

JOE WILSON
2ND DISTRICT, SOUTH CAROLINA
ASSISTANT MAJORITY WHIP
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Congress of the United States
House of Representatives

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(*PARTS OF)

February 8, 2023

Diana Shaw
Acting Inspector General
US Department of State - Office of Inspector General
1700 North Moore Street (SA-39)
Arlington, VA 22209

Dear Acting Inspector General Shaw,

I am requesting that you investigate if the Department of State exceeded its statutory authority in signing a cultural property Memorandum of Understanding (MOU) with Yemen on August 30, 2023. Prior to this action artifacts from Yemen were subject to Emergency Restrictions set to expire on September 11, 2024. It is important to note that the statutory findings necessary for emergency restrictions substantially differ from those for MOUs. Compare 19 U.S.C. § 2602 and 19 U.S.C. § 2603.

Further, emergency import restrictions were only imposed after the required Cultural Property Advisory Committee review and public comment. 19 U.S.C. § 2605. Of note, substantial opposition to the proposed Emergency Restriction was raised during the public comment period of Jewish and collector organizations. Moreover, the current MOU is not merely a change in status of the current emergency restrictions. Rather, a State Department press release indicates the agreement both “renews and extends protections for Yemeni cultural property which were put in place in 2020 on an emergency basis.”

Moreover, in sharp contrast to the statutorily required actions taken prior to the initiation of Emergency Restrictions, the Yemen MOU was signed after a “roundtable” to which only advocates for the agreement were invited. Indeed, social media posts by the Embassy of Yemen and the archaeological advocacy group portray it as a “partner” of both the State Department and Yemeni Government which was responsible for setting up the roundtable which included the State Department decision maker. No Federal Register public notice occurred, nor was there a CPAC hearing or an opportunity for public comment all of which is contrary to the provisions of the Cultural Property Implementation Act (“CPIA”), 19 U.S.C. § 2601 *et seq.* that provides the Department the statutory authority to enter into MOUs.

With an alarming rise in antisemitism following the October 7th, 2023 attacks by Hamas on Israel it is particularly alarming to see a decision from the state department that favors keeping historic Jewish artifacts in a nation ravaged with civil war and public violent antisemitism. Given the apparent discrepancy between this action and statutory authority to

Congress of the United States
Washington, DC 20515

undertake it we request you determine if in fact the Department exceeded its statutory authority and provide recommendations for corrective action.

Sincerely,

A handwritten signature in blue ink that reads "Joe Wilson". The signature is written in a cursive style with a large, stylized "J" and "W".

JOE WILSON

Member of Congress