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DRAFT OF PROPOSED LEGISLATIVE -

To be introduced by Senator Javits

To liberalize the tariff laws for works of art and other exhibition material, and for other purposes.

That paragraph 1720 of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1201, par. 1720), is amended to read as follows:

"Par. 1720. Models of inventions and of other improvements in the arts, to be used exclusively as models and incapable of any other use, except as they may be used in educational and cultural exhibitions."

Sec. 2. Paragraph 1807 of such Act, as amended (19 U.S.C., sec. 1201, par. 1807). is amended to read as follows:

"Par. 1807. Original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen, ink, pencil, or water colors, or original works of art in any other media including applied paper and other materials, manufactured or otherwise, such as are used on collages, artists' proof etchings unbound, and engravings and woodcuts unbound, lithographs not over twenty years old or prints made by other hand transfer processes unbound, original sculptures or statuary; but the terms "sculpture" and "statuary" as used in this paragraph shall be understood to include professional productions of sculptors only, whether in round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, metal, or other materials, or whether cut, carved, or otherwise wrought by hand from the solid block or mass of marble, stone, alabaster, or from metal, or other material, or cast in bronze or other metal or substance, or from wax or plaster, or constructed from any material or made in any form as the professional productions of sculptors only, and the term "original", as used in this paragraph to modify the words "sculptures" and "statuary", shall be understood to include the original work or model and not more than ten castings, replicas or reproductions made from the sculptor's original work or model, with or without a change in scale and regardless of whether or not the sculptor is alive at the time the castings, replicas or reproductions are completed. The terms "painting", "drawing", "sketch", "sculpture", and "statuary", as used in this paragraph, shall not be understood to include any articles of utility or for industrial use, nor such as are made wholly or in part by stenciling or any other mechanical process; and the terms "etchings", "engravings", and "woodcuts", "lithographs not over twenty years old", or "prints made by other hand

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transfer processes", as used in this paragraph, shall be understood to include only such as are printed by hand from plates, stones, or blocks etched, drawn, or engraved with hand tools and not such as are printed from plates, stones, or blocks etched, drawn, or engraved by photochemical or other mechanical processes."

Sec. 3. Paragraph 1809 of such Act, as amended (19 U.S.C., sec. 1201, par. 1809), is amended to read as follows:

"Par. 1809. (a) Works of art, collections in illustration of the progress of the arts, sciences, agriculture, or manufactures, photographs, works in terra cotta, parian, pottery, or porcelain, antiquities and artistic copies thereof in metal or other material, imported in good faith for exhibition purposes within the territorial limits of the United States by any State or by any society or institution established for the encouragement of the arts, science, agriculture, or education, or for a municipal corporation, and all like articles imported in good faith by any society or association, or for a municipal corporation, for the purpose of erecting a public monument, and not intended for sale nor for any other purpose than herein expressed; but bond shall be given under such rules and regulations as the Secretary of the Treasury may prescribe, for the payment of lawful duties which may accrue should any of the articles aforesaid be sold, transferred, or used contrary to this provision within five years after the date of entry hereunder and such articles shall be subject at any time within such five-year period to examination and inspection by the proper officers of the customs: Provided, That the privileges of this paragraph shall not be allowed to associations or corporations engaged in or connected with business of a private or commercial character.

"(b) In connection with the entry of works of art and other articles claimed to be free of duty under this paragraph, surety on bonds may be waived in the discretion of the collector.

"(c) Articles entered under this paragraph may be transferred from one institution to another, subject to a requirement that proof as to the location of such articles be furnished to the collector at any time, and such articles may be transferred temporarily to a commercial gallery or other premises for educational, scientific, agricultural, or cultural purposes or for the benefit of charitable organizations, and not for sale, upon an application in writing in the case of each transfer under this subparagraph describing the articles and stating the name and location of the commercial gallery or premises to

which transfer is to be made, and provided in the case of any such transfer the sureties, if any, on the bond assent in writing under seal or a new bond is filed. No entry or withdrawal shall be required for a transfer under this subparagraph."

Sec. 4. Paragraph 1811 of such Act, as amended (19 U.S.C., sec. 1201, par. 1811), is amended to read as follows:

"Par. (a) Works of art (except rugs and carpets made after the year 1706), collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities and objects of art of ornamental character or educational value which shall have been produced prior to one hundred years before their date of entry, but the free importation of such objects shall be subject to such regulations as to proof of antiquity as the Secretary of the Treasury may prescribe. Antique frames on original works of antique or modern art may be entered at any port of entry.

"(b) Violins, violas, violoncellos, and double bases, of all sizes, made in the year 1800 or prior year.

"(c) Ethnographic or artistic objects made in the traditional aboriginal styles of the North, Central, and South American countries and of the Caribbean Islands, the countries of the African continent, and of the islands of Micronesia, Melanania, Polynesia, South East Asia and Australia, and made at least 50 years prior to their date of entry."

Sec. 5. Paragraph 1812 of such Act, as amended (19 U.S.C., sec. 1201, par. 1812), is amended to read as follows:

"Par. 1812. Gobelin and other hand-woven tapestries used as wall hangings."