A BILL

To amend title 28, United States Code, to authorize extraterritorial jurisdiction.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alien Tort Statute Clarification Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Since its founding, the United States has been a proponent of international law and a cham-
pion of universal human rights. Section 1350 of title
28, United States Code (referred to in this section as the “Alien Tort Statute”), originally enacted as part of the Act entitled “An Act to establish the judicial courts of the United States”, approved September 24, 1789 (1 Stat. 73), continues to serve important purposes in providing remedies to victims of violations of international law and for holding perpetrators of human rights violations accountable.

(2) Some international law violations have been addressed in part by other statutes. But the Alien Tort Statute remains an important tool for addressing international law violations.

(3) Human rights abusers continue to seek refuge in the United States, including foreign government and military officials and leaders of death squads and other violent groups. This undermines the standing of the United States and its capacity to speak with authority on matters of human rights.

(4) When corporations commit or aid and abet human rights violations directly and through their supply chains, they should be held accountable. Failing to do so erodes the foreign policy interests of the United States and the priorities of Congress.

(5) Impunity for corporations who violate human rights unfairly disadvantages businesses that
respect and uphold human rights. Companies that respect human rights should have a level playing field with companies that do not, such as those that would continue to do business in areas of the world known for mass atrocities or war crimes, including the Xinjiang region of the People’s Republic of China or in the Russian Federation amidst the ongoing invasion of Ukraine.

(6) In many countries where human rights abuses occur, victims are unable to obtain justice because of ongoing conflicts and violence, corruption, and inadequate rule of law. In many such cases, a suit under the Alien Tort Statute is the only option for redress and accountability.

(7) The international law violations for which the Alien Tort Statute provides a remedy are universal and the Alien Tort Statute is a testament to the rule of law in the United States.

(8) The Alien Tort Statute should be available against those responsible for human rights abuses whenever they are subject to personal jurisdiction in the United States, regardless of where the abuse occurred.
SEC. 3. EXTRATERRITORIAL JURISDICTION.

Section 1350 of title 28, United States Code, is amended—

(1) by inserting ``(a) IN GENERAL.—'' before ``The district''; and

(2) by adding at the end the following:

``(b) EXTRATERRITORIAL JURISDICTION.—In addition to any domestic or extraterritorial jurisdiction otherwise provided by law, the district courts of the United States have extraterritorial jurisdiction over any tort described in subsection (a) if—

``(1) an alleged defendant is a national of the United States or an alien lawfully admitted for permanent residence (as those terms are defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)); or

``(2) an alleged defendant is present in the United States, irrespective of the nationality of the alleged defendant.''.