

sustains and the cost of the suit, including attorney's fees.

(b) **ESTOPPEL UNDER UNITED STATES LAW.**—A final judgment or decree rendered in favor of the United States in any criminal proceeding under section 1116, 1201, 1203, or 2332 of this title or section 46314, 46502, 46505, or 46506 of title 49 shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

(c) **ESTOPPEL UNDER FOREIGN LAW.**—A final judgment or decree rendered in favor of any foreign state in any criminal proceeding shall, to the extent that such judgment or decree may be accorded full faith and credit under the law of the United States, estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

(Added Pub. L. 102-572, title X, §1003(a)(4), Oct. 29, 1992, 106 Stat. 4522; amended Pub. L. 103-429, §2(1), Oct. 31, 1994, 108 Stat. 4377.)

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-429 substituted “section 46314, 46502, 46505, or 46506 of title 49” for “section 902(i), (k), (l), (n), or (r) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1472(i), (k), (l), (n), or (r))”.

EFFECTIVE DATE

Section applicable to any pending case or any cause of action arising on or after 4 years before Oct. 29, 1992, see section 1003(c) of Pub. L. 102-572, set out as a note under section 2331 of this title.

SPECIAL RULE RELATING TO CERTAIN ACTS OF INTERNATIONAL TERRORISM

Pub. L. 112-239, div. A, title XII, §1251(c), Jan. 2, 2013, 126 Stat. 2017, provided that: “Notwithstanding section 2335 of title 18, United States Code, as amended by subsection (a), a civil action under section 2333 of such title resulting from an act of international terrorism that occurred on or after September 11, 2001, and before the date that is 4 years before the date of the enactment of this Act [Jan. 2, 2013], may be maintained if the civil action is commenced during the 6-year period beginning on such date of enactment.”

§ 2334. Jurisdiction and venue

(a) **GENERAL VENUE.**—Any civil action under section 2333 of this title against any person may be instituted in the district court of the United States for any district where any plaintiff resides or where any defendant resides or is served, or has an agent. Process in such a civil action may be served in any district where the defendant resides, is found, or has an agent.

(b) **SPECIAL MARITIME OR TERRITORIAL JURISDICTION.**—If the actions giving rise to the claim occurred within the special maritime and territorial jurisdiction of the United States, as defined in section 7 of this title, then any civil action under section 2333 of this title against any person may be instituted in the district court of the United States for any district in which any plaintiff resides or the defendant resides, is served, or has an agent.

(c) **SERVICE ON WITNESSES.**—A witness in a civil action brought under section 2333 of this title may be served in any other district where the defendant resides, is found, or has an agent.

(d) **CONVENIENCE OF THE FORUM.**—The district court shall not dismiss any action brought

under section 2333 of this title on the grounds of the inconvenience or inappropriateness of the forum chosen, unless—

(1) the action may be maintained in a foreign court that has jurisdiction over the subject matter and over all the defendants;

(2) that foreign court is significantly more convenient and appropriate; and

(3) that foreign court offers a remedy which is substantially the same as the one available in the courts of the United States.

(Added Pub. L. 102-572, title X, §1003(a)(4), Oct. 29, 1992, 106 Stat. 4522.)

EFFECTIVE DATE

Section applicable to any pending case or any cause of action arising on or after 4 years before Oct. 29, 1992, see section 1003(c) of Pub. L. 102-572, set out as a note under section 2331 of this title.

§ 2335. Limitation of actions

(a) **IN GENERAL.**—Subject to subsection (b), a suit for recovery of damages under section 2333 of this title shall not be maintained unless commenced within 10 years after the date the cause of action accrued.

(b) **CALCULATION OF PERIOD.**—The time of the absence of the defendant from the United States or from any jurisdiction in which the same or a similar action arising from the same facts may be maintained by the plaintiff, or of any concealment of the defendant's whereabouts, shall not be included in the 10-year period set forth in subsection (a).

(Added Pub. L. 102-572, title X, §1003(a)(4), Oct. 29, 1992, 106 Stat. 4523; amended Pub. L. 112-239, div. A, title XII, §1251(a), Jan. 2, 2013, 126 Stat. 2017.)

AMENDMENTS

2013—Subsec. (a). Pub. L. 112-239, §1251(a)(1), substituted “10 years” for “4 years”.

Subsec. (b). Pub. L. 112-239, §1251(a)(2), substituted “10-year period” for “4-year period”.

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title XII, §1251(b), Jan. 2, 2013, 126 Stat. 2017, provided that: “The amendments made by this section [amending this section] shall apply to any civil action arising under section 2333 of title 18, United States Code, that is pending on, or commenced on or after, the date of the enactment of this Act [Jan. 2, 2013].”

EFFECTIVE DATE

Section applicable to any pending case or any cause of action arising on or after 4 years before Oct. 29, 1992, see section 1003(c) of Pub. L. 102-572, set out as a note under section 2331 of this title.

§ 2336. Other limitations

(a) **ACTS OF WAR.**—No action shall be maintained under section 2333 of this title for injury or loss by reason of an act of war.

(b) **LIMITATION ON DISCOVERY.**—If a party to an action under section 2333 seeks to discover the investigative files of the Department of Justice, the Assistant Attorney General, Deputy Attorney General, or Attorney General may object on the ground that compliance will interfere with a criminal investigation or prosecution of the incident, or a national security operation related