

# THE MUSEUM OF MODERN ART

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NEW BILL TO LIBERALIZE TARIFF LAWS DISCUSSED BY SENATOR JAVITS AND N.Y. MUSEUM HEADS

Senator Javits (R. N.Y.) conferred yesterday (May 26) in New York City with Museum directors, art dealers and representatives of art groups about his proposed legislation to liberalize the quarter century old U.S. tariff law in respect to works of art and educational exhibition material. He will introduce a bill amending the law in the U.S. Senate today (May 27).

At the meeting, held at the Museum of Primitive Art, 15 West 54 Street, Senator Javits said that our present tariff laws concerning the admission of collages and sculpture have been so arbitrary and antiquated in terms of modern art that they come close to making us an object of ridicule. He pointed out that the free interchange of works of art between the United States and other countries is vitally important in the education of our people and in our artistic and cultural development. Furthermore, he said, there are few things we can do to more surely establish our country's prestige and distinction abroad. (A collage is defined as a picture or abstract composition made of paper, cloth, small objects, etc. pasted, glued, sewn, pinned or nailed together and often combined with drawing or painting in traditional mediums.)

It was pointed out that while the obvious intent of the tariff law is to allow free entry for all bona fide original works of art, the wording of some provisions has not been revised for more than 25 years and thus many 20th century developments in art are denied free entry.

A small display from the Museum of Modern Art Collection was set up at the meeting to illustrate the inconsistencies under existing law. Included were collages by the American artist Arthur Dove and by Picasso and abstract sculpture by such internationally renowned artists as the Italian Boccioni and the Englishman Henry Moore. None of these pieces are admitted duty free under the present law.

An abstract painting by the famous Dutch artist, Mondrian, which is admitted duty free was contrasted with a sculpture, similar in style, by the British artist Ben Nicholson, which is not admitted duty-free.

In addition to liberalizing provisions so that abstract sculpture, which accounts for a large part of the work by artists all over the world, and collages, invented as an art medium about 1912, can be admitted duty free on the same basis as abstract paintings, Senator Javits' bill also seeks to make it possible for museums to bring architectural models into this country for study and exhibition at schools of architecture and other organizations. Other provisions apply to original prints, additional casts of sculpture, transfer of objects from one institution to another and admission of primitive art.

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The present law works particular hardship on collages, it was stated. Collage, and Braque invented as an art form by Picasso/about 1912, is now practiced by many artists here and abroad, and included in the collections of our great museums and private collections. However, collages are not only denied free entry because they are made of unusual materials instead of the traditional paint, but are also dutiable on the basis of their value as works of art. Thus for example, a collage might be considered dutiable because it was made of hemp and paper instead of oil, but the duty is levied on its value as a work of art, which might be more than \$10,000 while the actual value of the hemp and paper might be only a few cents.

The free entry of abstract sculpture is blocked by a 1916 ruling which required sculpture to consist of "imitations of natural objects, chiefly the human form...in their true proportion of length, breadth and thickness." Although as a result of the famous Brancusi Bird in Space decision of 1928 sculpture need no longer render a natural form in its exact proportions, customs officials are still required to exact duty on sculpture which does not resemble a natural object at all. Thus Lynn Chadwick's Inner Eye, awarded a top sculpture prize at the famous international art Biennale in Venice in 1956 and now in the Museum of Modern Art Collection, had to be brought into this country under bond because it does not meet the present U.S. law's definition of sculpture.

About 25 people attended the meeting with Senator Javits including René d'Harnoncourt, Director of the Museum of Modern Art, Alfred H. Barr, Jr., Director of the Museum of Modern Art Collections, Dorothy Dudley, Museum of Modern Art Registrar, Robert Goldwater, Director of the Museum of Primitive Art, James Johnson Sweeney, Director of the Guggenheim Museum, Edgar C. Schenck, Director of the Brooklyn Museum, August Heckscher, Chairman of the International Council at the Museum of Modern Art, and Mrs. Bliss Parkinson, President, A. Hyatt Mayor, Curator of Prints at the Metropolitan Museum, representatives of the American Federation of Arts and leading art galleries.

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