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Coin Dealers Sue State Dept. for Details on Import Bans

By JEREMY KAHN

Three organizations representing coin collectors and dealers have filed a lawsuit against the State Department demanding greater disclosure of how the government makes decisions on the import of ancient artifacts from abroad.

The suit, filed jointly on Thursday by the three groups in Federal District Court in Washington, asserts that the State Department violated the Freedom of Information Act when it failed to release documents that the coin collectors had sought concerning recent decisions in which the State Department either considered or imposed import restrictions on ancient coins. The documents involve trade between the United States and Italy, China and the Republic of Cyprus.

If the coin collectors prevail, the State Department may be compelled to shed more light on the way it makes decisions on protecting the cultural property of other nations, a process that many art dealers, museum directors and collectors argue has been unnecessarily shrouded in secrecy.

The information sought from the State Department includes documents related to a May 2004 request from China that the United States restrict the import of a vast array of art and artifacts, including coins, dating from Chinese prehistory through the early 20th century. The State Department has repeatedly delayed action on the Chinese petition in the face of strong

opposition from museum curators, art dealers, auction houses and collectors.

The Chinese request is supported by archaeologists, however, who believe that the antiquities market and the trade in ancient coins encourage the pillage of important historical sites.

The lawsuit also follows a controversial decision by the State Department in July to ban imports of ancient coins from Cyprus. It was the first time the government had barred trade in a broad category of ancient coins, and collectors and dealers were surprised. Archaeologists, who often use coins to help them date finds, supported that ban on the grounds that treasure hunters using metal detectors to search for coins frequently damage significant sites.

The coin collectors described their lawsuit as a last resort, taken only after the State Department ignored Freedom of Information Act requests over the last three years, as well as unsuccessful efforts by two Republican members of Congress, Representative John Culberson of Texas and Senator [Christopher S. Bond](#) of Missouri, to persuade the State Department to divulge more about its decision making.

“We have tried every other step,” said Wayne G. Sayles, executive director of the Ancient Coin Collectors Guild, one of the groups bringing the suit. “We are not getting any transparency in the process, and we need that transparency to make sure our position is considered and that our rights are maintained.” The other two plaintiffs are the International Association of Professional Numismatists and the Professional Numismatists Guild.

Darlene Kirk, a spokeswoman for the State Department’s Bureau of Educational and Cultural Affairs, said that as a matter of policy, the department would not comment on a pending lawsuit.

Peter K. Tompa, a lawyer who serves as president of the Ancient Coin Collectors Guild and has represented collectors before a committee that advises the State Department on the antiquities trade, said that if the lawsuit succeeds, it may yield evidence that will allow the coin collectors to challenge the ban on Cypriot coin imports.

Mr. Tompa said the collectors suspected that the State Department had imposed the restriction on coins against the advice of its own Cultural Property Advisory Committee — and perhaps in violation of the procedures established by a 1983 law governing cultural property protection. They want the State Department to release documents that could prove or disprove this assertion.

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