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Congress of the United States
House of Representatives
Washington, DC 20515

December 15, 2015

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The Honorable Jacob Lew
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Secretary Lew,

In light of the recent announcement that you will chair a December 17, 2015 summit at the United Nations on strengthening global efforts to combat the financing of terrorism, we write to urge the United States and fellow members of the United Nations Security Council (UNSC) to consider further action to prevent terrorists such as ISIL from profiting from the looting and trafficking of antiquities.

UNSC Resolution 2199, unanimously adopted on February 12, 2015, noted that ISIL and other terrorist organizations “are generating income from engaging directly or indirectly in the looting and smuggling of cultural heritage items from archaeological sites, museums, libraries, archives, and other sites in Iraq and Syria, which is being used to support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks.”

Since UNSCR 2199 was adopted, documents and items seized by the United States during a May 15 raid on senior ISIL leader Abu Sayyaf shed further light on the looting and sale of cultural objects as a source of terrorist financing. On September 29, 2015, the Department of State’s Andrew Keller, Deputy Assistant Secretary for Counter Threat Finance and Sanctions, reported that “Documents obtained in this raid demonstrate that ISIL is well-organized to traffic in looted antiquities, that it devotes considerable administrative and logistical resources to this activity, and, most importantly, that it profits from this activity.... We are convinced, based on the evidence from the Abu Sayyaf raid that ISIL is engaged in the systematic looting and trafficking of antiquities, and that it derives significant income from these activities.”

To counter this source of terrorist financing, UNSCR 2199 called upon Member States to “take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011....”

We are working to support U.S. efforts to combat trafficking in cultural objects. On June 1, 2015, the U.S. House of Representatives passed H.R. 1493, the Protect and Preserve International Cultural

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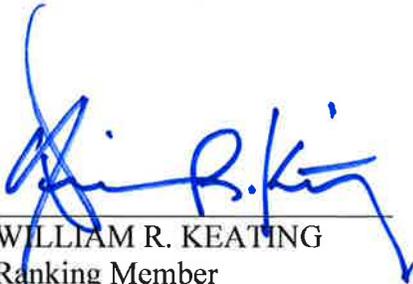
Property Act, which, among other provisions, would impose import restrictions on cultural property illegally removed from Syria. These restrictions mirror those currently in place for Iraq under the Emergency Protection for Iraqi Cultural Antiquities Act of 2004. We are working with our colleagues in the Senate to pass this legislation.

Further, we introduced a complementary bill, H.R. 2285, the Prevent Trafficking in Cultural Property Act, which would improve U.S. enforcement against trafficking in cultural property by enhancing coordination and training within the Department of Homeland Security to stop stolen objects from entering the United States and to investigate and then disrupt and dismantle the smuggling and trafficking networks that facilitate this illegal trade. On November 4, 2015, the House Committee on Homeland Security passed H.R. 2285 and we look forward to floor consideration of this bill.

The United States could take further action in implementing UNSCR 2199. For example, in March 2015, we wrote Acting Under Secretary for Terrorism and Financial Intelligence Adam Szubin requesting that the Department of Treasury's Office of Foreign Assets Control (OFAC) promulgate sanctions regulations to prohibit trade in cultural property unlawfully removed from Syria. These sanctions would be analogous to the sanctions on certain Iraqi cultural property in the Iraq Stabilization and Insurgency Sanctions Regulations, 31 C.F.R. Part 576. To date, OFAC has not put in place these sanctions to protect Syrian cultural property.

We applaud the effort to take further steps to counter terrorist financing through the upcoming U.N. summit and encourage you and your finance minister counterparts to include additional measures to combat antiquities looting and trafficking. Thank you for your continued leadership on, and your consideration of, these important issues.

Sincerely,



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Cc: Ambassador Samantha Power