

S 3155

Foreign Cultural Exchange Jurisdictional Immunity Clarification Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Jul 11, 2016

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 632.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 632. (Sep 15, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/3155>

Sponsor

Name: Sen. Hatch, Orrin G. [R-UT]

Party: Republican • State: UT • Chamber: Senate

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coons, Christopher A. [D-DE]	D · DE		Jul 11, 2016
Sen. Cornyn, John [R-TX]	R · TX		Jul 11, 2016
Sen. Feinstein, Dianne [D-CA]	D · CA		Jul 11, 2016
Sen. Lee, Mike [R-UT]	R · UT		Jul 11, 2016
Sen. Schumer, Charles E. [D-NY]	D · NY		Jul 11, 2016
Sen. Tillis, Thomas [R-NC]	R · NC		Jul 11, 2016
Sen. Blumenthal, Richard [D-CT]	D · CT		Jul 13, 2016
Sen. Durbin, Richard J. [D-IL]	D · IL		Sep 6, 2016
Sen. Franken, Al [D-MN]	D · MN		Sep 6, 2016
Sen. Graham, Lindsey [R-SC]	R · SC		Sep 7, 2016
Sen. Udall, Tom [D-NM]	D · NM		Sep 8, 2016
Sen. Klobuchar, Amy [D-MN]	D · MN		Sep 12, 2016
Sen. Grassley, Chuck [R-IA]	R · IA		Sep 15, 2016
Sen. Leahy, Patrick J. [D-VT]	D · VT		Sep 15, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Sep 15, 2016

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
114 HR 6477	Related bill	Dec 16, 2016: Became Public Law No: 114-319.
114 S 2648	Related bill	Mar 8, 2016: Read twice and referred to the Committee on Finance.
114 HR 889	Related bill	Jun 10, 2015: Received in the Senate.

Summary (as of Sep 15, 2016)

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Foreign Cultural Exchange Jurisdictional Immunity Clarification Act

(Sec. 2) This bill amends the federal judicial code with respect to denial of a foreign state's sovereign immunity from the jurisdiction of U.S. or state courts in commercial activity 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.

The bill grants a foreign state or certain carriers immunity from federal or state court jurisdiction for any activity in the United States associated with a temporary exhibition or display of a work of art or other object of cultural significance if:

- the work of art or other object of cultural significance is imported into the United States from any foreign country pursuant to an agreement for its temporary exhibition or display between a foreign state that is its owner or custodian and the United States or U.S. cultural or educational institutions; and
- the President has determined that such work is culturally significant and its temporary exhibition or display is in the national interest.

The bill denies immunity, however, in cases concerning rights in property taken in violation of international law in which the action is based upon a claim that the work was taken: (1) between January 30, 1933, and May 8, 1945, by the government of Germany or any government in Europe occupied, assisted, or allied by the German government; or (2) after 1900 in connection with the acts of a foreign government against members of a targeted group as part of a similar systematic confiscation or misappropriation of works. For purposes of these denials of immunity, the court must determine that the activity associated with the exhibition or display is commercial and that determination must be necessary for the court to exercise jurisdiction over the foreign state.

Actions Timeline

- **Sep 15, 2016:** Committee on the Judiciary. Ordered to be reported without amendment favorably.
- **Sep 15, 2016:** Committee on the Judiciary. Reported by Senator Grassley without amendment. Without written report.
- **Sep 15, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 632.
- **Jul 11, 2016:** Introduced in Senate
- **Jul 11, 2016:** Read twice and referred to the Committee on the Judiciary.