



Federal Bar Association

September 14, 2016

The Honorable Charles Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Patrick Leahy
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Holocaust Expropriated Art Recovery Act of 2016, S. 2763

Dear Chairman Grassley and Ranking Member Leahy:

I wrote on behalf of the Federal Bar Association to express our strong support for the Holocaust Expropriated Art Recovery Act of 2016, S. 2763, set for consideration during the Executive Business Meeting of the Senate Judiciary Committee on September 15. The Federal Bar Association is the nation's foremost bar association devoted to federal jurisprudence and the practice of law in the federal court system.

The Federal Bar Association has supported Congressional action to address identification and ownership issues related to Nazi –confiscated artworks, pursuant to the Washington Conference Principles on Nazi-Confiscated Art, as signed by the United States and the international community. The Federal Bar Association is concerned that victims of such looting do not have a forum in which to resolve their claims on the merits. Those concerns would be mitigated by S. 2763, which would preempt existing statutes of limitation or defenses relating to the passage of time, and establish a statutory imitation period of six years after the actual discovery of Nazi-confiscated artwork by the lawful owners.

Beginning with the London Declaration, the United States has supported a policy of returning Nazi-confiscated art, including art taken through forced and coerced transfers, to its countries of origin, with the expectation that the art would be returned to lawful owners. Under U.S. leadership, the international community has endorsed these principles as well. In the 1998 Washington Principles on Nazi-Confiscated Art and the Terezin Declaration of the 2009 Prague Conference on Holocaust Assets, more than forty countries joined the United States in agreeing that their respective legal systems or alternative dispute resolution processes should facilitate just and fair solutions for art that was taken by the Nazis and heir collaborators.

The Federal Bar Association supports the return of stolen art to the victims of Nazism and the final resolution of this unfinished business from World War II. The Holocaust Expropriated Art Recovery Act of 2016, S. 2763, would go far in addressing the Federal Bar Association's interest in U.S. compliance with the Washington Conference principles and in providing a fair and impartial forum for the resolution of such claims.

We urge the Senate Judiciary Committee to approve the Holocaust Expropriated Art Recovery Act and send it to the Senate floor as promptly as possible.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'K. Silberman', with a stylized flourish at the end.

Karen Silberman
Executive Director