

(1) any archaeological or ethnological material or any article of cultural property which is imported into the United States for temporary exhibition or display if such material or article is immune from seizure under judicial process pursuant to section 2459 of title 22; or

(2) any designated archaeological or ethnological material or any article of cultural property imported into the United States if such material or article—

(A) has been held in the United States for a period of not less than three consecutive years by a recognized museum or religious or secular monument or similar institution, and was purchased by that institution for value, in good faith, and without notice that such material or article was imported in violation of this chapter, but only if—

(i) the acquisition of such material or article has been reported in a publication of such institution, any regularly published newspaper or periodical with a circulation of at least fifty thousand, or a periodical or exhibition catalog which is concerned with the type of article or materials sought to be exempted from this chapter,

(ii) such material or article has been exhibited to the public for a period or periods aggregating at least one year during such three-year period, or

(iii) such article or material has been cataloged and the catalog material made available upon request to the public for at least two years during such three-year period;

(B) if subparagraph (A) does not apply, has been within the United States for a period of not less than ten consecutive years and has been exhibited for not less than five years during such period in a recognized museum or religious or secular monument or similar institution in the United States open to the public; or

(C) if subparagraphs (A) and (B) do not apply, has been within the United States for a period of not less than ten consecutive years and the State Party concerned has received or should have received during such period fair notice (through such adequate and accessible publication, or other means, as the Secretary shall by regulation prescribe) of its location within the United States; and

(D) if none of the preceding subparagraphs apply, has been within the United States for a period of not less than twenty consecutive years and the claimant establishes that it purchased the material or article for value without knowledge or reason to believe that it was imported in violation of law.

(Pub. L. 97-446, title III, §312, Jan. 12, 1983, 96 Stat. 2362.)

§ 2612. Regulations

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

¹ So in original. Probably should be "United".

(Pub. L. 97-446, title III, §313, Jan. 12, 1983, 96 Stat. 2363.)

§ 2613. Enforcement

In the customs territory of the United States, and in the Virgin Islands, the provisions of this chapter shall be enforced by appropriate customs officers. In any other territory or area within the United States, but not within such customs territory or the Virgin Islands, such provisions shall be enforced by such persons as may be designated by the President.

(Pub. L. 97-446, title III, §314, Jan. 12, 1983, 96 Stat. 2363.)

DELEGATION OF FUNCTIONS

For delegation of certain functions of President under this section, see Ex. Ord. No. 12555, Mar. 10, 1986, 51 F.R. 8475, set out as a note under section 2602 of this title.

CHAPTER 15—CARIBBEAN BASIN ECONOMIC RECOVERY

2701.	Authority to grant duty-free treatment.
2702.	Beneficiary country. <ul style="list-style-type: none"> (a) Definitions; termination of designation. (b) Countries eligible for designation as beneficiary countries; conditions. (c) Factors determining designation. (d) Omitted. (e) Withdrawal or suspension of duty-free treatment to specific articles. (f) Reporting requirements.
2703.	Eligible articles. <ul style="list-style-type: none"> (a) Growth, product, or manufacture of beneficiary countries. (b) Import-sensitive articles. (c) Sugar and beef products; stable food production plan; suspension of duty-free treatment; monitoring. (d) Tariff-rate quotas. (e) Proclamations suspending duty-free treatment. (f) Petitions to International Trade Commission. (g) Fees not affected by proclamation. (h) Duty reduction for certain leather-related products.
2704.	International Trade Commission reports on impact of Caribbean Basin Economic Recovery Program. <ul style="list-style-type: none"> (a) Reporting requirements. (b) Requisite areas of Commission assessment. (c) Time of submission of reports; public participation.
2705.	Impact study by Secretary of Labor.
2706.	Effective date.
2707.	Center for the Study of Western Hemispheric Trade. <ul style="list-style-type: none"> (a) Establishment. (b) Scope of Center. (c) Consultation; selection criteria. (d) Programs and activities. (e) Definitions. (f) Fees for seminars and publications. (g) Duration of grant. (h) Report.

§ 2701. Authority to grant duty-free treatment

The President may proclaim duty-free treatment (or other preferential treatment) for all eligible articles from any beneficiary country in accordance with the provisions of this chapter.