

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Foreign Sovereign Immunities Act to establish an exception to jurisdictional immunity for a foreign state that discharges a biological weapon, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mrs. BLACKBURN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Foreign Sovereign Immunities Act to establish an exception to jurisdictional immunity for a foreign state that discharges a biological weapon, and for other purposes.

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 “Stop China-Originated  
5 Viral Infectious Diseases Act of 2021” or the “Stop  
6 COVID Act of 2021”.

1 **SEC. 2. EXCEPTION TO JURISDICTIONAL IMMUNITY OF A**  
2 **FOREIGN STATE.**

3 (a) IN GENERAL.—Section 1605 of title 28, United  
4 States Code, is amended—

5 (1) by redesignating subsections (g) and (h) as  
6 subsections (h) and (i), respectively; and

7 (2) by inserting after subsection (f) the fol-  
8 lowing:

9 “(g)(1) A foreign state shall not be immune from the  
10 jurisdiction of the courts of the United States in any case  
11 where such foreign state is alleged, whether intentionally  
12 or unintentionally, to have discharged a biological agent,  
13 as defined in section 178 of title 18, and such discharge  
14 results in the bodily injury, death, or damage to property  
15 of a national of the United States.

16 “(2) Notwithstanding section 2337(2) of title 18, a  
17 national of the United States may bring a claim for money  
18 damages against a foreign state in accordance with section  
19 2333 of title 18 if the foreign state would not be immune  
20 under this subsection.”.

21 (b) APPLICABILITY.—The amendment made by sub-  
22 section (a) shall apply to the discharge of a biological  
23 agent that occurred before, on, or after the date of enact-  
24 ment of this Act.