

S 2212

Foreign Cultural Exchange Jurisdictional Immunity Clarification Act

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Mar 20, 2012

**Current Status:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S1849)

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S1849)  
(Mar 20, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/2212>

Sponsor

**Name:** Sen. Feinstein, Dianne [D-CA]

**Party:** Democratic • **State:** CA • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hatch, Orrin G. [R-UT]	R · UT		Mar 20, 2012
Sen. Schumer, Charles E. [D-NY]	D · NY		Nov 27, 2012
Sen. Cornyn, John [R-TX]	R · TX		Dec 3, 2012
Sen. Coburn, Tom [R-OK]	R · OK		Dec 11, 2012
Sen. Coons, Christopher A. [D-DE]	D · DE		Dec 12, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 20, 2012

Subjects & Policy Tags

**Policy Area:**

Law

Related Bills

Bill	Relationship	Last Action
112 HR 4086	Related bill	<b>Mar 20, 2012:</b> Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Foreign Cultural Exchange Jurisdictional Immunity Clarification Act - Amends the federal judicial code with respect to denial of a foreign state's immunity from the jurisdiction of U.S. or state courts (under the Foreign Sovereign Immunities Act) in cases where rights in property taken in violation of international law are in issue and that property (or any property exchanged for it) is: (1) present in the United States in connection with a commercial activity carried on by the foreign state in the United States; or (2) owned by an agency or instrumentality of the foreign state, and that agency or instrumentality is engaged in a commercial activity in the United States.

Prohibits consideration as a commercial activity (excluded from jurisdictional immunity) any activity in the United States of a foreign state, or of any carrier, associated with a temporary exhibition or display if: (1) the work of art (or other object of cultural significance) in question is imported into the United States from any foreign country pursuant to an agreement for its temporary exhibit or display between a foreign state that is its owner or custodian and the United States or cultural or educational institutions within it; and (2) the President has determined, with notice in the Federal Register, that such work is culturally significant and its temporary exhibition or display is in the national interest. (Thus grants jurisdictional immunity to the foreign state and associated carrier for such works.)

Denies application of this prohibition to cases in which: (1) the action filed is based upon a claim that the work was taken in Europe in violation of international law by the Nazi government of Germany or governments occupied, assisted, or allied by the Nazi government between January 30, 1933, and May 8, 1945; (2) the court determines that the activity associated with the exhibition or display is commercial; and (3) that determination is necessary for the court to exercise jurisdiction over the foreign state.

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### **Actions Timeline**

- **Mar 20, 2012:** Introduced in Senate
- **Mar 20, 2012:** Sponsor introductory remarks on measure. (CR S1848-1849)
- **Mar 20, 2012:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S1849)