

News from Senator

BOB DOLE



(R - Kansas)

2213 Dirksen Building, Washington, D.C. 20510

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CONTACT: BOB WAITE
(202) 224-8953

DOLE TO INTRODUCE BILL TO ALLOW LITIGATION AGAINST FOREIGN STATES

WASHINGTON-- Senator Bob Dole (R.-Kansas) plans to introduce legislation next week which will allow American nationals access to the federal court system to seek compensation for injuries inflicted by foreign governments.

Dole's bill would amend the Foreign Sovereign Immunities Act to allow corporations and private citizens to sue a foreign government in U.S. federal courts for certain violations of international law or for enforcement of any money judgment rendered by the International Court of Justice.

Senator Dole and Senator Howell Heflin (D-Ala.) considered introducing similar legislation during the last session of Congress, but, at the request of the State Department, they held introduction of the bill until the American hostages were released.

"This proposal does not directly affect what remains of the blocked Iranian assets or indeed take punitive action against Iran," Dole said in a statement today. "Rather, it attempts to give American citizens some access to federal courts to seek compensation for injuries inflicted by foreign governments. For example, the hostages and their families probably have no right under existing law to sue Iran in our courts for these actions against them because the Foreign Sovereign Immunities Act only allows such law suits where torts are committed in the United States. This bill will expand federal jurisdiction to torts committed in whole or in part in U.S. diplomatic missions and consulates, and to torts committed elsewhere when international law is violated and the aggrieved party is a U.S. national."

Soviet Veto

Senator Dole, who is a member of the Senate Judiciary Committee and is Chairman of the Senate Finance Committee, added that, "Though the International Court of Justice has held that the United States is entitled to recover money from Iran for the injuries done to the hostages, such a judgment can be enforced only by the U.N. Security Council, where the Soviet Union has a veto. To cure this difficulty, the amendment would allow federal courts to enforce decisions by the International Court in certain specific circumstances."

Dole said, "In sum, grave foreign policy questions surrounding the captivity of the American hostages in Iran will not fade with their release. Foreign terrorists, nations unconcerned by the dictates of law, and other adversaries will not allow us to ignore such problems. WE must take actions to protect our legitimate interests and this legislation is a first step," Dole concluded.