

119TH CONGRESS  
1ST 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.

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IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself, Mr. CRAMER, Mr. BUDD, Mr. RICKETTS, Mr. DAINES, Mr. HAGERTY, Mr. BARRASSO, Mr. SCOTT of Florida, and Mr. SCHMITT) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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 Act” or the  
6 “LIABLE 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:

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

“Sec.

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

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’—

1           “(A) has the meaning given the term in  
2           section 1 of the International Organizations Im-  
3           munities Act (22 U.S.C. 288); and

4           “(B) includes agencies or affiliated entities  
5           of organizations described in that section.

6           “(b) EXCEPTION.—

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

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

24                 “(A) the international organization con-  
25                 spired with, materially supported, or otherwise

1 aided and abetted an organization designated as  
2 a foreign terrorist organization under section  
3 219 of the Immigration and Nationality Act (8  
4 U.S.C. 1189); and

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

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

9 “(II) a member of the armed forces;

10 “(III) otherwise an employee of the  
11 Government of the United States, or of an  
12 individual performing a contract awarded  
13 by the United States Government, acting  
14 within the scope of the employment of the  
15 employee; or

16 “(ii) the international organization is based  
17 in or has a substantial presence in the United  
18 States.

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

23 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
24 The table of chapters for part IV of title 28, United States

- 1 Code, is amended by inserting after the item relating to
- 2 chapter 97 the following:

**“97A. Jurisdictional immunities of international organizations ..... 1621”.**