oct. 19, 1984, 98 Stat. 2708; amended Pub. L. 99-399, title V, § 502, Aug. 27, 1986, 100 Stat. 869; Pub. L. 100-690, title IV, § 4602, Nov. 18, 1988, 102 Stat. 4287; Pub. L. 101-231, § 13(a), Dec. 13, 1989, 103 Stat. 1963; Pub. L. 101-246, title X, § 1001, Feb. 16, 1990, 104 Stat. 86; Pub. L. 103-236, title I, § 133(a)(1), title VIII, § 827, Apr. 30, 1994, 108 Stat. 395, 519; Pub. L. 104-134, title I, § 101[(a)] [title IV, § 406], Apr. 26, 1996, 110 Stat. 1321, 1321-45; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327; Pub. L. 105-277, div. G, subdiv. B, title XXII, § 2202, Oct. 21, 1998, 112 Stat. 2681-805; Pub. L. 105-323, title I, § 101, Oct. 30, 1998, 112 Stat. 3029; Pub. L. 107-56, title V, § 502, Oct. 26, 2001, 115 Stat. 364; Pub. L. 108-447, div. B, title IV, § 405(a)-(d), Dec. 8, 2004, 118 Stat. 2902, 2903; Pub. L. 110-181, div. A, title XII,

§ 1255(a), Jan. 28, 2008, 122 Stat. 402; Pub. L. 112–283, §§ 3, 4, Jan. 15, 2013, 126 Stat. 2493, 2494; Pub. L. 114–323, title VII, § 704(a)(1), (2), Dec. 16, 2016, 130 Stat. 1941; Pub. L. 115–44, title III, § 323, Aug. 2, 2017, 131 Stat. 954; Pub. L. 115–141, div. R, § 3, Mar. 23, 2018, 132 Stat. 1123; Pub. L. 115–232, div. A, title XII, § 1232(d), Aug. 13, 2018, 132 Stat. 2038; Pub. L. 116–94, div. J, title VI, § 603, Dec. 20, 2019, 133 Stat. 3069.)