9111-14

This document is scheduled to be published in the Federal Register on 2026-11-23 and available online at **https://www.federalregister.gov/d/2026-23795**, and on **https://govinfo.gov**

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Part 12

[CBP Dec. 26-21]

RIN 1685-AA50

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

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 ethnological material from the Arab Republic of Egypt (Egypt), which were originally published in CBP Decision (CBP Dec.) 16-23, and subsequently extended and amended in CBP Dec. 21-17. The CBP regulations are being amended to reflect this further extension through November 30, 2031.

DATES: Effective on November 30, 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 November 30, 2016, the United States and the Arab Republic of Egypt (Egypt) 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 Arab Republic of Egypt Concerning the Imposition of Import Restrictions on Categories of Archaeological Material of the Arab Republic of Egypt" (2016 MOU). The 2016 MOU reflected an agreement to impose import restrictions on certain archaeological material representing Egypt's cultural heritage ranging from approximately 5,200 B.C. to A.D. 1517. On December 6, 2016, CBP published CBP Decision (CBP Dec.) 16-23 in the *Federal Register* (81 FR 87805), which amended 19 CFR 12.104g(a) to indicate the imposition of these restrictions and included a list designating the types of archaeological material covered by the restrictions.

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. Since the initial notice was published on December 6, 2016, the import

restrictions have been extended once. On November 30, 2021, the Governments of the United States and Egypt entered into a new MOU, superseding the 2016 MOU, agreeing to amend the existing import restrictions on archaeological material and impose additional import restrictions on certain categories of ethnological material. Subsequently, CBP published a final rule (CBP Dec. 21-17) in the *Federal Register* (86 FR 68546) to reflect the 2021 MOU and extend the restrictions until November 30, 2026. To fulfill the terms of the new MOU, the Designated List of cultural property was amended in this document to reflect the addition and revision of categories of archaeological material of Egypt ranging in date from approximately 300,000 B.C. to A.D. 1750, and to include certain ethnological material ranging from A.D. 1517 to 1914.

On January 26, 2026, the United States Department of State proposed in the *Federal Register* (91 FR 3294), to extend the 2021 MOU between the United States and Egypt concerning the import restrictions on certain categories of archeological and ethnological material of Egypt. On August 6, 2026, the Assistant Secretary for Educational and Cultural Affairs, United States Department of State, after consultation with and recommendations by the Cultural Property Advisory Committee, made the necessary determinations to extend the 2021 Agreement for an additional five years.

Subsequently, on November 9, 2026, the Governments of the United States and Egypt entered into a new bilateral agreement to extend the import restrictions on archaeological and ethnological material of Egypt. Pursuant to the new agreement, the import restrictions will remain in effect for an additional five-year period through November 30, 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 ethnological material from Egypt are to continue in effect until November 30, 2031. Importation of such material from Egypt 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 Egypt ranging in date from approximately 300,000 B.C. to A.D. 1750, and certain ethnological material from Egypt ranging in date from A.D. 1517 to 1914, is set forth in CBP Dec. 21-17. 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 "Egypt."

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. Because 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 related to 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.

Amendment to the 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 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.

* * * * *

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

* * * * *

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

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

(a) * * *

State party	Cultural property	Decision No.
* * * * * * *		
Egypt	Archaeological material representing Egypt's cultural heritage ranging approximately from 300,000 B.C. to A.D. 1750, and ethnological material ranging from A.D. 1517 to 1914	CBP Dec. 21-17, extended by CBP Dec. 26-21
* * * * * * *		

* * * * *

Susan S. Thomas,
Executive Assistant Commissioner,
Office of Trade,
U.S. Customs and Border Protection.

[FR Doc. 2026-23795 Filed: 11/20/2026 8:45 am; Publication Date: 11/23/2026]