

Survivors' Rights Restitution Act

Section-by-Section Summary

Section 1. Short Title

- Designates the Act as the “Survivors’ Rights Restitution Act of 2026.”

Section 2. Establishment of Program

- Establishes the Survivors’ Rights Restitution Program to provide compensation to eligible victims for harm and losses defined in the Act.

Section 3. Filing of Petition

- Sets forth the process of initiating a claim.
- Filing process – claims must be filed with the U.S. Court of Federal Claims and served on the Attorney General. Petitions are assigned to a special adjudicator.
- Electronic filing – requires the Court to allow electronic submission of petitions.
- Eligibility and petition requirements – petitioners must demonstrate that they:
 - Were victims of sexual abuse, trafficking, or exploitation perpetrated or facilitated by Jeffrey Epstein or Ghislaine Maxwell; or
 - Were victims of a federal sexual offense where the federal government failed to provide rights under the Crime Victims’ Rights Act.
- Petitions must include:
 - Information concerning the harm
 - Economic and non-economic losses
 - Information on collateral compensation received
- Single petition rule – limits one petition per individual.

Section 4. Jurisdiction

- Court authority – grants jurisdiction to the U.S. Court of Federal Claims and its special adjudicators to determine eligibility and compensation amounts.
- Attorney General role – serves as respondent in all cases and must publish notice of petitions without personally identifiable information in the Federal Register.
- Office of Special Adjudicators – creates an office of no less than 6 special adjudicators with expertise in trauma-informed care, victim services, law, and claims administration.
- Qualifications and structure – requires 4 special adjudicators to be licensed mental health professionals with trauma experience and the chief special adjudicator to perform administrative management duties.
- Procedures – directs the development of a non-adversarial, streamlined claims process with flexible evidentiary standards and limited discovery.
- Decision timeline – requires special adjudicators to issue decision within 240 days (subject to limited suspensions).

- Privacy protections – limits disclosure of sensitive claimant information with redactions required where appropriate.
- Review and appeals – allows review by the Court of Federal Claims and provides for appeal to the U.S. Court of Appeals for the Federal Circuit.

Section 5. Review and Determination

- Outlines how claims are evaluated and compensated.
- Standard of proof – requires claimants to demonstrate eligibility by a preponderance of the evidence.
- Determination timeline – requires initial determinations within 120 days.
- Claimant rights – guarantees legal representation, ability to present evidence, due process protections, and option to withdraw claims to petitioners.
- Compensation payments – requires payment within 20 days of award determination that:
 - Covers both economic and noneconomic losses;
 - Meets a minimum award of \$123,000; and
 - Prohibits punitive damages.
- Attorney’s fees – provides for payment of reasonable attorneys’ fees and costs.
- Tax treatment – excludes compensation from taxable income and from eligibility calculations for means-tested federal benefits.

Section 6. Establishment of Survivor Compensation Fund

- Creates the funding mechanism – establishes the Survivors’ Rights Restitution Fund in the Treasury.
- Funding sources include:
 - Federal forfeiture proceeds related to trafficking and exploitation offenses;
 - Federal appropriations; and
 - Voluntary contributions.
- Availability of funds – makes funds available without further appropriation or fiscal year limitation.
- Authorizing language – authorizes appropriations for the program.

Section 7. Definition

- Defines special adjudicator within the Federal Rules of Civil Procedure.