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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Part 12

[CBP Dec. 19–02]

RIN 1515–AE42

Extension of Import Restrictions Imposed on Certain Archaeological Material From China

AGENCY: U.S. Customs and Border Protection; Department of Homeland Security; Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the U.S. Customs and Border Protection (CBP) regulations to reflect an extension of import restrictions on certain archaeological material from China. The restrictions, which were originally imposed by CBP Dec. 09–03 and last extended by CBP Dec. 14–02, are due to expire on January 14, 2019. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has made the requisite determination for extending the import restrictions that previously existed and entering into a new Memorandum of Understanding (MOU) with China to reflect the extension of these import restrictions. The new MOU supersedes the existing agreement that became effective on January 14, 2009. Accordingly, these import restrictions will remain in effect for an additional five years, and the CBP regulations are being amended to reflect this further extension through January 14, 2024. This document also contains the amended Designated List that describes the types of archaeological material to which the restrictions apply, including a new subcategory of glass objects from the Zhou period through the Tang period.

DATES: Effective January 14, 2019.

FOR FURTHER INFORMATION CONTACT: For regulatory aspects, Lisa L. Burley, Branch Chief, Cargo Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0215, *ot-trrcultural.property@cbp.dhs.gov*. For operational aspects, Christopher N. Robertson, Branch Chief, Commercial Targeting & Analysis Center, Trade Policy and Programs, Office of Trade, (202) 325–6586, *CTAC@cbp.dhs.gov*.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the Convention on Cultural Property Implementation Act, Public Law 97–446, 19 U.S.C. 2601 *et seq.* (hereinafter, “the Cultural Property Implementation Act” or “the Act”), which implements the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (hereinafter, “1970 UNESCO Convention” or “the Convention”) (823 U.N.T.S. 231 (1972)), the United States entered into a bilateral agreement with the People’s Republic of China (China) on January 14, 2009, to impose import restrictions on certain archaeological material representing China’s cultural heritage from the Paleolithic Period (c. 75,000 B.C.) through the end of the Tang Period (A.D. 907), and monumental sculpture and wall art at least 250 years old. On January 16, 2009, U.S. Customs and Border Protection (CBP) published a final rule (CBP Dec. 09–03) in the **Federal Register** (74 FR 2838), which amended § 12.104g(a) of title 19 of the Code of Federal Regulations (19 CFR 12.104g(a)) to reflect the imposition of these restrictions, and included a list covering certain archaeological material from China.

Import restrictions listed at 19 CFR 12.104g(a) are effective for no more than five years beginning on the date on which the agreement enters into force with respect to the United States. This period may be extended for additional periods of not more than five years if it is determined that the factors which justified the initial agreement still pertain and no cause for suspension of the agreement exists.

On April 1, 2013, the United States Department of State proposed in the

Federal Register (78 FR 19565) to extend the agreement through a memorandum of understanding (“MOU”) between the United States and China concerning the imposition of import restrictions on archaeological material from the Paleolithic Period through the Tang Dynasty and monumental sculpture and wall art at least 250 years old. On August 1, 2013, the Assistant Secretary for Educational and Cultural Affairs, United States Department of State, made the necessary determinations to extend the import restrictions for an additional five years. On January 13, 2014, CBP published a final rule (CBP Dec. 14–02) in the **Federal Register** (79 FR 2088), which amended § 12.104g(a) to reflect the extension of these import restrictions for an additional five years. By request of China, this document also amended the Designated List to clarify that the restrictions as to monumental sculpture and wall art at least 250 years old should be calculated as of January 14, 2009, the date the MOU became effective. These import restrictions are due to expire on January 14, 2019.

On April 4, 2018, the United States Department of State proposed in the **Federal Register** (83 FR 14537) to extend the MOU between the United States and China concerning the imposition of import restrictions on certain archaeological material and monumental sculpture and wall art at least 250 years old for an additional five years.

The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, after consultation with and recommendations by the Cultural Property Advisory Committee, determined that the cultural heritage of China continues to be in jeopardy from pillage of certain archaeological material and that the import restrictions should be extended for an additional five years. Subsequently, a new MOU was concluded between the United States and China. The new MOU supersedes and replaces the prior MOU, extends the import restrictions that went into effect under the prior MOU for an additional five years and adds a new subcategory of glass objects from the Zhou period through the Tang period. This new MOU is titled: “Memorandum of Understanding Between the Government of the United States of

America and the Government of the People's Republic of China Concerning the Imposition of Import Restrictions on Categories of Archaeological Material of China." The new MOU revises the Designated List of cultural property described in CBP Dec. 14–02, as set forth below. Accordingly, CBP is amending 19 CFR 12.104g(a) to reflect the extension of these import restrictions.

The restrictions on the importation of archaeological material from China are to continue in effect through January 14, 2024. Importation of such material from China continues to be restricted through that date unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

Amended Designated List

The Designated List, covering articles from the Paleolithic Period (c. 75,000 B.C.) through the end of the Tang Period (A.D. 907) and monumental sculpture and wall art at least 250 years old as of January 14, 2009, that are protected pursuant to the existing MOU, has been revised. Under the new MOU, a new subcategory of objects under "Section VIII Glass" has been added to include "beads", pursuant to 19 U.S.C. 2606, and the word "mostly" preceding the word "tablewares" in the same section has been removed. Grammatical changes have been made to the Designated List in "Section II Stone" for Other Stone sculptures associated with Buddhism, and in "Section III Metal" for Bronze musical instruments of the Zhou through Tang period and miscellaneous Bronze items. Additionally, the words "Dynasty" or "Dynasties" and "period" have been added for clarity, where appropriate, throughout the Designated List. The Designated List and additional information may also be found at the following website address: <https://eca.state.gov/cultural-heritage-center/cultural-property-advisory-committee/current-import-restrictions> under "China." For ease of reference, the Designated List that was published in CBP Dec. 14–02, including the revisions mentioned above, is reproduced below:

Amended Designated List of Archaeological Material of China

Simplified Chronology

Paleolithic period (c. 75,000–10,000 BC).

Neolithic period (c. 10,000–2000 BC).
Erlitou and other Early Bronze Age cultures (c. 2000–1600 BC).

Shang Dynasty and other Bronze Age Cultures (c. 1600–1100 BC).

Zhou Dynasty (c. 1100–256 BC).

Qin Dynasty (221–206 BC).

Han Dynasty (206 BC–AD 220).

Three Kingdoms (AD 220–280).

Jin Dynasty (AD 265–420).

Southern and Northern Dynasties (AD 420–589).

Sui Dynasty (AD 581–618).

Tang Dynasty (AD 618–907).

I. Ceramic

The ceramic tradition in China extends back to at least the 6th millennium BC and encompasses a tremendous variety of shapes, pastes, and decorations. Chinese ceramics include earthenwares, stonewares and porcelains, and these may be unglazed, glazed, underglazed, painted, carved, impressed with designs, decorated with applied designs or a combination of all of these. Only the most distinctive are listed here. Vessels are the most numerous and varied types of ceramics. Ceramic sculptures include human, animal, mythic subjects, and models of scenes of daily life. Architectural elements include decorated bricks, baked clay tiles with different glaze colors, and acroteria (ridge pole decorations).

A. Vessels

1. Neolithic Period

Archaeological work over the past thirty years has identified numerous cultures of the Neolithic period from every part of China, all producing distinctive ceramics. Early Neolithic cultures (c. 7500–5000 BC) include such cultures as Pengtoushan (northern Hunan Province), Peiligang (Henan Province), Cishan (Hebei Province), Houli (Shandong Province), Xinglongwa (eastern Inner Mongolia and Liaoning Province), Dadiwan and Laoguantai (Gansu and Shaanxi Province), and Xinle (Liaodong peninsula, Liaoning Province), among others. Examples of Middle Neolithic cultures (c. 5000–3000 BC) include Yangshao (Shaanxi, Shanxi, and Henan Provinces), Daxi (eastern Sichuan and western Hubei Provinces), Hemudu (lower Yangzi River valley, Zhejiang Province), Majiabang (Lake Tai/Taihu area to Hangzhou Bay, Zhejiang and southern Jiangsu Provinces), Hongshan (eastern Inner Mongolia, Liaoning, and northern Hebei Provinces), and Dawenkou (Shandong Province), among others. Later Neolithic cultures (c. 3500–2000 BC) include Liangzhu (lower Yangzi River Valley), Longshan (Shandong and Henan Provinces), Taosi (southern Shanxi Province), Qujialing (middle Yangzi River valley in Hubei and Hunan Provinces), Baodun (Chengdu Plain, Sichuan Province), Shijiahe (western Hubei Province), and Shixia

(Guangdong Province), among many others.

Neolithic vessels are sometimes inscribed with pictographs. When present, they are often single incised marks on vessels of the Neolithic period, and multiple incised marks (sometimes around the rim) on late Neolithic vessels.

a. *Yangshao*: The "classic" form of Neolithic culture, c. 5000–3000 BC in Shanxi, Shaanxi, Gansu, Henan, and adjacent areas. Hand-made, red paste painted with black, sometimes white motifs that are abstract, and depict plants, animals, and humans. Forms include bulbous jars with lug handles, usually with a broad shoulder and narrow tapered base, bowls, open mouth vases, and flasks (usually undecorated) with two lug handles and a pointed base.

b. *Shandong Longshan*: Vessels are wheel-made, black, very thin-walled, and highly polished, sometimes with open cut-out decoration. Forms include tall stemmed cups (*dou*), tripods (*li* and *ding*), cauldrons, flasks, and containers for water or other liquids.

2. Erlitou, Shang, and Zhou Vessels

a. Vessels are mostly utilitarian gray paste cooking tripod basins, cooking and storage jars, wide mouth containers, pan circular dishes with flat base, and broad three legged versions of pans. The latter also appear in fine gray and black pastes. The forms of these include the kettle with lid (*he*), tripod liquid heating vessel with pouring spout (*jue*), tripod cooking pot (*ding*), goblet or beaker (*gu*), and tripod water heater without pouring spout (*jia*).

b. *Shang and Zhou*: Vessels may be wheel-made or coiled. Vessels can be utilitarian gray paste cooking vessels, often cord-impressed, or more highly decorated types. Surfaces can be impressed and glazed yellow to brown to dark green. White porcelain-like vessels also occur. Forms include those of the Erlitou plus wide-mouth containers and variously shaped jars and serving vessels.

3. Qin Through Southern and Northern Vessels

Most vessels are wheel-made. The main developments are in glazing. Earthenwares may have a lead-based shiny green glaze. Grey stonewares with an olive color are called Yue ware.

4. Sui and Tang Vessels

Note: Most vessels are wheel-made.

a. *Sui*: Pottery is plain or stamped.

b. *Tang*: A three-color glazing technique is introduced for

earthenwares (*sancai*). Green, yellow, brown, and sometimes blue glazes are used together on the same vessel. For stoneware, the olive glaze remains typical.

B. Sculpture

1. *Neolithic*: Occasional small figurines of animals or humans. From the Hongshan culture come human figures, some of which appear pregnant, and human faces ranging from small to life-size, as well as life-size and larger fragments of human body parts (ears, belly, hands, and others).

2. *Shang through Eastern Zhou*: Ceramic models and molds for use in the piece-mold bronze casting process. Examples include frontal animal mask (*taotie*), birds, dragons, spirals, and other decorative motifs.

3. *Eastern Zhou, Qin and Han*: Figures are life-size or smaller. They are hand- and mold-made, and may be unpainted, painted, or glazed. Figures commonly represent warriors on foot or horseback, servants, acrobats, and others. Very large numbers date to the Han Dynasty. In some cases, the ceramic male and female figurines are anatomically accurate, nude, and lack arms (in these cases, the figures were originally clad in clothes and had wooden arms that have not been preserved). Other ceramic objects, originally combined to make scenes, take many forms including buildings, courtyards, ships, wells, and pig pens.

4. *Tang*: Figures depicting Chinese people, foreigners, and animals may be glazed or unglazed with added paint. Approximately 15 cm to 150 cm high.

C. Architectural Decoration and Molds

1. *Han*: Bricks having a molded surface with geometric or figural design. These depict scenes of daily life, mythic and historical stories, gods, or demons.

2. *Three Kingdoms through Tang*: Bricks may be stamped or painted with the same kinds of scenes as in the Han Dynasty.

3. *Han through Tang*: Roof tiles may have a corded design. Eaves tiles with antefixes have Chinese characters or geometric designs. Glazed acroteria (ridge pole decorations) in owl tail shape.

II. Stone

A. Jade

Ancient Chinese jade is, for the most part, the mineral nephrite. It should be noted, however, that many varieties of hard stone are sometimes called “jade” (*yu*) in Chinese. True nephrite jade can range in color from white to black, and from the familiar shades of green to

almost any other color. Jade has been valued in China since the Neolithic period. Types commonly encountered include ornaments, amulets, jewelry, weapons, insignia, and vessels.

1. Ornaments and Jewelry

a. *Neolithic (Hongshan)*: Types are mostly hair cylinders or pendant ornamental animal forms such as turtles, fish-hawks, cicadas, and dragons. One common variety is the so-called “pigdragon” (*zhulong*), a circular ring form with a head having wrinkled snout (the “pig”) and long dragon-like body.

b. *Neolithic (Liangzhu)*: Types include awl-shaped pendants, three-prong attachments, openwork crown-shapes, beads, birds, fishes, and frogs.

c. *Neolithic (Shandong Longshan) and Erlitou*: Ornaments for body and clothing such as stick pins and beads.

d. *Shang and Zhou*: Earrings, necklaces, pectorals, hair stickpins, ornaments, sometimes in the shape of small animals, dragons, or other forms; belt buckles, and garment hooks. During the Zhou Dynasty, elaborate pectorals made of jade links, and jade inlay on bronze appear.

e. *Qin, Han and Three Kingdoms*: Pectoral ornaments and small-scale pendants continue to be produced. Types include pectoral slit earrings, large disks (*bi*), openwork disks (*bi*), openwork plaques showing a mythic bird (*feng*), and various types of rings. Entire burial suits of jade occur during the Han Dynasty. More frequently occurring are Han Dynasty belt hooks decorated with dragons, and garment hooks.

2. Weapons, Tools, and Insignia

a. *Neolithic (Liangzhu)*: Types include weapons such as broad-bladed axes (*yue*), long rectangular or trapezoidal blades (*zhang*), often with holes along the back (non-sharpened) edge for hafting; and tools such as hoe, adze, knife blades.

b. *Neolithic (Shandong Longshan) and Erlitou*: Broad axe (*yue*) and halberd or “dagger axe” (*ge*).

c. *Shang and Zhou*: Broad axes (*yue*) and halberd (*ge*) may be attached to turquoise inlaid bronze shafts.

d. *Neolithic (Liangzhu) to Zhou*: Tool types include hoe, adze, knife blades.

e. *Neolithic (Shandong Longshan) to Zhou*: Insignia blades based on tool shapes such as long hoe, flat adze, and knife.

3. Ceremonial Paraphernalia

Neolithic—Han: Types include flat circular disks (*bi*) with a cut-out central hole and prismatic cylindrical tubes

(*cong*), usually square on the outside with a circular hole through its length, often with surface carving that segments the outer surface into three or more registers. The *cong* tubes are often decorated with a motif on each corner of each register showing abstract pairs of eyes, animal and/or human faces. *Cong* tubes, while most closely linked with the Liangzhu culture, were widely distributed among the many late Neolithic cultures of China.

4. Vessels

a. *Shang through Han*: Types include eared cups and other tableware.

b. *Qin through Tang*: Tableware forms such as cups, saucers, bowls, vases, and inkstones.

5. Other

Chimes from all eras may be rectangular or disk-shaped.

B. Amber

Amber is used for small ornaments from the Neolithic through Tang Dynasties.

C. Other Stone

1. Tools and Weapons

a. *Paleolithic and later eras*: Chipped lithics from the Paleolithic and later eras including axes, blades, scrapers, arrowheads, and cores.

b. *Neolithic and later eras*: Ground stone including hoes, sickles, spades, axes, adzes, pestles, and grinders.

c. *Erlitou through Zhou*: As with jade, weapon types include blades, broad axes (*yue*), and halberds (*ge*).

2. Sculpture

Stone becomes a medium for large-scale images in the Qin and Han Dynasties. It is put to many uses in tombs. It also plays a major role in representing personages associated with Buddhism, Daoism, and Confucianism.

a. Sculpture in the round

Note: This section includes monumental sculpture at least 250 years old as of January 14, 2009.

i. *Shang*: Sculpture includes humans, often kneeling with hands on knees, sometimes with highly decorated incised robes, owls, buffalo, and other animals. The Jinsha site near Chengdu, Sichuan, dating to the late Shang Dynasty, has yielded numerous examples of stone figurines in a kneeling position, with carefully depicted hair parted in the center, and with hands bound behind their back.

ii. *Han to Qing*: The sculpture for tombs includes human figures such as warriors, court attendants, and

foreigners. Animals include horse, tiger, pig, bull, sheep, elephant, and fish, among many others.

iii. The sculpture associated with Buddhism is usually made of limestone, sandstone, schist and white marble. These may be covered with clay, plaster, and then painted. Figures commonly represented are the Buddha and disciples in different poses and garments.

iv. The sculpture associated with Daoism is usually sandstone and limestone, which may be covered and painted. Figures commonly represented are Laozi or a Daoist priest.

v. The sculpture associated with Confucianism represents Confucius and his disciples.

b. Relief Sculpture

i. *Han*: Relief sculpture is used for all elements of tombs including sarcophagi, tomb walls, and monumental towers. Images include hunting, banqueting, historical events, processions, scenes of daily life, fantastic creatures, and animals.

ii. *Tang*: Tomb imagery now includes landscapes framed by vegetal motifs.

c. Art of Cave or Grotto Temples

Note: This section includes monumental sculpture at least 250 years old as of January 14, 2009.

Han—Qing: These temples, mostly Buddhist, combine relief sculpture, sculpture in the round, and sometimes mural painting. The sculptures in the round may be stone or composites of stone, wood, and clay and are painted with bright colors.

d. Stelae

Note: This section includes monumental sculpture at least 250 years old as of January 14, 2009.

Han—Qing: Tall stone slabs set vertically, usually on a tortoise-shaped base and with a crown in the form of intertwining dragons. Stelae range in size from around 0.60m to 3m. Some include relief sculpture consisting of Buddhist imagery and inscription, and others are secular memorials with long memorial inscription on front and back faces.

3. Architectural Elements

a. *Erlitou through Zhou*: Marble or other stone is used as a support for wooden columns and other architectural or furniture fixtures.

b. *Qing*:

Note: This section includes monumental sculpture at least 250 years old as of January 14, 2009.

Sculpture is an integral part of Qing Dynasty architecture. Bridges, archways, columns, staircases and terraces throughout China are decorated with reliefs. Colored stones may be used, including small bright red, green, yellow and black ones. Statue bases are draped with imitations of embroidered cloths. Stone parapets are carved with small, elaborately adorned fabulous beasts.

4. Musical Instruments

Neolithic through Han, and later: Chimestones, chipped and/or ground from limestone and other resonant rock. They may be highly polished, carved with images of animals or other motifs, and bear inscriptions in Chinese characters. They usually have a chipped or ground hole to facilitate suspension from a rack.

III. Metal

The most important metal in traditional Chinese culture is bronze (an alloy of copper, tin and lead), and it is used most frequently to cast vessels, weapons, and other military hardware. Iron artifacts are not as common, although iron was used beginning in the middle of the Zhou Dynasty to cast agricultural tool types, vessels, weapons and measuring utensils. As with ceramics, only the most distinctive are listed here.

A. Bronze

1. Vessels

Note: Almost any bronze vessel may have an inscription in archaic Chinese characters.

a. *Erlitou*: Types include variations on pots for cooking, serving and eating food including such vessels as the cooking pot (*ding*), liquid heating vessel with open spout (*jue*), or with tubular spout (*he*), and water heater without spout (*jia*).

b. *Shang*: Bronze vessels and implements include variations on the ceramic posts used for cooking, serving, and eating including but not limited to the tripod or quadripod cooking pot (*ding*), water container (*hu*), and goblet (*gu*). Animal-shaped vessels include the owl, mythic bird, tiger, ram, buffalo, deer, and occasionally elephant and rhinoceros. Most types are decorated with symbolic images of a frontal animal mask (*taotie*) flanked by mythical birds and dragons, or with simpler images of dragons or birds, profile cicadas, and geometric motifs, including a background “cloud and thunder” pattern of fine squared spirals.

c. *Zhou*: Types include those of previous eras. Sets begin to be made with individual vessels having similar

designs. Late innovations are made to surface treatment: Relief decorations of intertwined dragons and feline appendages; inlay with precious stones and gems; inlay with other metals such as gold and silver; gilding; pictorial narratives featuring fighting, feasting and rituals; and various geometric designs.

d. *Qin and Han*: All vessel types and styles popularized of the immediately preceding era continue.

2. Sculpture

a. *Shang and other Bronze Age Cultures through Zhou*: Wide variety of cast human and animal sculptures. Particularly distinctive are the bronze sculptures from the Sanxingdui Culture in Sichuan which include life-sized human heads (often with fantastic features and sometimes overlaid with gold leaf) and standing or kneeling figurines ranging in size from 5 cm to more than 2 meters; tree-shaped assemblages; birds, dragons, and other real and fantastic animals. Bronze sculpture from Chu and related cultures include supports for drums and bell sets (often in the shape of guardian figures, fantastic animals, or intertwined snakes).

b. *Qin and Han*: Decorative bronze types include statues of horses, lamps in the shape of female servants, screen supports in the shape of winged immortals, incense burners in the shape of mountains, mirrors, and inlaid cosmetic boxes.

c. *Buddhist*: In the Han Dynasty, there first appear small portable images of Sakyamuni Buddha. During the next historical eras, such images proliferate and become more varied, in terms of size and imagery. Most of these are free-standing, depicting such subjects as the historical Buddha Sakyamuni, Buddhas associated with paradises, Buddha’s disciples, and scenes from the *Lotus Sutra*. Gilt bronzes are made from the Han to Tang Dynasties.

3. Coins

a. *Zhou Media of Exchange and Tool-shaped Coins*: Early media of exchange include bronze spades, bronze knives, and cowrie shells. During the 6th century BC, flat, simplified, and standardized cast bronze versions of spades appear and these constitute China’s first coins. Other coin shapes appear in bronze including knives and cowrie shells. These early coins may bear inscriptions.

b. Later, tool-shaped coins began to be replaced by disc-shaped ones, which are also cast in bronze and marked with inscriptions. These coins have a central round or square hole.

c. *Qin*: In the reign of Qin Shi Huangdi (221–210 BC), the square-holed round coins become the norm. The new Qin coin is inscribed simply with its weight, expressed in two Chinese characters *ban liang*. These are written in small seal script and are placed symmetrically to the right and left of the central hole.

d. *Han through Sui*: Inscriptions become longer, and may indicate that the inscribed object is a coin, its value in relation to other coins, or its size. Later, the period of issue, name of the mint, and numerals representing dates may also appear on obverse or reverse. A new script, clerical (*lishu*), comes into use in the Jin Dynasty.

e. *Tang*: The clerical script becomes the norm until AD 959, when coins with regular script (*kaishu*) also begin to be issued.

4. Musical Instruments

a. *Shang*: Instruments include individual clapper-less bells (*nao*), singly and in sets. Barrel drums lay horizontally, have a saddle on top, and rest on four legs.

b. *Zhou through Tang*: Bells and bell sets continue to be important. The bells vary considerably in size and in shape. Other instruments include mouth organs (*hulu sheng*), gongs, cymbals, and a variety of types of drums, including drums (*chunyu*) and large “kettledrums” from south and southwest China.

5. Tools and Weapons

Tools and implements of all eras include needles, spoons, ladles, lifting poles, axes, and knives. Weapons and military gear include the broad axe, dagger axe, knives, spear points, arrowheads, helmets, chariot fittings, combination of spear and dagger (*ji*), cross-bow, and horse frontlets.

6. Miscellaneous

Other bronze items include but are not limited to mirrors, furniture parts, and utensils such as belt buckles, garment hooks, weights, measuring implements, incense burners, lamps, spirit trees, tallies, seals, rings, bells, and cosmetic containers.

B. Iron

Iron is used for such utilitarian objects as axes, hammers, chisels, and spades. At the end of the Zhou Dynasty, steel swords with multi-faceted metal inlay are produced.

1. *Zhou through Han*: Bimetallic weapons such as iron-bladed swords and knives with a bronze hilt.

2. *Three Kingdoms through Sui*: Small-scale Buddhist images are cast.

3. *Tang*: Large-scale castings include Buddhist statues, bells, lions, dragons, human figures, and pagodas.

C. Gold and Silver

During the Shang and Zhou Dynasties, gold is used to produce jewelry and a limited number of vessel types, and as gilding, gold leaf, or inlay on bronze. Gold and silver become widely used in the Han Dynasty and remain so through the Tang Dynasty. Objects include vessels such as cups, ewers, jars, bowls; utensils such as lamps, containers, jewelry, liturgical wares, furniture parts; and Buddhist sculpture such as images of Buddha and reliquaries.

IV. Bone, Ivory, Horn, and Shell

Neolithic through Tang: The most important uses of these materials is for vessels, seals, small-scale sculptures, and personal ornaments. In the Neolithic period, Erlitou culture, and Shang Dynasty, bone (bovine scapula and tortoise plastrons, or lower shells) is used for divination: A carefully prepared bone or shell was thinned by drilling series of holes almost through the bone, to which heat was applied to make the bone crack. In some cases from the Late Shang Dynasty, the bones carry inscriptions revealing the date and nature of the question asked and, occasionally, the outcome of the event. The cowrie shells used as money in the Shang Dynasty and later periods show signs of use. Worked shell imitations of cowries are also known. Ivory and horn are used to craft tableware utensils such as cups and containers as early as the Shang Dynasty; these are sometimes inlaid with turquoise or other stones.

V. Silks and Textiles

Neolithic through Tang: Silk worms are domesticated in China as early as the Neolithic period. Silk cloth is preserved as garments and parts thereof, as a covering for furniture, and as painted or embroidered banners. Techniques include flat weave, moiré, damask, gauze, quilting, and embroidery.

VI. Lacquer and Wood

Neolithic through Tang: Lacquer is a transparent sap collected from the lac tree. When dissolved, it may be repeatedly applied to a wood or fabric form. The resulting product is sturdy and light. Lacquer vessels first appear in the Neolithic period, and become highly sophisticated and numerous by the middle Zhou through Han Dynasties. In the Sui and Tang Dynasties, the practice is invented of creating a hard, thick surface of lacquer with the application

of many thin layers. The resulting object may be carved and or inlaid before it hardens completely. Common colors for lacquer are red and black. Object types include: Vessels such as bowls, dishes, and goblets; military gear such as shields and armor; musical instruments such as zithers (*qin*) and drums, related supports for drums and for bell sets; and boxes and baskets with painted or carved lids.

Wooden objects from this era are mainly preserved when painted with lacquer. These include architectural elements, utensils, coffins, musical instruments, and wood sculptures.

VII. Bamboo and Paper

Zhou through Tang: Types include texts on bamboo and wooden slips, and on paper. The slips may be found singly, or in groups numbering into the thousands. Some Buddhist sutras were printed with movable wooden type.

VIII. Glass

Zhou through Tang: Glass types include beads and tablewares, such as cups, plates, and saucers.

IX. Painting and Calligraphy

A. Wall Painting

Note: This section includes wall art at least 250 years old as of January 14, 2009.

The painted bricks of the Han through Tang tomb walls have already been mentioned. That tradition is partially concurrent with a fresco tradition that runs from the Han through Qing Dynasties. Temples including those in caves or grottos have wall paintings with Buddhist, Confucian, and Daoist themes.

B. Other Painting

Han through Tang: Paintings, dating to as early as the Southern and Northern Dynasties, are on such media as banners, hand-scrolls, and fans. Subjects are drawn from Buddhism, Confucianism, and Daoism. Other subjects include landscapes and hunting scenes.

Inapplicability of Notice and Delayed Effective Date

This amendment involves a foreign affairs function of the United States and is, therefore, being made without notice or public procedure under 5 U.S.C. 553(a)(1). For the same reason, a delayed effective date is not required under 5 U.S.C. 553(d)(3).

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions

of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Executive Orders 12866 and 13771

CBP has determined that this document is not a regulation or rule subject to the provisions of Executive Order 12866 or Executive Order 13771 because it pertains to a foreign affairs function of the United States, as described above, and therefore is specifically exempted by section 3(d)(2) of Executive Order 12866 and section 4(a) of Executive Order 13771.

Signing Authority

This regulation is being issued in accordance with 19 CFR 0.1(a)(1), pertaining to the Secretary of the Treasury's authority (or that of his/her delegate) to approve regulations related to customs revenue functions.

List of Subjects in 19 CFR Part 12

Cultural property, Customs duties and inspection, Imports, Prohibited merchandise.

Amendment to CBP Regulations

For the reasons set forth above, part 12 of title 19 of the Code of Federal Regulations (19 CFR part 12) is amended as set forth below:

PART 12—SPECIAL CLASSES OF MERCHANDISE

■ 1. The general authority citation for part 12 and the specific authority citation for § 12.104g continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

* * * * *

Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;

* * * * *

§ 12.104g [Amended]

■ 2. In § 12.104g, in paragraph (a), the table is amended in the entry for People's Republic of China by removing the words "CBP Dec. 09–03 extended by CBP Dec. 14–02" in the column headed "Decision No.", and adding in their place the words "CBP Dec. 19–02".

Kevin K. McAleenan,

Commissioner, U.S. Customs and Border Protection.

Approved: January 9, 2019.

David J. Kautter,

Assistant Secretary of the Treasury.

[FR Doc. 2019–00065 Filed 1–10–19; 11:15 am]

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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Part 12

RIN 1515–AE41

Extension of Import Restrictions Imposed on Certain Archaeological and Ecclesiastical Ethnological Material From Bulgaria

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the U.S. Customs and Border Protection (CBP) regulations to reflect an extension of import restrictions on certain archaeological and ecclesiastical ethnological material from Bulgaria. The restrictions, which were originally imposed by CBP Dec. 14–01, are due to expire on January 14, 2019. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has made the requisite determination for extending the import restrictions that previously existed and entering into a new Memorandum of Understanding (MOU) with Bulgaria to reflect the extension of these import restrictions. The new MOU supersedes and replaces the existing agreement that became effective on January 14, 2014. This new MOU also corrects an inconsistency existing between the previous MOU and the Designated List that describes the types of archaeological and ecclesiastical ethnological material to which the restrictions apply.

DATES: Effective January 14, 2019.

FOR FURTHER INFORMATION CONTACT: For regulatory aspects, Lisa L. Burley, Branch Chief, Cargo Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0215, *ot-trrculturalproperty@cbp.dhs.gov*. For operational aspects, Christopher N. Robertson, Branch Chief, Commercial Targeting & Analysis Center, Trade Policy and Programs, Office of Trade, (202) 325–6586, *CTAC@cbp.dhs.gov*.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the Convention on Cultural Property Implementation Act, Public Law 97–446, 19 U.S.C. 2601 *et seq.* (hereinafter, "the Cultural Property Implementation Act" or "the Act"),

which implements the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (hereinafter, "1970 UNESCO Convention" or "the Convention" (823 U.N.T.S. 231 (1972))), the United States entered into a bilateral agreement with the Republic of Bulgaria (Bulgaria) on January 14, 2014, to impose import restrictions on: (1) Archaeological material from Bulgaria ranging in date from 7500 B.C through approximately 1750 A.D.; and (2) ecclesiastical ethnological material from Bulgaria ranging in date from the beginning of the 4th century A.D. through approximately 1750 A.D. On January 16, 2014, U.S. Customs and Border Protection (CBP) published a final rule (CBP Dec. 14–01) in the **Federal Register** (79 FR 2781), which amended § 12.104g(a) of title 19 of the Code of Federal Regulations (19 CFR 12.104g(a)) to reflect the imposition of these restrictions, and included a list covering certain archaeological and ecclesiastical ethnological material from Bulgaria.

Import restrictions listed at 19 CFR 12.104g(a) are effective for no more than five years beginning on the date on which the agreement enters into force with respect to the United States. This period may be extended for additional periods of not more than five years if it is determined that the factors that justified the initial agreement still pertain and no cause for suspension of the agreement exists.

On June 13, 2018, the United States Department of State proposed in the **Federal Register** (83 FR 27649) to extend the Memorandum of Understanding (MOU) between the United States and Bulgaria concerning the imposition of import restrictions on certain archaeological and ecclesiastical ethnological material from Bulgaria for an additional five years.

The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, after consultation with and recommendations by the Cultural Property Advisory Committee, determined that the cultural heritage of Bulgaria continues to be in jeopardy from pillage of certain archaeological material and ecclesiastical ethnological material and that the import restrictions should be extended for an additional five years. Subsequently, the United States and Bulgaria entered into and concluded a new MOU, superseding and replacing the existing MOU (dated January 14, 2014), to reflect the extension of those import restrictions for an additional five

years. This new MOU is titled: “Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Bulgaria Concerning the Imposition of Import Restrictions on Categories of Archaeological and Ecclesiastical Ethnological Material of the Republic of Bulgaria.” This new MOU also corrects an inconsistency existing between the previous MOU and the Designated List that describes the types of archaeological and ecclesiastical ethnological material from Bulgaria to which the restrictions apply. The inconsistency involved the 2014 MOU incorrectly listing the ecclesiastical ethnological material ranging in date from the beginning of 681 A.D. rather than as listed in the Designated List as from the beginning of the 4th century A.D.

Because of the new MOU, CBP is republishing the Designated List of cultural property described in CBP Dec. 14–01 in this document. Accordingly, CBP is amending 19 CFR 12.104g(a) to reflect the extension of these import restrictions and to reflect the appropriate dates for ecclesiastical ethnological material.

The restrictions on the importation of archaeological and ecclesiastical ethnological material from Bulgaria are to continue in effect through January 14, 2024. Importation of such material from Bulgaria continues to be restricted through that date unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

The Designated List and additional information may be found at the following website address: <https://eca.state.gov/cultural-heritage-center/cultural-property-advisory-committee/current-import-restrictions> by clicking on “Bulgaria.”

Designated List of Archaeological and Ecclesiastical Ethnological Material of Bulgaria

The bilateral agreement between the United States and Bulgaria includes, but is not limited to, the categories of objects described in the designated list set forth below. These categories of objects are subject to the import restrictions set forth above, in accordance with the above explained applicable law and the regulation amended in this document (19 CFR 12.104g(a)).

The import restrictions include complete examples of objects and fragments thereof.

The archaeological materials represent the following periods and cultures: Neolithic, Chalcolithic, Bronze Age, Iron Age, Thracian, Hellenistic,

Roman, Middle Ages, First Bulgarian Empire, Byzantine, Second Bulgarian Empire, and Ottoman. The ecclesiastical ethnological materials represent the following periods and cultures: Middle Ages, First Bulgarian Empire, Byzantine, Second Bulgarian Empire, and Ottoman. Ancient place-names associated with the region of Bulgaria include Odrysian Kingdom, Thrace, Thracia, Moesia Inferior, Moesia Superior, Coastal Dacia, Inner Dacia, Rhodope, Haemimontus, Europa, Bulgaria, and Eyalet of Rumeli.

I. Archaeological Material

A. Stone

1. Sculpture

a. *Architectural Elements*—In marble, limestone, gypsum, and other kinds of stone. Types include acroterion, antefix, architrave, base, capital, caryatid, coffer, column, crowning, fountain, frieze, pediment, pilaster, mask, metope, mosaic and inlay, jamb, tile, triglyph, tympanum, basin, and wellhead. *Approximate date*: First millennium B.C. to 1750 A.D.

b. *Monuments*—In marble, limestone, granite, sandstone, and other kinds of stone. Types include, but are not limited to, votive statues, funerary, documentary, votive stelae, military columns, herms, stone blocks, bases, and base revetments. These may be painted, carved with borders, carry relief sculpture, and/or carry dedicatory, documentary, official, or funerary inscriptions, written in various languages including Thracian, Proto-Bulgarian, Greek, Latin, Hebrew, Turkish, and Bulgarian. *Approximate date*: First millennium B.C. through 1750 A.D.

c. *Sarcophagi and ossuaries*—In marble, limestone, and other kinds of stone. Some have figural scenes painted on them, others have figural scenes carved in relief, and some are plain or just have decorative moldings. *Approximate date*: Third millennium through 1750 A.D.

d. *Large Statuary*—Primarily in marble, also in limestone and sandstone. Subject matter includes human and animal figures and groups of figures in the round. Common types are large-scale, free-standing statuary from approximately 1 m to 2.5 m in height and life-size busts (head and shoulders of an individual). *Approximate date*: Third millennium B.C. through 1750 A.D.

e. *Small Statuary and Figurines*—In marble and other stone. Subject matter includes human and animal figures and groups of figures in the round. These range from approximately 10 cm to 1 m

in height. *Approximate date*: Neolithic through 1750 A.D.

f. *Reliefs*—In marble and other stone. Types include carved relief vases and slabs carved with subject matter such as a horseman, vegetative, floral, or decorative motifs, sometimes inscribed. Used for architectural decoration, funerary, votive, or commemorative monuments. *Approximate date*: Third millennium B.C. through 1750 A.D.

g. *Furniture*—In marble and other stone. Types include tables, thrones, and beds. *Approximate date*: Third millennium B.C. through 1750 A.D.

2. *Vessels*—In marble, steatite, rock crystal, and other stone. These may belong to conventional shapes such as bowls, cups, jars, jugs, and lamps, or may occur in the shape of a human or animal, or part of human or animal. *Approximate date*: Neolithic through 1750 A.D.

3. *Tools, Instruments, and Weapons*—In flint, quartz, obsidian, and other hard stones. Types of stone tools include large and small blades, borers, scrapers, sickles, awls, harpoons, cores, loom weights, and arrow heads. Ground stone types include grinders (e.g., mortars, pestles, millstones, whetstones), choppers, axes, hammers, moulds, and mace heads. *Approximate date*: Neolithic through 1750 A.D.

4. *Seals and beads*—In marble, limestone, and various semiprecious stones including rock crystal, amethyst, jasper, agate, steatite, and carnelian. May be incised or cut as gems or cameos. *Approximate date*: Neolithic through 1750 A.D.

B. Metal

1. Sculpture

a. *Large Statuary*—Primarily in bronze, including fragments of statues. Subject matter includes human and animal figures, and groups of figures in the round. Common types are large-scale, free-standing statuary from approximately 1 m to 2.5 m in height and life-size busts (head and shoulders of an individual). *Approximate date*: Fifth millennium B.C. through 1750 A.D.

b. *Small Statuary and Figurines*—Subject matter includes human and animal figures, groups of figures in the round, masks, plaques, and bronze hands of Sabazios. These range from approximately 10 cm to 1 m in height. *Approximate date*: First millennium B.C. through Roman.

c. *Reliefs*—In gold, bronze, or lead. Types include burial masks, leaves, and appliqué with images of gods, mythical creatures, etc. First millennium B.C. through Roman.

d. *Inscribed or Decorated Sheet Metal*—In bronze or lead. Engraved inscriptions, “military diplomas,” and thin metal sheets with engraved or impressed designs often used as attachments to furniture. *Approximate date*: First millennium B.C. through 1750 A.D.

2. *Vessels*—In bronze, gold, and silver. Bronze may be gilded or silver-plated. These may belong to conventional shapes such as bowls, cups, jars, jugs, strainers, cauldrons, candelabras, and lamps, or may occur in the shape of a human or animal or part of a human or animal. *Approximate date*: Fifth millennium B.C. through 1750 A.D.

3. *Personal Ornaments*—In copper, bronze, gold, and silver. Bronze may be gilded or silver-plated. Types include torques, rings, beads, pendants, belts, belt buckles, belt ends/appliqués, earrings, ear caps, diadems, spangles, straight and safety pins, necklaces, mirrors, wreaths, cuffs, pectoral crosses, and beads. *Approximate date*: Fifth millennium B.C. through 1750 A.D.

4. *Tools*—In copper, bronze and iron. Types include knives, hooks, weights, axes, scrapers (strigils), trowels, keys, dies for making coins, and the tools of physicians and artisans such as carpenters, masons and metal smiths. *Approximate date*: Fifth millennium B.C. through 1750 A.D.

5. *Weapons and Armor*—In copper, bronze and iron. Types include both launching weapons (harpoons, spears and javelins) and weapons for hand-to-hand combat (swords, daggers, battle axes, rapiers, maces etc.). Armor includes body armor, such as helmets, cuirasses, shin guards, and shields, and horse armor/chariot decorations often decorated with elaborate engraved, embossed, or perforated designs. *Approximate date*: Fifth millennium B.C. through 1750 A.D.

6. *Seals*—In lead, tin, copper, bronze, silver, and gold. Types include rings, amulets, stamps, and seals with shank. They pertain to individuals, kings, emperors, patriarchs, and other spiritual leaders. *Approximate date*: Bronze Age through 1750 A.D.

7. *Coins*—In copper, bronze, silver and gold. Many of the listed coins with inscriptions in Greek can be found in B. Head, *Historia Numorum: A Manual of Greek Numismatics* (London, 1911) and C.M. Kraay, *Archaic and Classical Greek Coins* (London, 1976). Many of the Roman provincial mints in modern Bulgaria are covered in I. Varbanov, *Greek Imperial Coins I: Dacia, Moesia Superior, Moesia Inferior* (Bourgas, 2005), id., *Greek Imperial Coins II: Thrace (from Abdera to Pautalia)*

(Bourgas, 2005), id., *Greek Imperial Coins III: Thrace (from Perinthus to Trajanopolis), Chersonesos Thraciae, Insula Thraciae, Macedonia* (Bourgas 2007). A non-exclusive list of pre-Roman and Roman mints include Mesembria (modern Neesembar), Dionysopolis (Balchik), Marcianopolis (Devnya), Nicopolis ad Istrum (near Veliko Tarnovo), Odessus (Varna), Anchialus (Pomorie), Apollonia Pontica (Sozopol), Cabyle (Kabile), Deultum (Debelt), Nicopolis ad Nestum (Garmen), Pautalia (Kyustendil), Philippopolis (Plovdiv), Serdica (Sofia), and Augusta Traiana (Stara Zagora). Later coins may be found in A. Radushev and G. Zhekov, *Catalogue of Bulgarian Medieval Coins IX–XV c.* (Sofia 1999) and J. Youroukova and V. Penchev, *Bulgarian Medieval Coins and Seals* (Sofia 1990).

a. Pre-monetary media of exchange including “arrow money,” bells, and bracelets. *Approximate date*: 13th century B.C. through 6th century B.C.

b. Thracian and Hellenistic coins struck in gold, silver, and bronze by city-states and kingdoms that operated in the territory of the modern Bulgarian state. This designation includes official coinages of Greek-using city-states and kingdoms, Sycthian and Celtic coinage, and local imitations of official issues. Also included are Greek coins from nearby regions that are found in Bulgaria. *Approximate date*: 6th century B.C. through the 1st century B.C.

c. *Roman provincial coins*—Locally produced coins usually struck in bronze or copper at mints in the territory of the modern state of Bulgaria. May also be silver, silver plate, or gold. *Approximate date*: 1st century B.C. through the 4th century A.D.

d. *Coinage of the First and Second Bulgarian Empires and Byzantine Empire*—Struck in gold, silver, and bronze by Bulgarian and Byzantine emperors at mints within the modern state of Bulgaria. *Approximate date*: 4th century A.D. through A.D. 1396.

e. *Ottoman coins*—Struck at mints within the modern state of Bulgaria. *Approximate date*: A.D. 1396 through A.D. 1750.

C. Ceramic

1. Sculpture

a. *Architectural Elements*—Baked clay (terracotta) elements used to decorate buildings. Elements include tiles, acroteria, antefixes, painted and relief plaques, metopes, cornices, roof tiles, pipes, and revetments. May be painted as icons. Also included are wall and floor plaster decorations. *Approximate date*: First millennium B.C. through 1750 A.D.

b. *Large Statuary*—Subject matter includes human and animal figures and groups of figures in the round. Common types are large-scale, free-standing statuary from approximately 1 m to 2.5 m in height and life-size busts (head and shoulders of an individual). *Approximate date*: Neolithic through 6th century A.D.

c. *Small Statuary*—Subject matter is varied and includes human and animal figures, human body parts, groups of figures in the round, shrines, houses, and chariots. These range from approximately 10 cm to 1 m in height. *Approximate date*: Neolithic through 6th century A.D.

2. Vessels

a. *Neolithic and Chalcolithic Pottery*—Handmade, decorated with appliqué and/or incision, sometimes decorated with a lustrous burnish or added paint. These come in a variety of shapes from simple bowls and vases with three or four legs, anthropomorphic and zoomorphic vessels, to handled scoops and large storage jars.

b. *Bronze Age through Thracian Pottery*—Handmade and wheel-made pottery in shapes for tableware, serving, storing, and processing, with lustrous burnished, matte, appliqué, incised, and painted decoration.

c. *Black Figure and Red Figure Pottery*—These are made in a specific set of shapes (e.g., amphorae, kraters, hydriae, oinochoi, kylikes) decorated with black painted figures on a clear clay ground (Black Figure), decorative elements in reserve with background fired black (Red Figure), and multi-colored figures painted on a white ground (White Ground). *Approximate date*: First millennium B.C.

d. *Terra sigillata*—Is a high quality table ware made of red to reddish brown clay, and covered with a glossy slip. *Approximate date*: Roman.

e. *Seals*—On the handles and necks of bottles (amphorae). First millennium B.C. through Middle Ages.

f. *Middle Ages*—Includes undecorated plain wares, utilitarian wares, tableware, serving and storage jars, and special containers such as pilgrim flasks. These can be matte painted or glazed, including incised as “sgraffitto,” stamped, and with elaborate polychrome decorations using floral, geometric, human, and animal motifs.

D. Bone, Ivory, Horn, and other Organics

1. *Small Statuary and figurines*—Subject matter includes human and animal figures and groups of figures in the round. These range from

approximately 10 cm to 1 m in height. *Approximate date:* Neolithic through Middle Ages.

2. *Personal Ornaments*—In bone, ivory, and spondylus shell. Types include amulets, combs, pins, spoons, small containers, bracelets, buckles, and beads. *Approximate date:* Neolithic through Middle Ages.

3. *Seals and Stamps*—Small devices with at least one side engraved with a design for stamping or sealing; they can be discoid, cuboid, conoid, or in the shape and animals or fantastic creatures (e.g., a scarab). *Approximate date:* Neolithic through Middle Ages.

4. *Tools and Weapons*—In bone and horn. Needles, awls, chisels, axes, hoes, picks, and harpoons. *Approximate date:* Neolithic through Middle Ages.

E. Glass and Faience

1. *Vessels*—Shapes include small jars, bowls, animal shaped, goblet, spherical, candle holders, and perfume jars (unguentaria). *Approximate date:* First millennium B.C. through 1750 A.D.

2. *Beads*—Globular and relief beads. *Approximate date:* Bronze Age through Middle Ages.

F. Paintings

1. *Domestic and Public Wall Painting*—These are painted on mudplaster, lime plaster (wet—*buon fresco*—and dry—*secco fresco*); types include simple applied color, bands and borders, landscapes, scenes of people and/or animals in natural or built settings. *Approximate date:* First millennium B.C. through 1750 A.D.

2. *Tomb Paintings*—Paintings on plaster or stone, sometimes geometric or floral but usually depicting gods, goddesses, or funerary scenes. *Approximate date:* First millennium B.C. through 6th century A.D.

G. *Mosaics*—Floor mosaics including landscapes, scenes of humans or gods, and activities such as hunting and fishing. There may also be vegetative, floral, or decorative motifs. *Approximate date:* First millennium B.C. through 1750 A.D.

II. Ecclesiastical Ethnological Material

The categories of Bulgarian ecclesiastical ethnological objects on which import restrictions are imposed were made from the beginning of the 4th century A.D. through approximately 1750 A.D.

A. Stone

1. *Architectural elements*—In marble and other stone, including thrones, upright “closure” slabs, circular marking slabs omphalion, altar partitions, and altar tables which may

be decorated with crosses, human, or animal figures.

2. *Monuments*—In marble and other stone; types such as ritual crosses, funerary inscriptions.

3. *Vessels*—Containers for holy water.

4. *Reliefs*—In steatite or other stones, carved as icons in which religious figures predominate in the figural decoration.

B. Metal

1. *Reliefs*—Cast as icons in which religious figures predominate in the figural decoration.

2. *Boxes*—Containers of gold and silver, used as reliquaries for sacred human remains.

3. *Vessels*—Containers of lead, which carried aromatic oils and are called “pilgrim flasks.”

4. *Ceremonial paraphernalia*—In bronze, silver, and gold including censers (incense burners), book covers, processional crosses, liturgical crosses, archbishop’s crowns, buckles, and chests. These are often decorated with molded or incised geometric motifs or scenes from the Bible, and encrusted with semi-precious or precious stones. The gems themselves may be engraved with religious figures or inscriptions. Ecclesiastical treasure may include all of the above, as well as rings, earrings, and necklaces (some decorated with ecclesiastical themes) and other implements (e.g., spoons, baptism vessels, chalices).

C. *Ceramic*—Vessels which carried aromatic oils and are called “pilgrim flasks.”

D. *Bone And Ivory Objects*—Ceremonial paraphernalia including boxes, reliquaries (and their contents) plaques, pendants, candelabra, stamp rings, crosses. Carved and engraved decoration includes religious figures, scenes from the Bible, and floral and geometric designs.

E. *Wood*—Wooden objects include architectural elements such as painted wood screens (iconostases), carved doors, crosses, painted wooden beams from churches or monasteries, furniture such as thrones, chests and other objects, including musical instruments. Religious figures predominate in the painted and carved figural decoration. Ecclesiastical furniture and architectural elements may also be decorated with geometric or floral designs.

F. *Glass*—Vessels of glass include lamps and candle sticks.

G. *Textile*—Robes, vestments and altar clothes are often of a fine fabric and richly embroidered in silver and gold. Embroidered designs include religious motifs and floral and geometric designs.

H. *Parchment*—Documents such as illuminated ritual manuscripts occur in single leaves or bound as a book or “codex” and are written or painted on animal skins (cattle, sheep/goat, camel) known as parchment.

I. Painting

1. *Wall paintings*—On various kinds of plaster and which generally portray religious images and scenes of Biblical events. Surrounding paintings may contain animal, floral, or geometric designs, including borders and bands.

2. *Panel Paintings (Icons)*—Smaller versions of the scenes on wall paintings, and may be partially covered with gold or silver, sometimes encrusted with semi-precious or precious stones and are usually painted on a wooden panel, often for inclusion in a wooden screen (iconostasis). May also be painted on ceramic.

J. *Mosaics*—Wall mosaics generally portray religious images and scenes of Biblical events. Surrounding panels may contain animal, floral, or geometric designs. They are made from stone and glass cut into small bits (tesserae) and laid into a plaster matrix.

Inapplicability of Notice and Delayed Effective Date

This amendment involves a foreign affairs function of the United States and is, therefore, being made without notice or public procedure under 5 U.S.C. 553(a)(1). For the same reason, a delayed effective date is not required under 5 U.S.C. 553(d)(3).

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Executive Orders 12866 and 13771

CBP has determined that this document is not a regulation or rule subject to the provisions of Executive Order 12866 or Executive Order 13771 because it pertains to a foreign affairs function of the United States, as described above, and therefore is specifically exempted by section 3(d)(2) of Executive Order 12866 and section 4(a) of Executive Order 13771.

Signing Authority

This regulation is being issued in accordance with 19 CFR 0.1(a)(1), pertaining to the Secretary of the Treasury’s authority (or that of his or her delegate) to approve regulations related to customs revenue functions.

List of Subjects in 19 CFR Part 12

Cultural property, Customs duties and inspection, Imports, Prohibited merchandise.

Amendment to CBP Regulations

For the reasons set forth in the preamble, part 12 of title 19 of the Code of Federal Regulations (19 CFR part 12) is amended as follows:

PART 12—SPECIAL CLASSES OF MERCHANDISE

1. The general authority citation for part 12 and the specific authority citation for § 12.104g continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

* * * * *

Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;

* * * * *

2. In § 12.104g, in the table in paragraph (a), the entry for Bulgaria is revised to read as follows:

§ 12.104g Specific items or categories designated by agreements or emergency actions.

(a) * * *

State party	Cultural property	Decision No.
Bulgaria	Archaeological material from Bulgaria ranging in date from 7500 B.C. through approximately 1750 A.D. and ecclesiastical ethnological material from Bulgaria ranging in date from the beginning of the 4th century A.D. through approximately 1750 A.D.	CBP Dec. 19–01.

* * * * *

Kevin K. McAleenan, Commissioner, U.S. Customs and Border Protection.

Approved: January 8, 2019.

David J. Kautter, Assistant Secretary of the Treasury.

[FR Doc. 2019–00064 Filed 1–11–19; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 170816769–8162–02]

RIN 0648–XG721

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Central Regulatory Area of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2019 Pacific cod total allowable catch apportioned to trawl catcher vessels in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), January 20, 2019,

through 1200 hours, A.l.t., September 1, 2019.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679. Regulations governing sideboard protections for GOA groundfish fisheries appear at subpart B of 50 CFR part 680.

The A season allowance of the 2019 Pacific cod total allowable catch (TAC) apportioned to trawl catcher vessels in the Central Regulatory Area of the GOA is 1,203 metric tons (mt), as established by the final 2018 and 2019 harvest specifications for groundfish of the GOA (83 FR 8768, March 1, 2018).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator) has determined that the A season allowance of the 2019 Pacific cod TAC apportioned to trawl catcher vessels in the Central Regulatory Area of the GOA is necessary to account for the incidental catch in other anticipated fisheries. Therefore, the Regional Administrator is establishing a directed fishing allowance of 0 mt and is setting aside the remaining 1,203 mt as bycatch to support other anticipated groundfish fisheries. In accordance with

§ 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Central Regulatory Area of the GOA. After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip. This closure does not apply to fishing by vessels participating in the cooperative fishery of the Rockfish Program for the Central GOA.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishing closure of Pacific cod by catcher vessels using trawl gear in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of December 18, 2018.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of

prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 9, 2019.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2019-00062 Filed 1-9-19; 4:15 pm]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 170817779-8161-02]

RIN 0648-XG688

Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the Bering Sea and Aleutian Islands Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for sablefish by vessel using trawl gear in the Bering Sea subarea and the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2019 sablefish initial total allowable catch allocations to vessels using trawl gear in the Bering Sea subarea and the Aleutian Islands subarea of the BSAI.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), January 20, 2019, through 2400 hrs, A.l.t., December 31, 2019.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2019 sablefish initial total allowable catch allocations to vessels using trawl gear is 876 metric tons (mt) in the Bering Sea subarea and is 595 mt in the Aleutian Islands subarea of the BSAI as established by the final 2018 and 2019 harvest specifications for groundfish in the BSAI (83 FR 8365, February 27, 2018).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that the 2019 sablefish initial total allowable catch allocations to vessels using trawl gear in the Bering Sea subarea and the Aleutian Islands subarea of the BSAI is necessary to account for the incidental catch in other anticipated fisheries. Therefore, the Regional Administrator is establishing a directed fishing allowances of 0 mt, and is setting aside the remaining 876 mt in the Bering Sea subarea and 595 mt in the Aleutian Islands subarea as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that these directed fishing allowances have been reached. Consequently, NMFS is prohibiting directed fishing for the sablefish initial total allowable catch allocations to vessels using trawl gear in the Bering Sea subarea and the Aleutian Islands subarea of the BSAI.

While this closure is in effect the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishery closure of the sablefish allocations to vessels using trawl gear in the Bering Sea subarea and the Aleutian Islands subarea of the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of December 18, 2018.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 9, 2019.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2019-00061 Filed 1-9-19; 4:15 pm]

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