

## EXTENSIONS OF REMARKS

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

SPEECH OF

**HON. JODY B. HICE**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 20, 2016*

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise in support of H.R. 5523.

In this day and age, the awesome power of the federal government can be difficult to fully appreciate for many citizens. Yet, when that power is used unwisely or unjustly, the consequences can be disastrous for innocent Americans.

My friend and constituent, Mr. Andrew Clyde—for whom this legislation is named—experienced the full might of the federal government in the form of civil asset forfeiture.

Four years ago, the Internal Revenue Service accused Mr. Clyde of structuring his bank deposits in such a way to avoid the \$10,000 threshold reporting requirement of the Bank Secrecy Act of 1986—a law aimed at uncovering illegal drug transactions. Then, with no due process and no evidence, the IRS seized nearly a million dollars from Mr. Clyde.

Mr. Clyde is about as far from a drug dealer as you can get: He is a veteran of the U.S. Navy who served three combat tours in Iraq, a successful small business owner, and an upstanding citizen in our community.

None of that mattered to the IRS—who employed their powers of civil asset forfeiture to hold Mr. Clyde's money hostage, force him to spend \$100,000 in legal fees, and ultimately surrender \$50,000 just to make the whole outrageous ordeal come to a close.

This flies in the face of due process—one of our Republic's most fundamental liberties.

The IRS has seized tens of millions of dollars from Americans in cases just like this where no criminal activity was even alleged, much less proven in a court of law.

Andrew Clyde and the other men for whom this bill is named—Randy Sowers and brothers Jeffrey, Richard, and Mitch Hirsch—have dedicated themselves to ensuring this injustice will not continue to befall innocent Americans.

H.R. 5523 would limit the IRS's authority to conduct civil asset forfeiture under the Bank Secrecy Act unless the property actually originated from illegal activity or was purposely structured to conceal illegal activity.

I commend the work of the House Ways & Means Committee on this important issue, and I urge all my colleagues to support this legislation.

### PROTECTION OF THE RIGHT OF TRIBES TO STOP THE EXPORT OF CULTURAL AND TRADI- TIONAL PATRIMONY RESOLU- TION

SPEECH OF

**HON. TOM COLE**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 21, 2016*

Mr. COLE. Mr. Speaker, I rise today in strong support of H. Con. Res. 122, the Protection of the Right of Tribes to stop the Export of Cultural and Traditional (PROTECT) Patrimony Resolution. I joined as an original cosponsor of the Resolution, which was introduced by Congressman PEARCE, and I am pleased that it has gathered broad bipartisan support. This resolution is an important first step in resolving an issue for all of Indian Country: protecting Native American cultural objects from removal and trafficking and ensuring their repatriation back to their tribal owners.

There are many tribes located within my district. They, like other tribes around the country, strive to protect their cultural heritage and traditional ways of life. Possession and protection of their cultural objects, including their sacred objects and objects of cultural patrimony, is imperative for tribes' cultural practices and their ability to pass those practices down to future generations. These items or objects are distinct from the many wonderful works of tribal arts and crafts that tribes proudly share with the world. Objects of cultural patrimony have such ongoing historical, traditional, or cultural importance to a tribe that they are considered communally owned and protected as such.

Unfortunately, many seek tribes' cultural objects for their artistic value, not understanding that to tribes they mean so much more. These cultural objects end up being taken from tribes and trafficked domestically and abroad. Once abroad, tribes are forced to fight often-losing battles to regain possession of them.

We as an American people have our own cultural objects deemed so necessary to our identity that they are owned by the people jointly, such as the United States Constitution or the flag that inspired the Star Spangled Banner. If these objects were displayed as art in a private home or sold overseas, we would stand together to call for their return.

Laws like the Native American Graves Protection and Repatriation Act and the Archaeological Resources Protection Act exist to protect Native American cultural objects. However, through practice it has become clear that they are not sufficient to address the tribal loss of objects of cultural patrimony. As such, the PROTECT Patrimony resolution is a step in the right direction.

The PROTECT Patrimony resolution aims to raise awareness of the importance of Native American cultural objects, as well as the proliferation of the removal and trafficking of these objects. It supports Congressional de-

velopment of explicit restrictions on exportation, and it calls on federal agencies to consult with tribes to address the issue. Further still, this resolution calls on local stakeholders to cooperate with tribes and condemn illegal activity.

The PROTECT Patrimony resolution is just the first step to a more comprehensive solution to protect Native American cultural objects from removal and trafficking and to facilitate their repatriation. I urge all my colleagues to stand in strong support of this resolution.

### MOBILE WORKFORCE STATE IN- COME TAX SIMPLIFICATION ACT OF 2015

SPEECH OF

**HON. DEREK KILMER**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 21, 2016*

Mr. KILMER. Mr. Speaker, I rise today to discuss H.R. 2315. I'm glad to see that the House of Representatives is taking up legislation to address a confusing state income tax issue that is leading to some unfair results. But I am concerned that another issue important to my state is being ignored.

Many states currently face legal limitations on their ability to collect sales tax from out-of-state sellers. With the boom of the internet, economic transactions are increasingly moving online. For states that rely on sales tax revenues to fund state agencies and programs, they've seen a real hit to their balance sheets.

What's worse, we're seeing brick and mortar retail outlets all across the state and country—businesses that have made real investments in their communities—face a competitive disadvantage against online retailers. That means more empty storefronts on Main Street and fewer jobs in local communities.

That's why I've supported efforts to help level the playing field and ensure that Washington retail stores have the ability to compete. The Remote Transactions Parity Act would authorize states to collect sales on products sold to Washingtonians that cross state lines. This bill now has nearly seventy bipartisan cosponsors.

Mr. Speaker, there are very few legislative days left before the end of this Congress. I'd encourage my friends in the majority to make a real effort to address this important issue before we adjourn.

### HONORING JOAN MURPHY, LONG- TIME PUBLIC SERVANT

**HON. DANIEL LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2016*

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Joan Murphy, a public servant for more

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