

**AMENDMENT TO
RULES COMMITTEE PRINT 117-31
OFFERED BY MR. MAST OF FLORIDA**

Page 1714, after line 6, insert the following:

1 **TITLE IV—LIABILITY OF**
2 **FOREIGN STATES**
3 **SEC. 80401. RESPONSIBILITY OF THE PEOPLE’S REPUBLIC**
4 **OF CHINA FOR DAMAGES AGAINST THE**
5 **UNITED STATES AND THE AMERICAN PEOP-**
6 **PLE.**

7 (a) IN GENERAL.—Chapter 97 of title 28, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 **“§ 1605C. Liability of People’s Republic of China**

11 “(a) LIABILITY.—The People’s Republic of China
12 shall not be immune from the jurisdiction of the courts
13 of the United States in any case in which money damages
14 are sought against the People’s Republic of China, or of
15 any official, employee, or agent of the People’s Republic
16 of China, for physical injury to a person or death, or eco-
17 nomic loss occurring in the United States and caused by
18 the COVID–19 pandemic.

1 “(b) EXCLUSIVE JURISDICTION.—The courts of the
2 United States shall have exclusive jurisdiction in any ac-
3 tion in which the People’s Republic of China is subject
4 to the jurisdiction of a court of the United States under
5 this section.

6 “(c) INTERVENTION.—

7 “(1) IN GENERAL.—The Attorney General may
8 intervene in any action in which the People’s Repub-
9 lic of China is subject to the jurisdiction of a court
10 of the United States under this section, for the pur-
11 pose of seeking a stay of the civil action, in whole
12 or in part.

13 “(2) STAY PROCEEDINGS.—A court of the
14 United States may stay a proceeding against the
15 People’s Republic of China if the Secretary of State
16 certifies that the United States is engaged in good
17 faith discussions with the People’s Republic of China
18 concerning the resolution of the claims against the
19 People’s Republic of China, or any other parties as
20 to whom a stay of claims is sought. A stay under
21 this section may be granted for not more than 180
22 days.

23 “(3) EXTENSION.—The Attorney General may
24 petition the court for an extension of the stay for
25 additional 180-day periods.

1 “(4) RECERTIFICATION.—A court shall grant
2 an extension under clause (i) if the Secretary of
3 State recertifies that the United States remains en-
4 gaged in good faith discussions with the People’s Re-
5 public of China concerning the resolution of the
6 claims against the People’s Republic of China, or
7 any other parties as to whom a stay of claims is
8 sought.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 for chapter 97 of title 28, United States Code, is amended
11 by adding at the end the following:

“1605C. Liability of People’s Republic of China.”.

