

Calendar No. \_\_\_\_\_

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 1493**

IN THE SENATE OF THE UNITED STATES

JUNE 2, 2015

Received; read twice and referred to the Committee on Foreign Relations

\_\_\_\_\_ (legislative day, \_\_\_\_\_), \_\_\_\_\_

Reported by Mr. CORKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]**AN ACT**

To protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes.

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

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Protect and Preserve  
5        International Cultural Property Act”.

6        **SEC. 2. DEFINITION.**

7        In this Act:



1 November 14, 1970 (commonly referred to as  
2 the “1970 UNESCO Convention”).

3 **SEC. 3. FINDINGS AND STATEMENT OF POLICY.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Over the years, international cultural prop-  
6 erty has been looted, trafficked, lost, damaged, or  
7 destroyed due to political instability, armed conflict,  
8 natural disasters, and other threats.

9 (2) During China’s Cultural Revolution, many  
10 antiques were destroyed, including a large portion of  
11 old Beijing, and Chinese authorities are now at-  
12 tempting to rebuild portions of China’s lost architec-  
13 tural heritage.

14 (3) In 1975, the Khmer Rouge, after seizing  
15 power in Cambodia, systematically destroyed  
16 mosques and nearly every Catholic church in the  
17 country, along with many Buddhist temples, statues,  
18 and Buddhist literature.

19 (4) In 2001, the Taliban destroyed the  
20 Bamiyan Buddhas, ancient statues carved into a  
21 cliffside in central Afghanistan, leading to worldwide  
22 condemnation.

23 (5) After the fall of Saddam Hussein, thieves  
24 looted the Iraq Museum in Baghdad, resulting in the  
25 loss of approximately 15,000 items, including an-

1       cient amulets, sculptures, ivories, and cylinder seals.  
2       Many of these items remain unrecovered.

3           (6) The 2004 Indian Ocean earthquake and  
4       tsunami not only affected 11 countries, causing mas-  
5       sive loss of life, but also damaged or destroyed li-  
6       braries, archives, and World Heritage Sites such as  
7       the Mahabalipuram in India, the Sun Temple of  
8       Koranak on the Bay of Bengal, and the Old Town  
9       of Galle and its fortifications in Sri Lanka.

10          (7) In Haiti, the 2010 earthquake destroyed  
11       art, artifacts, and archives, and partially destroyed  
12       the 17th century Haitian city of Jacmel.

13          (8) In Mali, the Al-Qaeda affiliated terrorist  
14       group Ansar Dine destroyed tombs and shrines in  
15       the ancient city of Timbuktu—a major center for  
16       trade, scholarship, and Islam in the 15th and 16th  
17       centuries—and threatened collections of ancient  
18       manuscripts.

19          (9) In Egypt, recent political instability has led  
20       to the ransacking of museums, resulting in the de-  
21       struction of countless ancient artifacts that will for-  
22       ever leave gaps in humanity's record of the ancient  
23       Egyptian civilization.

24          (10) In Syria, the ongoing civil war has resulted  
25       in the shelling of medieval cities, damage to five

1 World Heritage Sites, and the looting of museums  
2 containing artifacts that date back more than six  
3 millennia and include some of the earliest examples  
4 of writing.

5 (11) In Iraq and Syria, the militant group ISIL  
6 has destroyed numerous cultural sites and artifacts,  
7 such as the Tomb of Jonah in July 2014, in an ef-  
8 fort to eradicate ethnic and religious minorities from  
9 contested territories. Concurrently, cultural antiq-  
10 uities that escape demolition are looted and traf-  
11 ficked to help fund ISIL's militant operations.

12 (12) On February 12, 2015, the United Na-  
13 tions Security Council unanimously adopted resolu-  
14 tion 2199 (2015), which "[r]eaffirms its decision in  
15 paragraph 7 of resolution 1483 (2003) and decides  
16 that all Member States shall take appropriate steps  
17 to prevent the trade in Iraqi and Syrian cultural  
18 property and other items of archaeological, histor-  
19 ical, cultural, rare scientific, and religious impor-  
20 tance illegally removed from Iraq since 6 August  
21 1990 and from Syria since 15 March 2011, includ-  
22 ing by prohibiting cross-border trade in such items,  
23 thereby allowing for their eventual safe return to the  
24 Iraqi and Syrian people."

1           (13) United Nations Security Council resolution  
2           2199 (2015) also warns that ISIL and other extrem-  
3           ist groups are trafficking cultural heritage items  
4           from Iraq and Syria to fund their recruitment ef-  
5           forts and carry out terrorist attacks.

6           (14) The destruction of cultural property rep-  
7           resents an irreparable loss of humanity's common  
8           cultural heritage and is therefore a loss for all  
9           Americans.

10          (15) Protecting international cultural property  
11          is a vital part of United States cultural diplomacy,  
12          showing the respect of the United States for other  
13          cultures and the common heritage of humanity.

14          (16) The United States Armed Forces have  
15          played important roles in preserving and protecting  
16          cultural property. In 1943, President Franklin D.  
17          Roosevelt established a commission to advise the  
18          United States military on the protection of cultural  
19          property. The commission formed teams of individ-  
20          uals known as the "Monuments Men" who are cred-  
21          ited with securing, cataloguing, and returning hun-  
22          dreds of thousands of works of art stolen by the  
23          Nazis during World War II.

24          (17) The Department of State, in response to  
25          the Convention on Cultural Property Implementation

1 Act, noted that “the legislation is important to our  
2 foreign relations, including our international cultural  
3 relations. The expanding worldwide trade in objects  
4 of archaeological and ethnological interest has led to  
5 wholesale depredations in some countries, resulting  
6 in the mutilation of ceremonial centers and archae-  
7 ological complexes of ancient civilizations and the re-  
8 moval of stone sculptures and reliefs.”. The Depart-  
9 ment further noted that “[t]he United States con-  
10 siders that on grounds of principle, good foreign re-  
11 lations, and concern for the preservation of the cul-  
12 tural heritage of mankind, it should render assist-  
13 ance in these situations.”.

14 (18) The U.S. Committee of the Blue Shield  
15 was founded in 2006 to support the implementation  
16 of the 1954 Hague Convention for the Protection of  
17 Cultural Property in the Event of Armed Conflict  
18 and to coordinate with the United States military,  
19 other branches of the United States Government,  
20 and other cultural heritage nongovernmental organi-  
21 zations in preserving international cultural property  
22 threatened by political instability, armed conflict, or  
23 natural or other disasters.

24 (b) STATEMENT OF POLICY.—It shall be the policy  
25 of the United States to—

1           (1) protect and preserve international cultural  
2           property at risk of looting, trafficking, and destruc-  
3           tion due to political instability, armed conflict, or  
4           natural or other disasters;

5           (2) protect international cultural property pur-  
6           suant to its obligations under international treaties  
7           to which the United States is a party;

8           (3) prevent, in accordance with existing laws,  
9           importation of cultural property pillaged, looted, sto-  
10          len, or trafficked at all times, including during polit-  
11          ical instability, armed conflict, or natural or other  
12          disasters; and

13          (4) ensure that existing laws and regulations,  
14          including import restrictions imposed through the  
15          Office of Foreign Asset Control (OFAC) of the De-  
16          partment of the Treasury, are fully implemented to  
17          prevent trafficking in stolen or looted cultural prop-  
18          erty.

19 **SEC. 4. UNITED STATES COORDINATOR FOR INTER-**  
20 **NATIONAL CULTURAL PROPERTY PROTEC-**  
21 **TION.**

22          The Secretary of State shall designate a Department  
23          of State employee at the Assistant Secretary level or above  
24          to serve concurrently as the United States Coordinator for



1 International Cultural Property Protection: The Coordi-  
2 nator shall—

3           (1) coordinate and promote efforts to protect  
4 international cultural property, especially activities  
5 that involve multiple Federal agencies;

6           (2) act as Chair of the Coordinating Committee  
7 on International Cultural Property Protection estab-  
8 lished under section 5;

9           (3) resolve interagency differences;

10           (4) develop strategies to reduce illegal trade  
11 and trafficking in international cultural property in  
12 the United States and abroad, including by reducing  
13 consumer demand for such trade;

14           (5) support activities to assist countries that  
15 are the principle sources of trafficked cultural prop-  
16 erty to protect cultural heritage sites and to prevent  
17 cultural property looting and theft;

18           (6) work with and consult domestic and inter-  
19 national actors such as foreign governments, inter-  
20 governmental organizations, nongovernmental orga-  
21 nizations, museums, educational institutions, and re-  
22 search institutions to protect international cultural  
23 property; and

1           (7) submit to the appropriate congressional  
2           committees the annual report required under section  
3           6.

4 **SEC. 5. COORDINATING COMMITTEE ON INTERNATIONAL**  
5 **CULTURAL PROPERTY PROTECTION.**

6           (a) **ESTABLISHMENT.**—There is established a Coordi-  
7 nating Committee on International Cultural Property Pro-  
8 tection (in this section referred to as the “Committee”).

9           (b) **FUNCTIONS.**—The full Committee shall meet not  
10 less often than annually to coordinate and inform Federal  
11 efforts to protect international cultural property and to  
12 facilitate the work of the United States Coordinator for  
13 International Cultural Property Protection designated  
14 under section 4.

15           (c) **MEMBERSHIP.**—The Committee shall be com-  
16 posed of the United States Coordinator for International  
17 Cultural Property Protection, who shall act as Chair, and  
18 representatives of the following:

19                   (1) The Department of State.

20                   (2) The Department of Defense.

21                   (3) The Department of Homeland Security, in-  
22 cluding U.S. Immigration and Customs Enforcement  
23 and U.S. Customs and Border Protection.

24                   (4) The Department of the Interior.

1           ~~(5) The Department of Justice, including the~~  
2           ~~Federal Bureau of Investigation.~~

3           ~~(6) The United States Agency for International~~  
4           ~~Development.~~

5           ~~(7) The Smithsonian Institution.~~

6           ~~(8) Such other entities as the Chair determines~~  
7           ~~appropriate.~~

8           ~~(d) SUBCOMMITTEES.—The Committee may include~~  
9           ~~such subcommittees and taskforces as the Chair deter-~~  
10           ~~mines appropriate. Such subcommittees or taskforces may~~  
11           ~~be comprised of a subset of the Committee members or~~  
12           ~~of such other members as the Chair determines appro-~~  
13           ~~priate. At the discretion of the Chair, the provisions of~~  
14           ~~the Federal Advisory Committee Act (5 U.S.C. App.) and~~  
15           ~~section 552b of title 5 of the United States Code (relating~~  
16           ~~to open meetings) shall not apply to activities of such sub-~~  
17           ~~committees or taskforces.~~

18           ~~(e) CONSULTATION.—The Committee shall consult~~  
19           ~~with governmental and nongovernmental organizations,~~  
20           ~~including the U.S. Committee of the Blue Shield, muse-~~  
21           ~~ums, educational institutions, and research institutions on~~  
22           ~~efforts to promote and protect international cultural prop-~~  
23           ~~erty.~~

1 **SEC. 6. REPORTS ON ACTIVITIES TO PROTECT INTER-**  
2 **NATIONAL CULTURAL PROPERTY.**

3 Not later than 1 year after the date of the enactment  
4 of this Act and annually thereafter for the next 6 years,  
5 the Secretary of State, acting through the United States  
6 Coordinator for International Cultural Property Protec-  
7 tion, and in consultation with the Administrator of the  
8 United States Agency for International Development, the  
9 Secretary of Defense, the Attorney General, and the Sec-  
10 retary of Homeland Security, as appropriate, shall submit  
11 to the appropriate congressional committees a report that  
12 includes information on activities of—

13 (1) the United States Coordinator and the Co-  
14 ordinating Committee on International Cultural  
15 Property Protection to protect international cultural  
16 property;

17 (2) the Department of State to protect inter-  
18 national cultural property, including activities under-  
19 taken pursuant to the Hague Convention for the  
20 Protection of Cultural Property in the Event of  
21 Armed Conflict, and other statutes, international  
22 agreements, and policies, including—

23 (A) procedures the Department has insti-  
24 tuted to protect international cultural property  
25 at risk of destruction due to political instability,

1           armed conflict, or natural or other disasters;  
2           and

3           ~~(B) actions the Department has taken to~~  
4           ~~protect international cultural property in con-~~  
5           ~~flicts to which the United States is a party;~~

6           ~~(3) the United States Agency for International~~  
7           ~~Development (USAID) to protect international cul-~~  
8           ~~tural property, including activities and coordination~~  
9           ~~with other Federal agencies, international organiza-~~  
10          ~~tions, and nongovernmental organizations regarding~~  
11          ~~the protection of international cultural property at~~  
12          ~~risk due to political unrest, armed conflict, natural~~  
13          ~~or other disasters, and USAID development pro-~~  
14          ~~grams;~~

15          ~~(4) the Department of Defense to protect inter-~~  
16          ~~national cultural property, including activities under-~~  
17          ~~taken pursuant to the Hague Convention for the~~  
18          ~~Protection of Cultural Property in the Event of~~  
19          ~~Armed Conflict and other cultural property protec-~~  
20          ~~tion statutes and international agreements, includ-~~  
21          ~~ing—~~

22                 ~~(A) directives, policies, and regulations the~~  
23                 ~~Department has instituted to protect inter-~~  
24                 ~~national cultural property at risk of destruction~~

1 due to political instability, armed conflict, or  
2 natural or other disasters; and

3 (B) actions the Department has taken to  
4 avoid damage to cultural property through con-  
5 struction activities abroad; and

6 (5) the Department of Homeland Security and  
7 the Department of Justice, including the Federal  
8 Bureau of Investigation, to protect both inter-  
9 national cultural property abroad and international  
10 cultural property located in, or attempted to be im-  
11 ported into, the United States, including activities  
12 undertaken pursuant to statutes and international  
13 agreements, including—

14 (A) statutes and regulations the Depart-  
15 ment has employed in criminal, civil, and civil  
16 forfeiture actions to prevent and interdict traf-  
17 ficking in stolen and smuggled cultural prop-  
18 erty, including investigations into transnational  
19 organized crime and smuggling networks; and

20 (B) actions the Department has taken in  
21 order to ensure the consistent and effective ap-  
22 plication of law in cases relating to both inter-  
23 national cultural property abroad and inter-  
24 national cultural property located in, or at-  
25 tempted to be imported into, the United States.

1 **SEC. 7. AUTHORIZATION FOR FEDERAL AGENCIES TO EN-**  
2 **GAGE IN INTERNATIONAL CULTURAL PROP-**  
3 **ERTY PROTECTION ACTIVITIES WITH THE**  
4 **SMITHSONIAN INSTITUTION.**

5 Notwithstanding any other provision of law, any  
6 agency that is involved in international cultural property  
7 protection activities is authorized to enter into agreements  
8 or memoranda of understanding with the Smithsonian In-  
9 stitution to temporarily engage personnel from the Smith-  
10 sonian Institution for the purposes of furthering such  
11 international cultural property protection activities.

12 **SEC. 8. EMERGENCY PROTECTION FOR SYRIAN CULTURAL**  
13 **PROPERTY.**

14 (a) **PRESIDENTIAL DETERMINATION.**—Notwith-  
15 standing subsection (b) of section 304 of the Convention  
16 on Cultural Property Implementation Act (19 U.S.C.  
17 2603) (relating to a Presidential determination that an  
18 emergency condition applies with respect to any archae-  
19 ological or ethnological material of any State Party to the  
20 Convention), the President shall apply the import restric-  
21 tions referred to in such section 304 with respect to any  
22 archaeological or ethnological material of Syria, except  
23 that subsection (e) of such section 304 shall not apply.  
24 Such import restrictions shall take effect not later than  
25 120 days after the date of the enactment of this Act.

1           (b) ANNUAL DETERMINATION REGARDING CERTIFI-  
2    CATION.—

3           (1) DETERMINATION.—

4           (A) IN GENERAL.—The President shall,  
5           not less often than annually, determine whether  
6           at least one of the conditions specified in sub-  
7           paragraph (B) is met, and shall notify the ap-  
8           propriate congressional committees of such de-  
9           termination.

10          (B) CONDITIONS.—The conditions referred  
11         to in subparagraph (A) are the following:

12           (i) The Government of Syria is in-  
13           capable, at the time a determination under  
14           such subparagraph is made, of fulfilling  
15           the requirements to request an agreement  
16           under section 303 of the Convention on  
17           Cultural Property Implementation Act (19  
18           U.S.C. 2602).

19           (ii) It would be against the United  
20           States national interest to enter into such  
21           an agreement.

22          (2) TERMINATION OF RESTRICTIONS.—The im-  
23         port restrictions referred to in subsection (a) shall  
24         terminate on the date that is 5 years after the date  
25         on which the President determines that neither of



1 the conditions specified in paragraph ~~(1)(B)~~ are  
2 met, unless before such termination date Syria re-  
3 quests to enter into an agreement with the United  
4 States pursuant to section ~~303~~ of the Convention on  
5 Cultural Property Implementation Act, in which case  
6 such import restrictions may remain in effect until  
7 the earliest of either—

8 (A) the date that is ~~3~~ years after the date  
9 on which Syria makes such a request; or

10 (B) the date on which the United States  
11 and Syria enter into such an agreement.

12 ~~(c) WAIVER.—~~

13 ~~(1) IN GENERAL.—~~The President may waive  
14 the import restrictions referred to in subsection (a)  
15 for specified cultural property if the President cer-  
16 tifies to the appropriate congressional committees  
17 that the conditions described in paragraph ~~(2)~~ are  
18 met.

19 ~~(2) CONDITIONS.—~~The conditions referred to in  
20 paragraph ~~(1)~~ are the following:

21 (A) The foreign owner or custodian of the  
22 specified cultural property has requested such  
23 property be temporarily located in the United  
24 States for protection purposes.

1           (B) Such property shall be returned to the  
2           foreign owner or custodian when requested by  
3           such foreign owner or custodian.

4           (C) Granting a waiver under this sub-  
5           section will not contribute to illegal trafficking  
6           in cultural property or financing of criminal or  
7           terrorist activities.

8           (3) ACTION.—If the President grants a waiver  
9           under this subsection, the specified cultural property  
10          that is the subject of such waiver shall be placed in  
11          the temporary custody of the United States Govern-  
12          ment or in the temporary custody of a cultural or  
13          educational institution within the United States for  
14          the purpose of protection, restoration, conservation,  
15          study, or exhibition, without profit.

16          (4) RULE OF CONSTRUCTION.—Nothing in this  
17          Act shall prevent application of the Act to render  
18          immune from seizure under judicial process certain  
19          objects of cultural significance imported into the  
20          United States for temporary display or exhibition,  
21          and for other purposes (22 U.S.C. 2459; Public Law  
22          89–259) with respect to archaeological or ethno-  
23          logical material of Syria.

24          (d) DEFINITIONS.—In this section—

1           (1) the term “archaeological or ethnological ma-  
2           terial of Syria” means cultural property of Syria and  
3           other items of archaeological, historical, cultural,  
4           rare scientific, or religious importance unlawfully re-  
5           moved from Syria on or after March 15, 2011; and

6           (2) the term “State Party” has the meaning  
7           given such term in section 302 of the Convention on  
8           Cultural Property Implementation Act (19 U.S.C.  
9           2601).

10 **SECTION 1. SHORT TITLE.**

11           *This Act may be cited as the “Protect and Preserve*  
12 *International Cultural Property Act”.*

13 **SEC. 2. SENSE OF CONGRESS.**

14           *It is the sense of Congress that the President should*  
15 *establish an interagency coordinating committee to coordi-*  
16 *nate and advance the efforts of the executive branch to pro-*  
17 *tect and preserve international cultural property at risk*  
18 *from political instability, armed conflict, or natural or*  
19 *other disasters. Such committee should—*

20           (1) *be chaired by a Department of State em-*  
21 *ployee of Assistant Secretary rank or higher, concur-*  
22 *rent with that employee’s other duties;*

23           (2) *include representatives of the Smithsonian*  
24 *Institution and Federal agencies with responsibility*

1       *for the preservation and protection of international*  
2       *cultural property;*

3           (3) *consult with governmental and nongovern-*  
4       *mental organizations, including the United States*  
5       *Committee of the Blue Shield, museums, educational*  
6       *institutions, and research institutions on efforts to*  
7       *protect and preserve international cultural property;*

8           (4) *coordinate and advance core United States*  
9       *interests in—*

10           (A) *protecting and preserving international*  
11       *cultural property;*

12           (B) *preventing and disrupting looting and*  
13       *illegal trade and trafficking in international cul-*  
14       *tural property, particularly exchanges that pro-*  
15       *vide revenue to terrorist and criminal organiza-*  
16       *tions;*

17           (C) *protecting sites of cultural and archae-*  
18       *ological significance; and*

19           (D) *providing for the lawful exchange of*  
20       *international cultural property.*

21   **SEC. 3. EMERGENCY PROTECTION FOR SYRIAN CULTURAL**  
22       **PROPERTY.**

23       (a) *IN GENERAL.*—*The President shall exercise the au-*  
24       *thority of the President under section 304 of the Convention*  
25       *on Cultural Property Implementation Act (19 U.S.C. 2603)*

1 *to impose import restrictions set forth in section 307 of that*  
2 *Act (19 U.S.C. 2606) with respect to any archaeological or*  
3 *ethnological material of Syria—*

4 *(1) not later than 90 days after the date of the*  
5 *enactment of this Act;*

6 *(2) without regard to whether Syria is a State*  
7 *Party (as defined in section 302 of that Act (19*  
8 *U.S.C. 2601)); and*

9 *(3) notwithstanding—*

10 *(A) the requirement of subsection (b) of sec-*  
11 *tion 304 of that Act (19 U.S.C. 2603(b)) that an*  
12 *emergency condition (as defined in subsection (a)*  
13 *of that section) applies; and*

14 *(B) the limitations under subsection (c) of*  
15 *that section.*

16 *(b) ANNUAL DETERMINATION REGARDING CERTIFI-*  
17 *CATION.—*

18 *(1) DETERMINATION.—*

19 *(A) IN GENERAL.—The President shall, not*  
20 *less often than annually, determine whether at*  
21 *least 1 of the conditions specified in subpara-*  
22 *graph (B) is met, and shall notify the appro-*  
23 *priate congressional committees of such deter-*  
24 *mination.*

1           (B) *CONDITIONS.*—*The conditions referred*  
2 *to in subparagraph (A) are the following:*

3           (i) *The Government of Syria is in-*  
4 *capable, at the time a determination under*  
5 *such subparagraph is made, of fulfilling the*  
6 *requirements to request an agreement under*  
7 *section 303 of the Convention on Cultural*  
8 *Property Implementation Act (19 U.S.C.*  
9 *2602).*

10           (ii) *It would be against the United*  
11 *States national interest to enter into such*  
12 *an agreement.*

13 (2) *TERMINATION OF RESTRICTIONS.*—

14           (A) *IN GENERAL.*—*Except as provided in*  
15 *subparagraph (B), the import restrictions re-*  
16 *ferred to in subsection (a) shall terminate on the*  
17 *date that is 5 years after the date on which the*  
18 *President determines that neither of the condi-*  
19 *tions specified in paragraph (1)(B) are met.*

20           (B) *REQUEST FOR TERMINATION.*—*If Syria*  
21 *requests to enter into an agreement with the*  
22 *United States pursuant to section 303 of the*  
23 *Convention on Cultural Property Implementa-*  
24 *tion Act (19 U.S.C. 2602) on or after the date*  
25 *on which the President determines that neither of*

1           *the conditions specified in paragraph (1)(B) are*  
2           *met, the import restrictions referred to in sub-*  
3           *section (a) shall terminate on the earlier of—*

4                     *(i) the date that is 3 years after the*  
5                     *date on which Syria makes such a request;*

6                     *or*

7                     *(ii) the date on which the United*  
8                     *States and Syria enter into such an agree-*  
9                     *ment.*

10        *(c) WAIVER.—*

11            *(1) IN GENERAL.—The President may waive the*  
12            *import restrictions referred to in subsection (a) for*  
13            *specified archaeological and ethnological material of*  
14            *Syria if the President certifies to the appropriate con-*  
15            *gressional committees that the conditions described in*  
16            *paragraph (2) are met.*

17            *(2) CONDITIONS.—The conditions referred to in*  
18            *paragraph (1) are the following:*

19                     *(A)(i) The owner or lawful custodian of the*  
20                     *specified archaeological or ethnological material*  
21                     *of Syria has requested that such material be tem-*  
22                     *porarily located in the United States for protec-*  
23                     *tion purposes; or*

24                     *(ii) if no owner or lawful custodian can*  
25                     *reasonably be identified, the President deter-*

1           *mines that, for purposes of protecting and pre-*  
2           *servicing such material, the material should be*  
3           *temporarily located in the United States.*

4           *(B) Such material shall be returned to the*  
5           *owner or lawful custodian when requested by*  
6           *such owner or lawful custodian.*

7           *(C) There is no credible evidence that grant-*  
8           *ing a waiver under this subsection will con-*  
9           *tribute to illegal trafficking in archaeological or*  
10          *ethnological material of Syria or financing of*  
11          *criminal or terrorist activities.*

12          *(3) ACTION.—If the President grants a waiver*  
13          *under this subsection, the specified archaeological or*  
14          *ethnological material of Syria that is the subject of*  
15          *such waiver shall be placed in the temporary custody*  
16          *of the United States Government or in the temporary*  
17          *custody of a cultural or educational institution with-*  
18          *in the United States for the purpose of protection, res-*  
19          *toration, conservation, study, or exhibition, without*  
20          *profit.*

21          *(4) IMMUNITY FROM SEIZURE.—Any archae-*  
22          *ological or ethnological material that enters the*  
23          *United States pursuant to a waiver granted under*  
24          *this section shall have immunity from seizure under*  
25          *Public Law 89–259 (22 U.S.C. 2459). All provisions*



1       of Public Law 89–259 shall apply to such material  
2       as if immunity from seizure had been granted under  
3       that Public Law.

4       (d) *DEFINITIONS.*—*In this section:*

5               (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
6       *TEES.*—*The term “appropriate congressional commit-*  
7       *tees” means—*

8                       (A) *the Committee on Foreign Relations*  
9                       *and the Committee on Finance of the Senate;*  
10                      *and*

11                     (B) *the Committee on Foreign Affairs and*  
12                     *the Committee on Ways and Means of the House*  
13                     *of Representatives.*

14               (2) *ARCHAEOLOGICAL OR ETHNOLOGICAL MATE-*  
15       *RIAL OF SYRIA.*—*The term “archaeological or ethno-*  
16       *logical material of Syria” means cultural property*  
17       *(as defined in section 302 of the Convention on Cul-*  
18       *tural Property Implementation Act (19 U.S.C. 2601))*  
19       *that is unlawfully removed from Syria on or after*  
20       *March 15, 2011.*

21       **SEC. 4. REPORT.**

22       *Not later than 1 year after the date of the enactment*  
23       *of this Act, and annually thereafter for the next 6 years,*  
24       *the President shall submit to the appropriate congressional*  
25       *committees a report on the efforts of the executive branch,*

1 *during the 12-month period preceding the submission of the*  
2 *report, to protect and preserve international cultural prop-*  
3 *erty, including—*

4 *(1) whether an interagency coordinating com-*  
5 *mittee as described in section 2 has been established*  
6 *and, if such a committee has been established, a de-*  
7 *scription of the activities undertaken by such com-*  
8 *mittee, including a list of the entities participating in*  
9 *such activities;*

10 *(2) a description of measures undertaken pursu-*  
11 *ant to relevant statutes, including—*

12 *(A) actions to implement and enforce sec-*  
13 *tion 3 of this Act and section 3002 of the Emer-*  
14 *gency Protection for Iraqi Cultural Antiquities*  
15 *Act of 2004 (Public Law 108–429; 118 Stat.*  
16 *2599), including measures to dismantle inter-*  
17 *national networks that traffic illegally in cul-*  
18 *tural property;*

19 *(B) a description of any requests for a*  
20 *waiver under section 3(c) of this Act and, for*  
21 *each such request, whether a waiver was granted;*

22 *(C) a list of the statutes and regulations*  
23 *employed in criminal, civil, and civil forfeiture*  
24 *actions to prevent illegal trade and trafficking in*  
25 *cultural property; and*

1                    *(D) actions undertaken to ensure the con-*  
2                    *sistent and effective application of law in cases*  
3                    *relating to illegal trade and trafficking in cul-*  
4                    *tural property; and*

5                    *(3) actions undertaken in fulfillment of inter-*  
6                    *national agreements on cultural property protection,*  
7                    *including the Convention for the Protection of Cul-*  
8                    *tural Property in the Event of Armed Conflict, done*  
9                    *at The Hague May 14, 1954.*