

115TH CONGRESS
1ST SESSION

S. 447

To require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2017

Ms. BALDWIN (for herself, Mr. RUBIO, Mr. BLUMENTHAL, Mr. CASEY, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HATCH, Mr. JOHNSON, Mr. MARKEY, Mr. MCCAIN, Mr. PETERS, Mr. SCHUMER, Mr. THUNE, Ms. WARREN, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

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 “Justice for Uncompen-
5 sated Survivors Today (JUST) Act of 2017”.

6 **SEC. 2. ANNUAL REPORTING ON HOLOCAUST ERA ASSETS**
7 **AND RELATED ISSUES.**

8 (a) IN GENERAL.—For covered countries, the Sec-
9 retary of State shall annually include within either the rel-

1 evant Annual Country Report on Human Rights, the
2 International Religious Freedom Report, or other appro-
3 priate report as determined by the Secretary, an assess-
4 ment and description of the nature and extent of national
5 laws or enforceable policies regarding the identification
6 and the return of or restitution for wrongfully seized or
7 transferred Holocaust era assets and compliance with or
8 progress toward the goals and objectives of the 2009
9 Terezin Declaration on Holocaust Era Assets and Related
10 Issues, including—

11 (1) the return to the rightful owner of any
12 property, including religious or communal property,
13 that was wrongfully seized or transferred;

14 (2) if return of such property is no longer pos-
15 sible, the provision of comparable substitute property
16 or the payment of equitable compensation to the
17 rightful owner in accordance with principles of jus-
18 tice and through an expeditious claims-driven admin-
19 istrative process that is just, transparent, and fair;

20 (3) the use of the Washington Conference Prin-
21 ciples on Nazi-Confiscated Art, agreed to December
22 3, 1998, and the Terezin Declaration on Holocaust
23 Assets and Related Issues, agreed to June 30, 2009,
24 in settling all claims involving publically and pri-
25 vately held movable property;

1 (4) the restitution of heirless property to assist
2 needy Holocaust survivors, and for other purposes;

3 (5) the extent to which such laws and policies
4 are implemented and enforced in practice, including
5 through any applicable administrative or judicial
6 processes; and

7 (6) the mechanism for and demonstrable
8 progress on the resolution of claims for United
9 States citizen Holocaust survivors and United States
10 citizen family members of Holocaust victims.

11 (b) EFFECTIVE DATE OF INCLUSION.—

12 (1) INCLUSION IN ANNUAL COUNTRY REPORT
13 ON HUMAN RIGHTS OR INTERNATIONAL RELIGIOUS
14 FREEDOM REPORT.—If the Secretary of State in-
15 cludes the information required under subsection (a)
16 in the report required under section 116(d) of the
17 Foreign Assistance Act of 1961 (22 U.S.C.
18 2151n(d)) or the report required under section
19 102(b) of the International Religious Freedom Act
20 of 1998 (22 U.S.C. 6412(b)), the requirement to in-
21 clude such information shall apply beginning with
22 the first report submitted later than 180 days after
23 the date of the enactment of this Act.

24 (2) INCLUSION IN OTHER DEPARTMENT OF
25 STATE REPORT.—If the Secretary of State includes

1 the information required under subsection (a) in an
2 existing report of the Department of State other
3 than a report described in paragraph (1), the re-
4 quirement to include such information shall apply
5 beginning with the first report submitted later than
6 180 days after the date of the enactment of this Act.

7 (3) INCLUSION IN NEW REPORT.—If the Sec-
8 retary of State includes the information required
9 under subsection (a) in a new report, the Secretary
10 shall submit such report not later than one year
11 after the date of the enactment of this Act.

12 (c) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Foreign Relations
17 and the Committee on Appropriations of the
18 Senate; and

19 (B) the Committee on Foreign Affairs and
20 the Committees on Appropriations of the House
21 of Representatives.

22 (2) COVERED COUNTRIES.—The term “covered
23 countries” means signatories to the 2009 Terezin
24 Declaration on Holocaust Era Assets and Related
25 Issues that are determined by the Special Envoy for

1 Holocaust Issues, in consultation with expert non-
2 governmental organizations, to be countries of par-
3 ticular concern relative to the issues listed in sub-
4 section (a).

5 (3) WRONGFULLY SEIZED OR TRANSFERRED.—
6 The term “wrongfully seized or transferred” in-
7 cludes confiscations, expropriations, nationalizations,
8 forced sales or transfers, and sales or transfers
9 under duress during the Holocaust era or the period
10 of Communist rule of a covered country.

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