

(1) shall, within 60 days after August 20, 1990, prepare a list of those provisions of the trade, customs, and illegal drug control laws of the United States for which the United States Customs Service has enforcement responsibility and to which the reports required under subsection (a) of this section will apply; and
 (2) may from time-to-time amend the listing developed under paragraph (1).

(c) Enforcement strategy

Within 90 days after submitting a report under subsection (a) of this section for any fiscal year, the Commissioner of Customs shall—

- (1) develop a nationally uniform enforcement strategy for dealing during that year with the violations estimated in the report; and
- (2) submit to the Committees a report setting forth the details of the strategy.

(d) Compliance program

The Commissioner of Customs shall—

- (1) devise and implement a methodology for estimating the level of compliance with the laws administered by the Customs Service; and
- (2) include as an additional part of the report required to be submitted under subsection (a) of this section for each of fiscal years 1994, 1995, and 1996, an evaluation of the extent to which such compliance was obtained during the 12-month period preceding the 60th day before each such fiscal year.

(e) Confidentiality

The contents of any report submitted to the Committees under subsection (a) or (c)(2) of this section are confidential and disclosure of all or part of the contents is restricted to—

- (1) officers and employees of the United States designated by the Commissioner of Customs;
- (2) the chairman of each of the Committees; and
- (3) those members of each of the Committees and staff persons of each of the Committees who are authorized by the chairman thereof to have access to the contents.

(Pub. L. 101-382, title I, §123, Aug. 20, 1990, 104 Stat. 642; Pub. L. 103-182, title VI, §691(c), Dec. 8, 1993, 107 Stat. 2224.)

AMENDMENTS

1993—Subsecs. (d), (e). Pub. L. 103-182 added subsec. (d) and redesignated former subsec. (d) as (e).

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

CHAPTER 11—IMPORTATION OF PRE-COLUMBIAN MONUMENTAL OR ARCHITECTURAL SCULPTURE OR MURALS

Sec.
 2091. List of stone carvings and wall art; promulgation and revision; criteria for classification.

Sec.
 2092. Export certification requirement.
 (a) Issuance by country of export.
 (b) Procedure when certificate lacking.
 2093. Forfeiture of unlawful imports.
 (a) Seizure.
 (b) Disposition of articles.
 2094. Rules and regulations.
 2095. Definitions.

§ 2091. List of stone carvings and wall art; promulgation and revision; criteria for classification

The Secretary, after consultation with the Secretary of State, by regulation shall promulgate, and thereafter when appropriate shall revise, a list of stone carvings and wall art which are pre-Columbian monumental or architectural sculpture or murals within the meaning of paragraph (3) of section 2095 of this title. Such stone carvings and wall art may be listed by type or other classification deemed appropriate by the Secretary.

(Pub. L. 92-587, title II, §201, Oct. 27, 1972, 86 Stat. 1297.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2092 of this title.

§ 2092. Export certification requirement

(a) Issuance by country of export

No pre-Columbian monumental or architectural sculpture or mural which is exported (whether or not such exportation is to the United States) from the country of origin after the effective date of the regulation listing such sculpture or mural pursuant to section 2091 of this title may be imported into the United States unless the government of the country of origin of such sculpture or mural issues a certificate, in a form acceptable to the Secretary, which certifies that such exportation was not in violation of the laws of that country.

(b) Procedure when certificate lacking

If the consignee of any pre-Columbian monumental or architectural sculpture or mural is unable to present to the customs officer concerned at the time of making entry of such sculpture or mural—

- (1) the certificate of the government of the country of origin required under subsection (a) of this section;
- (2) satisfactory evidence that such sculpture or mural was exported from the country of origin on or before the effective date of the regulation listing such sculpture or mural pursuant to section 2091 of this title; or
- (3) satisfactory evidence that such sculpture or mural is not covered by the list promulgated under section 2091 of this title;

the customs officer concerned shall take the sculpture or mural into customs custody and send it to a bonded warehouse or public store to be held at the risk and expense of the consignee until such certificate or evidence is filed with such officer. If such certificate or evidence is not presented within the 90-day period after the date on which such sculpture or mural is taken into customs custody, or such longer period as may be allowed by the Secretary for good cause

shown, the importation of such sculpture or mural into the United States is in violation of this chapter.

(Pub. L. 92-587, title II, §202, Oct. 27, 1972, 86 Stat. 1297.)

CODIFICATION

References to section 202 of Pub. L. 92-587 in the original were translated as section 2091 of this title in the classification of Pub. L. 92-587 as the probable intent of Congress.

§ 2093. Forfeiture of unlawful imports

(a) Seizure

Any pre-Columbian monumental or architectural sculpture or mural imported into the United States in violation of this chapter shall be seized and subject to forfeiture under the customs laws.

(b) Disposition of articles

Any pre-Columbian monumental or architectural sculpture or mural which is forfeited to the United States shall—

(1) first be offered for return to the country of origin and shall be returned if that country bears all expenses incurred incident to such return and complies with such other requirements relating to the return as the Secretary shall prescribe; or

(2) if not returned to the country of origin, be disposed of in the manner prescribed by law for articles forfeited for violation of the customs laws.

(Pub. L. 92-587, title II, §203, Oct. 27, 1972, 86 Stat. 1297.)

REFERENCES IN TEXT

The customs laws, referred to in text, are classified generally to this title.

§ 2094. Rules and regulations

The Secretary shall prescribe such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

(Pub. L. 92-587, title II, §204, Oct. 27, 1972, 86 Stat. 1297.)

§ 2095. Definitions

For the purposes of this chapter—

(1) The term “Secretary” means the Secretary of the Treasury.

(2) The term “United States” includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) The term “pre-Columbian monumental or architectural sculpture or mural” means—

(A) any stone carving or wall art which—

(i) is the product of a pre-Columbian Indian culture of Mexico, Central America, South America, or the Caribbean Islands;

(ii) was an immobile monument or architectural structure or was a part of, or affixed to, any such monument or structure; and

(iii) is subject to export control by the country of origin; or

(B) any fragment or part of any stone carving or wall art described in subparagraph (A) of this paragraph.

(4) The term “country of origin”, as applied to any pre-Columbian monumental or architectural sculpture or mural, means the country where such sculpture or mural was first discovered.

(Pub. L. 92-587, title II, §205, Oct. 27, 1972, 86 Stat. 1297.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2091 of this title.

CHAPTER 12—TRADE ACT OF 1974

Sec.

2101. Short title.

2102. Congressional statement of purpose.

SUBCHAPTER I—NEGOTIATING AND OTHER AUTHORITY

PART 1—RATES OF DUTY AND OTHER TRADE BARRIERS

- 2111. Basic authority for trade agreements.
 - (a) Presidential authority to enter into agreement; modification or continuance of existing duties.
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- 2112. Barriers to and other distortions of trade.
 - (a) Congressional findings; directives; disavowal of prior approval of legislation.
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 - (c) Presidential consultation with Congress prior to entry into trade agreements.
 - (d) Submission to Congress of agreements, drafts of implementing bills, and statements of proposed administrative action.
 - (e) Steps prerequisite to entry into force of trade agreements.
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- 2113. Overall negotiating objective.
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 - (a) Obtaining equivalent competitive opportunities.
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- 2114a. Negotiating objectives with respect to trade in services, foreign direct investment, and high technology products.
 - (a) Trade in services.
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 - (c) High technology products.
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- 2114b. Provisions relating to international trade in services.
- 2114c. Trade in services: development, coordination, and implementation of Federal policies; staff support and other assistance; specific service sector authorities unaffected; executive functions.
- 2114d. Foreign export requirements; consultations and negotiations for reduction and elimination; restrictions on and exclusion from entry of products or services; savings provision; compensation authority applicable.