

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7205

To amend title 28, United States Code, to ensure those who incur losses as a result of hostile invasion in Europe have access to the United States courts to recover damages, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2022

Mrs. DINGELL (for herself and Mr. UPTON) introduced the following bill;  
which was referred to the Committee on the Judiciary

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## A BILL

To amend title 28, United States Code, to ensure those who incur losses as a result of hostile invasion in Europe have access to the United States courts to recover damages, 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 “Ukrainian Sovereignty  
5 Act of 2022”.

1 **SEC. 2. AUTHORIZING CERTAIN ACTIONS IN UNITED**  
2 **STATES COURTS.**

3 (a) IN GENERAL.—Chapter 97 of title 28, United  
4 States Code, is amended by adding after section 1605B  
5 the following:

6 **“§ 1605C. Authorizing certain actions in United**  
7 **States courts**

8 “(a) CIVIL ACTION.—Notwithstanding any other pro-  
9 vision of law, a foreign state shall not be immune from  
10 the jurisdiction of the courts of the United States in any  
11 case in which money damages are sought against the for-  
12 eign state for physical injury, including death, property  
13 damage, or loss of property caused by the foreign state’s  
14 invasion of another sovereign nation located in Europe if  
15 such invasion—

16 “(1) was by or at the direction of the foreign  
17 state irrespective of where such injury, death, dam-  
18 age, or loss occurred; and

19 “(2) has been, at any time, condemned by the  
20 General Assembly of the United Nations and by a  
21 concurrent resolution or separate resolutions of the  
22 United States House of Representatives and the  
23 United States Senate.

24 “(b) ATTACHMENT.—Notwithstanding any other pro-  
25 vision of law, including the limitations in section 1610,  
26 the property in the United States of the aggressor foreign

1 state shall not be immune from attachment in aid of exe-  
2 cution, or from execution, upon a judgment entered by a  
3 court of the United States or of a State after the effective  
4 date of this Act.

5 “(c) JURISDICTION.—The district courts of the  
6 United States shall have original jurisdiction, without re-  
7 gard to the amount in controversy, of any civil action  
8 made under this section. Personal jurisdiction over a for-  
9 eign state shall exist as to each claim for relief where serv-  
10 ice has been made pursuant to section 1608.

11 “(d) DEFINITIONS.—In this section, the term:

12 “(1) FOREIGN STATE.—The term ‘foreign state’  
13 includes—

14 “(A) a foreign state as defined by section  
15 1603(a);

16 “(B) an agency or instrumentality of a for-  
17 eign state as defined by section 1603(b); and

18 “(C) any official of a foreign state and any  
19 citizen of such state subject to any sanction by  
20 the United States through the Department of  
21 Commerce, the Department of Justice, or the  
22 Department of State.

23 “(2) EUROPE.—The term ‘Europe’ includes the  
24 following sovereign nations:

1           “(A) Each sovereign nation that is a mem-  
2           ber of the European Union.

3           “(B) United Kingdom.

4           “(C) Norway.

5           “(D) Switzerland.

6           “(E) Danish autonomous territory of  
7           Greenland.

8           “(F) Bulgaria.

9           “(G) Romania.

10          “(H) Ukraine, including Crimea, Luhansk,  
11          and Donetsk.

12          “(I) Croatia.

13          “(J) Republic of North Macedonia.

14          “(K) Albania.

15          “(L) Bosnia and Herzegovina.

16          “(M) Montenegro.

17          “(N) Moldova.

18          “(O) Andorra.

19          “(P) Iceland.

20          “(Q) Liechtenstein.

21          “(R) San Marino.”.

22          (b) CLERICAL AMENDMENT.—The table of sections  
23          for chapter 97 of title 28, United States Code, is amended  
24          by inserting before the item relating to section 1605B the  
25          following new item:

“1605C. Authorizing certain actions in United States courts.”.

1           (c) EFFECTIVE DATE; APPLICABILITY.—The amend-  
2 ments made by this Act shall take effect on the date of  
3 the enactment of this Act and shall apply with respect to  
4 any invasion of a sovereign nation occurring one year prior  
5 to, on, or after the date of the enactment of this Act.

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