

The Helms-Burton Act, Pub. L. No. 104-114 (1996) (the Act), allows U.S. nationals with claims to property confiscated by the Cuban Castro regime to bring civil suits for damages against any person who “traffic[ed]” in such “confiscated” property. In *Id v. Société Générale, S.A.*, --- F.4th ---, 2025 WL 37146 (2d Cir. 2025), the U.S. Court of Appeals for the Second Circuit considered whether the time bar provision in the Act, 22 U.S.C. §6084, is a statute of repose or a statute of limitations.

In a unanimous opinion authored by Circuit Judge Robert D. Sack and joined by

The Helms-Burton Act and Its Time Bar Provision

In 1996, congress enacted the Cuban Liberty and Democratic Solidarity Act, also known as the Helms-Burton Act. The Act creates a cause of action that authorizes U.S. nationals holding claims in property confiscated by the Cuban government on or after Jan. 1, 1959 to bring a private civil action against “any person that . . .

unable to bring a claim prior to the time bar for reasons beyond her control.

