

108TH CONGRESS  
1ST SESSION

# H. R. 3603

To provide for the adjudication of claims of nationals of the United States against the Government of Iraq arising during the period beginning on May 16, 1987, and ending on May 1, 2003.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2003

Mr. GERLACH (for himself, Mr. MCGOVERN, Ms. BERKLEY, Ms. ROSLEHTINEN, and Mr. GALLEGLY) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To provide for the adjudication of claims of nationals of the United States against the Government of Iraq arising during the period beginning on May 16, 1987, and ending on May 1, 2003.

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. SHORT TITLE.**

4 This Act may be cited as the “Iraq Claims Act of  
5 2003”.

1 **SEC. 2. DETERMINATION AND CERTIFICATION OF INDI-**  
2 **VIDUAL AND CORPORATE CLAIMS.**

3 (a) **IN GENERAL.**—Not later than 3 years after the  
4 date of the enactment of this Act, the Commission shall  
5 determine, in accordance with applicable substantive law  
6 (including international law), the validity and amount of  
7 each individual and corporate claim, and shall certify such  
8 determination to the Secretary of State and the Secretary  
9 of the Treasury. Such certification shall be in the form  
10 of a single document, listing each valid claim, and shall  
11 include with the listing of each claim the name and ad-  
12 dress of the claimant and the amount of such claim, in-  
13 cluding interest, determined by the Commission to be  
14 valid.

15 (b) **APPLICABILITY OF THE INTERNATIONAL CLAIMS**  
16 **SETTLEMENT ACT OF 1949.**—Except to the extent incon-  
17 sistent with the provisions of this Act, the provisions of  
18 title I of the International Claims Settlement Act of 1949  
19 (22 U.S.C. 1621 et seq.) shall apply with respect to each  
20 individual and corporate claim under this section to the  
21 same extent as such provisions apply to claims under such  
22 title. Any reference in such provisions to “this title” shall  
23 be deemed to refer to those provisions and to this Act.

24 (c) **AWARD OF INTEREST.**—In determining the  
25 amount of any valid claim pursuant to this section, the  
26 Commission shall award interest on the amount of the

1 claim for the period beginning on the date that the injury,  
2 loss, or damage that forms the basis of the claim occurred  
3 and ending on the date that the claim is settled. Interest  
4 shall be awarded at the rate set by the Secretary of the  
5 Treasury under section 1961(a) of title 28, United States  
6 Code, as of the date that the Commission determines the  
7 validity of the claim. Interest shall be computed daily to  
8 the date of the settlement of the claim, and shall be com-  
9 pounded annually.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) COMMISSION.—The term “Commission”  
13 means the Foreign Claims Settlement Commission  
14 of the United States.

15 (2) CORPORATE CLAIM.—The term “corporate  
16 claim” means a claim by any corporation, partner-  
17 ship, association, or other legal entity organized  
18 under the laws of the United States, any State, the  
19 District of Columbia, or any commonwealth, terri-  
20 tory, or possession of the United States against the  
21 Government of Iraq for injuries, losses, or other  
22 damages arising during the period beginning on May  
23 16, 1987, and ending on May 1, 2003.

24 (3) GOVERNMENT OF IRAQ.—The term “Gov-  
25 ernment of Iraq” includes agencies and instrumen-

1       talities of, and entities (including public sector enter-  
2       prises) controlled by, such government.

3               (4) INDIVIDUAL CLAIM.—The term “individual  
4       claim” means a claim by any citizen or national of  
5       the United States against the Government of Iraq  
6       for injuries, losses, or other damages arising during  
7       the period beginning on May 16, 1987, and ending  
8       on May 1, 2003.

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