

106TH CONGRESS
1ST SESSION

H. R. 3402

To amend title 28, United States Code, to authorize Federal district courts to hear civil actions to recover damages for deprivation of property under or resulting from the Nazi government of Germany.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1999

Mr. RAMSTAD introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to authorize Federal district courts to hear civil actions to recover damages for deprivation of property under or resulting from the Nazi government of Germany.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CIVIL ACTIONS IN FEDERAL COURTS FOR DEP-**
2 **RIVATION OF PROPERTY UNDER OR RESULT-**
3 **ING FROM THE NAZI GOVERNMENT OF GER-**
4 **MANY.**

5 (a) AMENDMENT OF TITLE 28.—Chapter 85 of title
6 28, United States Code, is amended by inserting after sec-
7 tion 1350 the following new section:

8 **“§ 1350A. Actions for deprivation of property under**
9 **or resulting from the Nazi government of**
10 **Germany**

11 “(a) JURISDICTION.—Notwithstanding any otherwise
12 applicable limitation period for commencing an action, the
13 district courts shall have original jurisdiction over and au-
14 thority to grant relief in any civil action commenced by
15 any person, or the heirs of such person, on or before Janu-
16 ary 1, 2010, to recover damages or secure any other ap-
17 propriate relief resulting from such person’s having been
18 deprived of property located in Germany, or in any terri-
19 tory occupied or controlled by the Nazi regime or its allies,
20 at any time between January 1, 1929, and December 31,
21 1945, pursuant to or as a result of laws, decrees, or regu-
22 lations of the German government, or programs of such
23 government designed to transfer ownership of such prop-
24 erty to persons of Aryan racial stock.

25 “(b) ADJUDICATION OF MERITS OF CLAIMS.—Not-
26 withstanding any judicial doctrine imposing prudential

1 limitations on the exercise of judicial authority, a district
2 court shall, to the fullest extent of its power, adjudicate
3 the merits of any action over which the court has jurisdic-
4 tion under subsection (a).

5 “(c) AMENABILITY OF DEFENDANTS TO SUITS.—
6 Any defendant in any action brought under subsection (a)
7 shall be amenable to suit to the fullest extent permitted
8 by the Constitution of the United States.

9 “(d) EFFECTIVE DATE.—The provisions of this sec-
10 tion shall apply to any action pending or filed in a State
11 court or in a district court or appellate court of the United
12 States on or after October 15, 1999.”.

13 (b) CONFORMING AMENDMENT.—The table of sec-
14 tions for chapter 85 of title 28, United States Code, is
15 amended by inserting after the item relating to section
16 1350 the following new item:

“1350A. Actions for deprivation of property under the Nazi government of Ger-
many.”.

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