**[ADDED BY JASTA 2016]**

**28 U.S. Code § 1605B - Responsibility of foreign states for international terrorism against the United States**

**§ 1605B. Responsibility of foreign states for international terrorism against the United States**

**(a)Definition.—**In this section, the term “[international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-866365149-1619075251&term_occur=1&term_src=title:28:part:IV:chapter:97:section:1605B)”—

**(1)** has the meaning given the term in [section 2331 of title 18](https://www.law.cornell.edu/uscode/text/18/2331), United States Code; and

**(2)** does not include any act of war (as defined in that section).

**(b)Responsibility of Foreign States.—**A foreign [state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-80204913-1053471904&term_occur=984&term_src=title:28:part:IV:chapter:97:section:1605B) shall not be immune from the jurisdiction of the [courts](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-94851467-191212297&term_occur=1155&term_src=title:28:part:IV:chapter:97:section:1605B) of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-2032517217-1056148291&term_occur=79&term_src=title:28:part:IV:chapter:97:section:1605B) in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-2032517217-1056148291&term_occur=80&term_src=title:28:part:IV:chapter:97:section:1605B) and caused by—

**(1)** an act of [international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-866365149-1619075251&term_occur=2&term_src=title:28:part:IV:chapter:97:section:1605B) in the United States; and

**(2)** a tortious act or acts of the foreign [state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-80204913-1053471904&term_occur=985&term_src=title:28:part:IV:chapter:97:section:1605B), or of any official, [employee](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-1193469614-190290699&term_occur=156&term_src=title:28:part:IV:chapter:97:section:1605B), or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

**(c)Claims by Nationals of the United States.—**

Notwithstanding [section 2337(2) of title 18](https://www.law.cornell.edu/uscode/text/18/2337#2), a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

**(d)Rule of Construction.—**

A foreign [state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-80204913-1053471904&term_occur=986&term_src=title:28:part:IV:chapter:97:section:1605B) shall not be subject to the jurisdiction of the [courts](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-94851467-191212297&term_occur=1156&term_src=title:28:part:IV:chapter:97:section:1605B) of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=28-USC-2032517217-1056148291&term_occur=81&term_src=title:28:part:IV:chapter:97:section:1605B) under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.

(Added [Pub. L. 114–222](https://www.law.cornell.edu/rio/citation/Pub._L._114-222), § 3(a), Sept. 28, 2016, [130 Stat. 853](https://www.law.cornell.edu/rio/citation/130_Stat._853).)