

What to Know About the Holocaust Expropriated Art Recovery (HEAR) Act

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The 2025 Holocaust Expropriated Art Recovery Act (2025 HEAR Act) is a new law that may make it easier for owners and their heirs to recover art and personal property lost because of Nazi persecution. Parties no longer have to overcome certain procedural and technical barriers that previously prevented claims from being heard on their merits.

The 2025 HEAR Act specifically applies to artwork or property that was confiscated, lost, or sold under duress between 1933 and 1945. Congress passed this Act because of a common issue: victims of Nazi persecution and their heirs would discover that they had a claim to property, only to find their claims time-barred by state statutes of limitations. Under the Act, a claimant now has six years to file a claim after discovering (1) the identity and location of the artwork or property; and (2) the claimant's right to possess it.

The most significant change under the Act is that U.S. courts can no longer dismiss claims based on particular technicalities that used to be obstacles for claimants, such as certain arguments related to how old the claim is or whether a U.S. court is the right place to litigate it. The 2025 HEAR Act also makes it easier for plaintiffs to bring claims against foreign governments, a significant change for claimants who believe their art is held in a foreign, state-owned collection. The Act applies to potential claims, active cases, and cases pending appeal. As a result, some parties who are appealing prior dismissal of their cases have a renewed opportunity to have their claims heard.

Although the 2025 HEAR Act removes barriers, it does not guarantee that plaintiffs will win on their claims. Claimants will continue to face challenges proving, with evidence, that their family owned property during the relevant time period, and that it was lost due to Nazi persecution. Defendants will still have the opportunity to establish their arguments on why they are the superior owners of the property. The difference is that now, claimants have the opportunity for arguments and evidence to be identified and explored through the legal process, rather than dismissed on procedural technicalities.

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