

AMENDMENT NO. _____ Calendar No. _____

Purpose: To preserve the integrity of State law and conform to the requirements of federalism.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 2763

To provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. FLAKE

Viz:

- 1 Strike section 5(a) of the bill and insert the following:
- 2 (a) IN GENERAL.—Notwithstanding any other provi-
- 3 sion of Federal law, a State may allow a civil claim or
- 4 cause of action against a defendant to recover any artwork
- 5 or other cultural property unlawfully lost because of perse-
- 6 cution during the Nazi era or for damages for the taking
- 7 or detaining of any artwork or other cultural property un-
- 8 lawfully lost because of persecution during the Nazi era
- 9 to be commenced not later than 6 years after the actual
- 10 discovery by the claimant or the agent of the claimant of—

1 (1) the identity and location of the artwork or
2 cultural property; and

3 (2) information or facts sufficient to indicate
4 that the claimant has a claim for a possessory inter-
5 est in the artwork or cultural property that was un-
6 lawfully lost.