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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Part 12

[CBP Dec. 26-20]

RIN 1685-AA49

Extension of Import Restrictions Imposed on Archaeological and Ethnological Material of Greece

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

ACTION: Final Rule.

SUMMARY: This document amends U.S. Customs and Border Protection (CBP) regulations to reflect the extension of import restrictions on certain categories of archaeological and ecclesiastical ethnological material from the Hellenic Republic (Greece), which were originally published in CBP Decision (Dec.) 11-25 on December 1, 2011, and subsequently extended in 2016, and amended and extended in 2021 in CBP Dec. 21-16. The CBP regulations are being amended to reflect this further extension through November 21, 2031.

DATES: Effective on November 21, 2026.

FOR FURTHER INFORMATION CONTACT: For legal aspects, W. Richmond Beevers, Chief, Cargo Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0084, ot-otrrculturalproperty@cbp.dhs.gov. For operational aspects, Christopher Mabelitini, Director, Intellectual Property Rights Policy & Programs, Trade Programs Directorate, Office of Trade, (571) 296–1269, 1USGBranch@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

The Convention on Cultural Property Implementation Act (Pub. L. 97–446, 19 U.S.C. 2601 *et seq*.) (CPIA), 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 (823 U.N.T.S. 231 (1972)) (the Convention), allows for the conclusion of an agreement between the United States and another party to the Convention to impose import restrictions on eligible archaeological and ethnological material. Under the CPIA and the applicable U.S. Customs and Border Protection (CBP) regulations, found in § 12.104 of title 19 of the Code of Federal Regulations (19 CFR 12.104), the restrictions are effective for no more than five years beginning on the date on which an agreement enters into force with respect to the United States (19 U.S.C. 2602(b)). This period may be extended for additional periods, each extension not to exceed five years, if it is determined that the factors justifying the initial agreement still pertain and no cause for suspension of the agreement exists (19 U.S.C. 2602(e); 19 CFR 12.104g(a)).

On July 17, 2011, the United States and the Hellenic Republic (Greece) entered into a Memorandum of Understanding (MOU), entitled "Memorandum of Understanding between the Government of the United States of America and the Government of the Hellenic Republic Concerning the Imposition of Import Restrictions on Categories of Archaeological and Byzantine Ecclesiastical Ethnological Material Through the 15th Century A.D. of the Hellenic Republic" (the 2011 MOU). The MOU entered into force on November 21, 2011, and reflects an agreement to impose import restrictions on certain categories of archaeological material representing Greece's cultural heritage from the Upper Paleolithic era (beginning approximately 20,000 B.C.) through the 15th century A.D., and ecclesiastical ethnological material representing Greece's Byzantine cultural heritage (approximately the 4th century through the 15th century A.D.). On December 1, 2011, CBP published CBP Decision 11-25 in the *Federal Register* (76 FR 74691), which amended 19 CFR 12.104g(a) to indicate the imposition of these restrictions and included a list designating the types of archaeological and ecclesiastical ethnological material covered by the restrictions.

Since the initial notice was published on December 1, 2011, the import restrictions have been extended twice. First, on November 23, 2016, following the exchange of diplomatic notes, CBP published a final rule (CBP Dec. 16-21) in the *Federal Register* (81 FR 84458), to extend the import restrictions for a period of five years to November 21, 2021. Second, on November 22, 2021, following the exchange of diplomatic notes, CBP published a final rule (CBP Dec. 21-16) in the *Federal Register* (86 FR 66164), extending the import restrictions for a period of five years to November 21, 2026, pursuant to the signing of a superseding agreement entitled "Memorandum of Understanding between the Government of the United States of America and the Government of the Hellenic Republic Concerning the Imposition of Import Restrictions on Categories of Archaeological and Ethnological Material of the Hellenic Republic" (the 2021 MOU). CBP Dec. 21-16 also amended the Designated List of cultural property to correct certain typographical errors, to add certain coins from the Byzantine and Medieval periods, to clarify pottery styles, and to include post-Byzantine ethnological material dating up to A.D. 1830.

On January 26, 2026, the United States Department of State proposed in the *Federal Register* (91 FR 3291), to extend the 2021 MOU between the United States and Greece concerning the import restrictions on certain categories of archeological and ecclesiastical ethnological material of Greece. On August 10, 2026, the Assistant Secretary for Educational and Cultural Affairs, United States Department of State, made the necessary determinations to extend the 2021 MOU for an additional five years.

Subsequently, on October 7, 2026, the Governments of the United States and Greece signed a bilateral agreement entitled "Agreement between the Government of the United States of America and the Government of the Hellenic Republic to extend the Memorandum of Understanding Between the Government of the United States of America and the Government of the Hellenic Republic Concerning the Imposition of Import Restrictions on Categories of Archaeological and Ethnological Materials of the Hellenic Republic," (the Agreement) which is effective on November 21, 2026. The new Agreement extends the 2021 MOU for an additional

five-year period. Pursuant to the new Agreement, the import restrictions will remain in effect for an additional five-year period through November 21, 2031.

Accordingly, CBP is amending 19 CFR 12.104g(a) to reflect the extension of these import restrictions. The restrictions on the importation of certain archaeological and ecclesiastical ethnological material from Greece are to continue in effect until November 21, 2031. Importation of such material from Greece, 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, which includes archaeological material from Greece ranging in date from approximately the 3rd millennium B.C. to the 15th century A.D., and ecclesiastical ethnological material from Greece from the Early Christian, Byzantine, and post-Byzantine periods, including objects made from A.D. 324 through 1830, is set forth in CBP Dec. 21-16 (86 FR 66164). The Designated List of restricted material and additional information may also be found at the following website address: *https://www.state.gov/current-agreements-and-import-restrictions* by selecting the material for "Greece."

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).

Executive Order 12866

Executive Order 12866 (Regulatory Planning and Review) directs agencies to assess the costs and benefits of available regulatory alternatives and, if a regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, disruptive impacts, and equity). CBP has determined that this document is not a regulation or rule subject to the provisions of Executive Order 12866 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.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 et. seq.), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, requires an agency to prepare and make available to the public a regulatory flexibility analysis that describes the effect of a proposed rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions) when the agency is required to publish a general notice of proposed rulemaking for a rule. Since a general notice of proposed rulemaking is not necessary for this rule, CBP is not required to prepare a regulatory flexibility analysis for this rule.

Signing Authority

In accordance with Treasury Order 100-20, the Secretary of the Treasury has delegated to the Secretary of Homeland Security the authority related to the customs revenue functions vested in the Secretary of the Treasury as set forth in 6 U.S.C. 212 and 215, subject to certain exceptions. This regulation is being issued in accordance with Department of Homeland Security Delegation 07010.3, Revision 03.2, which delegates to the Commissioner of CBP the authority to prescribe and approve regulations covering cultural property import restrictions.

Rodney S. Scott, Commissioner, having reviewed and approved this document, has delegated the authority to electronically sign this document to Susan S. Thomas, the Executive Assistant Commissioner, Office of Trade, for purposes of publication in the *Federal Register*.

List of Subjects in 19 CFR Part 12

Cultural property, Customs duties and inspection, Imports, Prohibited merchandise, and Reporting and recordkeeping requirements.

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 citation authority 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.

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

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2. In § 12.104g, amend the table in paragraph (a) by revising the entry for Greece to read as follows:

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

(a) * * *

State party	Cultural property	Decision No.
* * *	* * * *	
Greece (Hellenic Republic)	Archeological materials representing Greece's cultural heritage ranging in date from approximately 3rd millennium B.C. to 15th century A.D., and ecclesiastical ethnological material from Greece from the early Christian, Byzantine, and post-Byzantine periods, including objects made from A.D. 324 through 1830	CBP Dec. 21-16, extended by CBP Dec. 26-20
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Susan S. Thomas,
Executive Assistant Commissioner,
Office of Trade,
U.S. Customs and Border Protection.

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