

107TH CONGRESS  
1ST SESSION

# S. 1877

To clarify and reaffirm a cause of action and Federal court jurisdiction  
for certain claims against the Government of Iran.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 20 (legislative day, DECEMBER 18), 2001

Mr. HARKIN introduced the following bill; which was read twice and referred  
to the Committee on Foreign Relations

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## A BILL

To clarify and reaffirm a cause of action and Federal court  
jurisdiction for certain claims against the Government  
of Iran.

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. FEDERAL COURT JURISDICTION OF CERTAIN**  
4                       **CLAIMS AGAINST THE GOVERNMENT OF**  
5                       **IRAN.**

6       (a) CAUSE OF ACTION.—Notwithstanding the Algiers  
7       Accords, any other international agreement, or any other  
8       provision of law, a former Iranian hostage or immediate  
9       relative thereof shall have a cause of action for money  
10      damages against the Government of Iran for the hostage

1 taking and any death, disability, or other injury (including  
 2 pain and suffering and financial loss) to the former Ira-  
 3 nian hostage resulting from the former Iranian hostage's  
 4 period of captivity in Iran.

5 (b) JURISDICTION OF THE FEDERAL COURTS.—Not-  
 6 withstanding the Algiers Accords, any other international  
 7 agreement, or any other provision of law, no United States  
 8 court shall decline to hear or determine on the merits a  
 9 claim under subsection (a) against the Government of  
 10 Iran.

11 (c) DEFINITIONS.—In this section:

12 (1) ALGIERS ACCORDS.—The term “Algiers Ac-  
 13 cords” means the Declarations of the Government of  
 14 the Democratic and Popular Republic of Algeria  
 15 concerning commitments and settlement of claims by  
 16 the United States and Iran with respect to resolu-  
 17 tion of the crisis arising out of the detention of 52  
 18 United States nationals in Iran, with Undertakings  
 19 and Escrow Agreement, done at Algiers January 19,  
 20 1981.

21 (2) FORMER IRANIAN HOSTAGE.—The term  
 22 “former Iranian hostage” means any United States  
 23 personnel held hostage in Iran during the period of  
 24 captivity in Iran.

1           (3) IMMEDIATE RELATIVE.—The term “imme-  
2       diate relative” means, with respect to a former Ira-  
3       nian hostage, the parent, spouse, son, or daughter of  
4       the former Iranian hostage.

5           (4) PERIOD OF CAPTIVITY IN IRAN.—The term  
6       “period of captivity in Iran” means the period begin-  
7       ning on November 4, 1979, and ending on January  
8       20, 1981.

9       (d) EFFECTIVE DATE.—This section shall apply to—  
10       (1) any action brought before the date of enact-  
11       ment of this Act and being maintained on such date;  
12       and

13       (2) any action brought on or after the date of  
14       enactment of this Act.

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