

111TH CONGRESS
1ST SESSION

H. R. 4025

To provide for justice and compensation for United States citizens taken
hostage by Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2009

Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for justice and compensation for United States
citizens taken hostage by Iran, 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. STATEMENTS OF POLICY.**

4 (a) PURSUIT OF JUSTICE AND ACCOUNTABILITY.—

5 It is the policy of the United States, as specified in the
6 Antiterrorism and Effective Death Penalty Act of 1996
7 and in other United States laws, to seek justice for United
8 States victims of terrorism and to hold terrorists and their
9 state-sponsors accountable for their actions.

1 (b) PREEMPTION.—United States law regarding vic-
2 tims of terrorism supersedes the Algiers Accords and any
3 other agreement with Iran stemming from the holding of
4 United States hostages in Iran from November 4, 1979,
5 through January 20, 1981.

6 **SEC. 2. JUSTICE AND COMPENSATION FOR UNITED STATES**

7 **CITIZENS TAKEN HOSTAGE BY IRAN ON NO-**
8 **EMBER 4, 1979.**

9 (a) INAPPLICABILITY OF ALGIERS ACCORDS.—Any
10 provision of the Algiers Accords, entered into with Iran
11 on January 19, 1981, that purports to prohibit a United
12 States citizen from prosecuting any claim (relating to the
13 taking of United States citizens hostage in Iran on No-
14 vember 4, 1979) in any court of the United States or to
15 limit the jurisdiction of any court (with respect to such
16 matter) of the United States is hereby abrogated and
17 deemed not applicable.

18 (b) PAYMENTS.—Not later than 30 days after the
19 date of the enactment of this Act, the President shall di-
20 rect payments in accordance with subsection (c) to a com-
21 mon fund to be established and administered by certified
22 class representatives for United States citizens who were
23 hostages in Iran (as identified in case number
24 1:00CV03110 (EGS) of the United States District Court
25 for the District of Columbia). Such common fund shall

1 make payments in accordance with subsection (b) for the
2 benefit of such United States citizens.

3 (c) AMOUNTS.—Compensation from the common
4 fund shall be paid as follows:

5 (1) For each former hostage identified in such
6 case number 1:00CV031110 (EGS) of the United
7 States District Court for the District of Columbia,
8 \$1,000 for each day of captivity.

9 (2) For each spouse and child of a hostage re-
10 ferred to in paragraph (1), or the estate of such hos-
11 tage if deceased, including those spouses and chil-
12 dren identified as a class member, \$500 for each day
13 of captivity of the former hostage.

14 (3) Interest calculated at 9 percent, rep-
15 resenting the annual average of the daily prime rate
16 from the date of taking of a hostage who is receiving
17 compensation under this section to the date of pay-
18 ment, compounded annually, for the period from the
19 date of such taking until the date of payment under
20 such subsection.

21 (d) FUNDING.—Payments to the common fund (suffi-
22 cient to cover the compensation paid in accordance with
23 subsection (b)) shall be made in the following order:

24 (1) Amounts in the Iran Foreign Military Sales
25 Program account, in its entirety.

1 (2) Blocked assets of terrorist parties, as such
2 term is defined in section 201(d)(2) of the Ter-
3 rorism Risk Insurance Act of 2002 (Public Law
4 107–297; 28 U.S.C. 1610 note).

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