

H.R. 5716, H.R. 5659, and H.R. 5613 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of these bills on the House floor.

Sincerely,

FRED UPTON,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 20, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN UPTON: Thank you for your letter regarding the following bills:

H.R. 5713, the "Sustaining Healthcare Integrity and Fair Treatment Act of 2016;"

H.R. 5659, the "Expanding Seniors Receiving Dialysis Choice Act of 2016;" and

H.R. 5613, to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

I am most appreciative of your decision to waive formal consideration of these measures so that they may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of these bills, the Committee on Energy and Commerce is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bills that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the Congressional Record during consideration of these measures on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. PASCRELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to introduce H.R. 5713 with Mr. TIBERI, Sustaining Healthcare Integrity and Fair Treatment Act. I think this is good legislation, not because my name is on it but because I thought a lot of thought came into this, and staff helped tremendously.

This is one of the areas I have tried to concentrate on since being in Congress: long-term and acute care. As the cofounder and co-chair of the Congressional Brain Injury Task Force, I understand the important role that long-term care hospitals play in the recovery of many individuals who suffer moderate to severe traumatic brain injuries, or TBIs.

I use this as one example, the area of TBI. If there is one thing I have learned about TBI in the 18 years I have been working on this issue, it is that recovery looks different for everyone, whether you are on the battlefield or you fall off a ladder trying to fix your roof.

I understand the important role that long-term care hospitals play. I want to repeat that. That is why we must, I believe, preserve access to all post-acute care options, so that patients can receive the individualized care they need, and we don't tell them: get out, because your time is up, in the middle of their treatment. And that is what the gentleman from Ohio (Mr. TIBERI) has talked about many times.

□ 1730

This is the right legislation, I believe, for this particular problem. H.R. 5713 would provide an additional 9 months of relief from the full implementation of the 25 percent rule for long-term care hospitals, which Mr. TIBERI mentioned. This bill includes technical changes for long-term hospitals.

H.R. 5713 would, first, clarify the application of rules on the calculation of the hospital length to certain moratorium-excepted LTCHs, the long-term care hospitals.

Second, it would correct the status of Calvary Hospital in New York City that has led to secondary-payer issues, big issues.

Third, it would provide a temporary exception to the application of the Medicare long-term care hospital site-neutral provisions for certain spinal cord specialty hospitals.

Fourth, it would exempt four payment codes for severe wounds from site-neutral payments.

This is a bipartisan piece of legislation. We can do this. We could do it, without exception, if you put people in the room who want to compromise, who don't know all the answers, and I don't. We could come to a conclusion.

This bill would offset the cost of this extension by implementing an important program integrity policy that would allow the Secretary to reject Medicare claims from new Medicare suppliers and providers located just outside of the moratorium areas.

While this bill is an important step forward, it is just a temporary Band-Aid on the 25 percent rule. I say to the gentleman, I don't believe it is a permanent solution, but I think it helps us. We need to work together to find a long-term solution to the issue.

I urge my colleagues to support this bill before us today.

Mr. Speaker, I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, I don't think I have any more speakers and am ready to close.

I reserve the balance of my time.

Mr. PASCRELL. Mr. Speaker, long-term hospitals are an important part of our post-acute care system. This bill will help preserve access and maintain fairness for these hospitals and their patients.

I urge my colleagues to support H.R. 5713, and it is my hope that this bill is taken up expeditiously on the other side of the building in the Senate.

Mr. Speaker, I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

I thank the Speaker for allowing me the opportunity to present this bill today, this bipartisan bill that came out of the Ways and Means Committee.

I really can't add much to what Mr. PASCRELL said, and I really appreciate his leadership, not only on this issue, but on the issue of traumatic brain injury. There has been nobody in the

Congress who has talked more, spent more time in educating folks and trying to come up with solutions to traumatic brain injury, and I appreciate his leadership.

I thank the Speaker for allowing us to present and advance this package, this healthcare package through the process today.

I ask all my colleagues to vote for it. We must help those beneficiaries that suffer from acute, long-term illness and injuries, and I believe this bill will do just that.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, H.R. 5713, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PREVENT TRAFFICKING IN CULTURAL PROPERTY ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2285) to improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prevent Trafficking in Cultural Property Act".

SEC. 2. DEFINITION.

In this Act, the term "cultural property" includes property covered under—

(1) Article 1 of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at the Hague on May 14, 1954 (Treaty 13 Doc. 106-1(A)); or

(2) Article 1 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, adopted by the United Nations Educational, Scientific and Cultural Organization ("UNESCO") on November 14, 1970.

SEC. 3. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) ensure the components of the Department of Homeland Security enhance and unify efforts to—

(A) interdict, detain, seize, and investigate cultural property illegally imported into the United States;

(B) disrupt and dismantle smuggling and trafficking networks and transnational criminal organizations engaged in, conspiring to engage in, or facilitating illegal

trade in cultural property, including stolen antiquities used to finance terrorism; and

(C) support Offices of United States Attorneys in prosecuting persons engaged in, conspiring to engage in, or facilitating illegal trade in cultural property; and

(2) protect cultural property pursuant to its obligations under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, and the Convention on Cultural Property Implementation Act (19 U.S.C. 2601–2613).

SEC. 4. ACTIVITIES OF THE DEPARTMENT OF HOMELAND SECURITY.

The Commissioner of U.S. Customs and Border Protection and the Director of U.S. Immigration and Customs Enforcement shall—

(1) designate a principal coordinator within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, to direct, manage, coordinate, and update their respective policies and procedures, as well as conduct interagency communications, regarding illegally imported cultural property;

(2) update existing directives, regulations, rules, and memoranda of understanding of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, and, if necessary, devise additional directives, regulations, rules, and memoranda of understanding, relating to policies and procedures on the illegal importation of cultural property in order to—

(A) reflect changes in cultural property law, including changes and updates to relevant treaties, bilateral agreements, statutes, regulations, and case law that occurred subsequent to Customs Directive No. 5230–015, “Customs Directive on Detention and Seizure of Cultural Property”, dated April 18, 1991;

(B) emphasize investigating, and providing support for investigations and prosecutions, of persons engaged in, conspiring to engage in, or facilitating the illegal importation of cultural property, including smugglers, dealers, buyers, money launderers, and any other appropriate parties; and

(C) provide for communication and coordination between relevant U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement offices, respectively, in investigating and supporting prosecutions of persons engaged in, conspiring to engage in, or facilitating the illegal importation of cultural property; and

(3) ensure relevant personnel within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, receive sufficient training in—

(A) relevant cultural property laws;

(B) the identification of cultural property that is at greatest risk of looting and trafficking; and

(C) methods of interdiction and investigative techniques specifically related to illegal trade in cultural property.

SEC. 5. ROLE OF THE SMITHSONIAN INSTITUTION.

The Secretary of Homeland Security shall ensure that the heads of all components of the Department of Homeland Security involved in cultural property protection activities are authorized to enter into agreements or memoranda of understanding with the Smithsonian Institution to temporarily engage personnel from the Smithsonian Institution for the purposes of furthering such cultural property protection activities.

SEC. 6. REPORT.

Not later than one year after the date of the enactment of this Act and three years

thereafter, the Commissioner of U.S. Customs and Border Protection and the Commissioner of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives and the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate a report on—

(1) the progress of the implementation of this Act; and

(2) other actions to enhance and unify efforts to interdict, detain, seize, and investigate cultural property illegally imported into the United States, and investigate, disrupt, and dismantle smuggling and trafficking networks engaged in, conspiring to engage in, or facilitating the illegal importation of cultural property.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2285 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Massachusetts (Mr. KEATING) has done good work here and we are deeply appreciative, and I think all Americans are when they learn about what is in this piece of legislation. It enjoys broad bipartisan support, and I am here to urge its passage. Let me tell you briefly about it.

The Prevent Trafficking in Cultural Property Act is a key component in the fight against terrorism. This bill will allow us to launch a strategic blow to ISIS by cutting off one of their main fundraising sources. ISIS and their network loot and smuggle artifacts from world heritage sites and sell them on the black market to fund their terrorist activities. We can and we must put an end to this.

The Department of Homeland Security is responsible for detecting and collecting stolen artifacts from the U.S., but illegal trade of valuable artifacts continues to grow, and much more needs to be done to address this very serious problem. That is where Mr. KEATING and this bill come into play.

This bill creates a clear U.S. policy to stop and prevent the trafficking of historic artifacts by providing the U.S. Government with the tools it needs to effectively detain, seize, and investigate historic objects that are illegally imported into the U.S.

Because ISIS relies heavily on cash to carry out its terrorist activities, passing this bill is an important step in taking down a group that has caused so much harm, so much heartache, and so

much anxiety to Americans, our allies, and innocent civilians around the world.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 14, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: I write with respect to H.R. 2285, the “Prevent Trafficking in Cultural Property Act,” which was referred to the Committee on Ways and Means and in addition to the Committee on the Judiciary among others. As a result of your having consulted with us on provisions within H.R. 2285 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2285 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 2285 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during floor consideration of H.R. 2285.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 15, 2016.
Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 2285, the “Prevent Trafficking in Cultural Property Act.” As you noted, the Committee on the Judiciary was granted an additional referral of the bill.

I am most appreciative of your decision to waive formal consideration of H.R. 2285 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on the Judiciary is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the Congressional Record during consideration of this legislation on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2285. I would like to thank my colleague from Illinois (Mr. ROSKAM) for

his strong support in trying to eradicate a major funding source for a terrorist group that is causing great destruction all over the world now, ISIL.

I rise in support of H.R. 2285. It is a bill to prevent stolen and illicit cultural property from financing terrorist and criminal networks, and also to improve enforcement and prosecution against trafficking in cultural property.

Mr. Speaker, H.R. 2285, the Prevent Trafficking in Cultural Property Act, is a bipartisan bill aimed at stopping ISIL and other terrorist groups from advancing their activities through the sale of stolen antiquities and other cultural property. Along with oil and hostage-taking, this is one of the leading sources of their terrorist financing.

To date, ISIL has reportedly plundered tens of millions of dollars from antiquities stolen in Syria alone. In just one 4-month period, at the end of 2014 and the beginning of 2015, ISIL earned more than \$265,000 in what they term “taxes” on the sale of antiquities. I was struck by intelligence indicating that ISIL had stolen \$36 million from one site alone in al-Nabuk, west of Damascus.

As a member of the Homeland Security Committee, we work with Customs and Border Patrol and Immigration and Customs Enforcement officials, and we have learned that there was a gap in enforcement of laws and regulations against trafficking in cultural property, and there was a real need to require greater information sharing across agencies and to better equip personnel to identify stolen antiquities and trafficking networks. This bill closes this gap by expanding trainings for personnel and by enhancing coordination between Customs and Border Protection and Immigration and Customs Enforcement.

H.R. 2285 also increases cooperation with agencies outside the Department of Homeland Security, authorizing memorandums of understanding with groups like the Smithsonian Institution to promote collaboration around cultural property protection activities and training our personnel to spot these illegal acts.

ISIL forces have been terrorizing communities across the Middle East, targeting ethnic and religious minorities with acts of enslavement and genocide. Their attacks have been directed not only against people, but against ancient historic sites, works of art, objects, monuments, and buildings, as ISIL has worked to destroy all evidence of the region’s rich cultural, historical, and religious identity. What ISIL does not destroy, it sells to generate income for their terrorist acts.

This legislation would help cut off an important revenue stream for ISIL and, by working to close the illicit antiquities market in the United States, would ultimately reduce the incentives in Iraq and Syria to loot and steal antiquities in the first place.

We must act to disrupt these smuggling and trafficking networks so that

ISIL may not profit from the destruction of the cultural and heritage backgrounds of this region, so that the remaining treasured cultural and historic sites throughout Syria and Iraq will live on.

I urge my colleagues to join me in support of this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ENGEL), the ranking member of the Committee on Foreign Affairs.

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. KEATING) for yielding to me. He is a very valued member of the Foreign Affairs Committee and, once again, he is doing excellent work with this bill, and Mr. ROSKAM as well.

I am proud to be an original cosponsor of this bill. I am grateful for the work that Mr. KEATING has done to shine a light on the challenge of antiquities looting.

We hear these stories about ISIS terrorists destroying heritage sites and smashing statutes, and it is heart-breaking. They are trying to wipe away history. But I have heard people say: Well, this is bad, but shouldn’t we be focused on stopping violence and killing?

Well, make no mistake; these practices go hand in hand. It is not a matter of choosing one over the other. Before ISIS extremists pulverize statues and temples, they loot whatever they can carry and peddle these items on the black market. I have a bill—a law, actually—that has been passed involving these antiquities in Syria. This is a funding source for their campaign of terror; so, by confronting the problem, we are working to cut off a valuable resource for ISIS.

As I mentioned, I am proud that, earlier this year, the President signed a law that I authored to impose new import restrictions on antiquities looted from Syria during the current conflict. Mr. KEATING and Mr. ROSKAM’s measure goes a step further to help provide the training needed to enforce the protections we have put in place.

The new restrictions are similar to what we have imposed for Iraq a number of years ago. They are designed to undermine the market for looted antiquities and ensure that antiquities sold by terrorist organizations don’t find their way to our shores.

Before these restrictions can do their job, however, law enforcement needs tools and training to identify stolen antiquities so they don’t slip through our ports. Mr. KEATING’s legislation will help make sure Customs and Border Protection and Immigration and Customs Enforcement officers are able to intercept and investigate cultural property illegally imported into the United States. It will make it easier for them to root out the trafficking networks responsible for this trafficking, and it expresses support for the U.S. attorneys we depend on for prosecuting these cases.

This is not a new job for these officers. For years they have worked to prevent trafficking in illegal antiquities. But their jobs are harder than ever. This bill will get them the legal tools and training they need to get that job done.

So, Mr. Speaker, we need every tool at our disposal to deny ISIS funding and resources. That is what we are doing when we focus on antiquities looting. At the same time, we are working to preserve cultural heritage that is increasingly under threat.

So I thank Mr. KEATING for his leadership and hard work. I thank him for bringing the bill forward. I am very pleased to support it, and I urge all Members to do the same.

□ 1745

Mr. KEATING. Mr. Speaker, I just want to thank the gentleman from Illinois (Mr. ROSKAM) for his support in this. I want to thank the 19 cosponsors of this legislation, including the gentleman from New York (Mr. ENGEL) who just spoke and who is the ranking member of the Foreign Affairs Committee, and the gentleman from Texas (Mr. McCAUL) who is the chair of the Homeland Security Committee.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I think our constituents are really heartened when they see both parties coming together to work on things of national importance. Without question, H.R. 2285 is in that category. It is a tool that we need to combat ISIS.

I commend Mr. KEATING, and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 2285, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RESTRAINING EXCESSIVE SEIZURE OF PROPERTY THROUGH THE EXPLOITATION OF CIVIL ASSET FORFEITURE TOOLS ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5523) to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another