

# GAO Highlights

Highlights of [GAO-23-105782](#), a report to congressional committees

## Why GAO Did This Study

In August 1998, the simultaneous suicide bombings of two U.S. embassies, in Nairobi, Kenya, and Dar es Salaam, Tanzania, killed hundreds of people and injured over a thousand. In October 2020, the United States and the Republic of Sudan signed the USSCSA, in which Sudan agreed to provide compensation to address the claims of certain U.S. citizens and foreign nationals related to the bombings. In December 2020, Congress enacted the SCRA, which replaced the USSCSA compensation process for certain eligible individuals. The act required the Secretary of State to determine compensation levels for, and distribute payments to, all eligible recipients.

The SCRA includes a provision for GAO to report on State's implementation of certain of the act's requirements. In this report, GAO examines the extent to which State ensured that it (1) verified potential recipients' eligibility for SCRA compensation, (2) determined compensation amounts for eligible recipients in accordance with the act's requirements, and (3) distributed payments to eligible recipients in accordance with the act's requirements.

GAO compared the act's requirements with State's processes for verifying eligibility, making compensation determinations, and distributing payments. GAO also analyzed relevant documentation from State and the bombing victims' legal counsel. In addition, GAO interviewed officials from State and the bombing victims' legal counsel.

View [GAO-23-105782](#). For more information, contact Chelsa Kenney at (202) 512-2964 or [KenneyC@gao.gov](mailto:KenneyC@gao.gov).

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# SUDAN CLAIMS RESOLUTION ACT

## State Verified Eligibility, Determined Compensation, and Distributed Payments

### What GAO Found

After the Sudan Claims Resolution Act (SCRA) was enacted in December 2020, the Department of State determined that 78 victims of the embassy bombings in Kenya and Tanzania were eligible for compensation under the act. Eligible victims were those who had been awarded a judgment in one of four U.S. court cases against Sudan. Eligible victims were further limited to (1) injured U.S. employees or contractors who became U.S. citizens after the bombings but before the SCRA was enacted, (2) family members of an injured U.S. employee or contractor who were U.S. citizens when the SCRA was enacted, and (3) family members of a killed foreign national U.S. employee or contractor who were U.S. citizens when the SCRA was enacted. The victims' legal counsel provided State with documentation listing potentially eligible individuals as well as supporting documents, such as U.S. passports, that State reviewed to verify eligibility.

To determine compensation amounts, State took steps that ensured, as the SCRA required, parity in compensation between individuals who became U.S. citizens after the bombings and those who were already U.S. citizens. For example, State determined compensation amounts for certain SCRA recipients partly by comparing their injuries with those sustained by certain recipients of compensation under the U.S.–Sudan Claims Settlement Agreement (USSCSA). GAO's analysis of State data found that those SCRA recipients received the same compensation as USSCSA recipients with similar injuries who, according to State, were U.S. citizens when the bombings occurred.

**Compensation and Selected Examples of Injuries to Certain Recipients under Sudan Claims Resolution Act (SCRA) and U.S.-Sudan Claims Settlement Agreement (USSCSA)**

| Compensation | Examples of injuries to SCRA recipients                                               | Examples of injuries to USSCSA recipients                                                                    |
|--------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| \$10 million | Severe burns<br>Vision impairment<br>Laceration to body and limbs<br>Emotional trauma | Severe burns<br>Blindness<br>Laceration to body and limbs<br>Post-traumatic stress disorder/emotional trauma |
| \$5 million  | Burns<br>Loss of hearing<br>Broken limbs<br>Emotional trauma                          | Loss of hearing<br>Broken limbs<br>Post-traumatic stress disorder/emotional trauma                           |
| \$3 million  | Cuts on body and limbs<br>Emotional trauma<br>Depression                              | Cuts and bruises on body and limbs<br>Emotional trauma<br>Depression                                         |

Source: GAO analysis of Department of State information. | GAO-23-105782

Note: For the purposes of this table, a SCRA recipient is a U.S. employee or contractor injured in the U.S. embassy bombings on Aug. 7, 1998, who became a U.S. citizen after that date but before the SCRA's enactment on Dec. 27, 2020, and received compensation under the SCRA. A USSCSA recipient is an individual injured in the bombings who was a U.S. citizen at that time and received compensation under the USSCSA.

Before distributing payments, State sent each recipient a letter stating the amount to be received, as the act required. State also obtained required documentation before distributing the payments. For example, State ensured that each recipient signed a waiver and release of all rights to, among other things, assert certain claims against Sudan related to the bombings.