

118TH CONGRESS
2D SESSION

S. _____

To amend title 28, United States Code, to clarify that international organizations are not immune from the jurisdiction of the courts of the United States in certain cases related to terrorism.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To amend title 28, United States Code, to clarify that international organizations are not immune from the jurisdiction of the courts of the United States in certain cases related to terrorism.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Limiting Immunity
5 for Assisting Backers of Lethal Extremism” or the “LIA-
6 BLE Act”.

1 **SEC. 2. TERRORISM EXCEPTION TO THE JURISDICTIONAL**
2 **IMMUNITY OF AN INTERNATIONAL ORGANI-**
3 **ZATION.**

4 (a) IN GENERAL.—Part IV of title 28, United States
5 Code, is amended by inserting after chapter 97 the fol-
6 lowing:

“Sec.

“1621. Terrorism exception to the jurisdictional immunity of an international
organization.”.

7 **“CHAPTER 97A—JURISDICTIONAL IMMU-**
8 **NITIES OF INTERNATIONAL ORGANI-**
9 **ZATIONS**

10 **“§ 1621. Terrorism exception to the jurisdictional im-**
11 **munity of an international organization**

12 “(a) DEFINITIONS.—In this section:

13 “(1) AIRCRAFT SABOTAGE; ARMED FORCES;
14 EXTRAJUDICIAL KILLING; HOSTAGE TAKING; MATE-
15 RIAL SUPPORT OR RESOURCES; NATIONAL OF THE
16 UNITED STATES.—The terms ‘aircraft sabotage’,
17 ‘armed forces’, ‘extrajudicial killing’, ‘hostage tak-
18 ing’, ‘material support or resources’, and ‘national of
19 the United States’ have the meanings given the
20 terms in section 1605A.

21 “(2) INTERNATIONAL ORGANIZATION.—The
22 term ‘international organization’ has the meaning
23 given the term in section 1 of the International Or-
24 ganizations Immunities Act (22 U.S.C. 288).

1 “(b) EXCEPTION.—

2 “(1) NO IMMUNITY.—An international organi-
3 zation shall not be immune from the jurisdiction of
4 courts of the United States or of the States in any
5 case not otherwise covered by the International Or-
6 ganizations Immunity Act (22 U.S.C. 288 et seq.) in
7 which money damages are sought against an inter-
8 national organization for personal injury or death
9 that was caused by an act of torture, extrajudicial
10 killing, aircraft sabotage, hostage taking, or the pro-
11 vision of material support or resources for such an
12 act if such act or provision of material support or
13 resources is engaged in by an official, employee, or
14 agent of such international organization while acting
15 within the scope of his or her office, employment, or
16 agency.

17 “(2) CLAIM HEARD.—The court shall hear a
18 claim under this section if—

19 “(A) the international organization con-
20 spired with, materially supported, or otherwise
21 aided and abetted an organization designated as
22 a foreign terrorist organization under section
23 219 of the Immigration and Nationality Act (8
24 U.S.C. 1189); and

1 “(B)(i) the claimant or the victim was, at
2 the time the act described in paragraph (1) oc-
3 curred—

4 “(I) a national of the United States;

5 “(II) a member of the armed forces;

6 “(III) otherwise an employee of the
7 Government of the United States, or of an
8 individual performing a contract awarded
9 by the United States Government, acting
10 within the scope of the employment of the
11 employee; or

12 “(ii) the international organization is based
13 in or has a substantial presence in the United
14 States.

15 “(c) LIMITATIONS.—An action may be brought or
16 maintained under this section if the action is commenced
17 not later than 20 years after the date on which the cause
18 of action arose.”.

19 (b) TECHNICAL AND CONFORMING AMENDMENT.—
20 The table of chapters for part IV of title 28, United States
21 Code, is amended by inserting after the item relating to
22 chapter 97 the following:

“97A. Jurisdictional immunities of international organi-
zations 1621”.