

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

## DEPARTMENT OF THE TREASURY

### 19 CFR Part 12

[CBP Dec. 18–11]

RIN 1515–AE40

### Extension of Import Restrictions Imposed on Archaeological Material From Cambodia

**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 Cambodia. The restrictions, which were originally imposed by CBP Dec. 03–28, and last extended by CBP Dec. 13–15, are due to expire on September 19, 2018. The Acting Under Secretary for Public Diplomacy and Public Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. 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 September 19, 2023. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act. CBP Dec. 08–40 contains the amended Designated List of archaeological material from Cambodia to which the restrictions apply.

**DATES:** *Effective Date:* September 19, 2018.

**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, *otrrculturalproperty@cbp.dhs.gov*. For operational aspects, William R. Scopa, Branch Chief, Partner Government Agency Branch, Trade Policy and Programs, Office of Trade, (202) 863–6554, *William.R.Scopa@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, or Memorandum of Understanding (MOU), with Cambodia on September 19, 2003 to impose import restrictions on certain Khmer archaeological material from the 6th century through the 16th century A.D. On September 22, 2003, U.S. Customs and Border Protection (CBP) published a final rule (CBP Dec. 03–28) in the **Federal Register** (68 FR 55000), 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 Khmer stone, metal and ceramic archaeological material. These import restrictions subsumed emergency import restrictions on certain stone archaeological material (T.D. 99–88), which were published in the **Federal Register** (64 FR 67479) on December 2, 1999. These restrictions were to be effective through September 19, 2008.

On September 19, 2008, CBP published a final rule (CBP Dec. 08–40) in the **Federal Register** (73 FR 54309), which amended 19 CFR 12.104g(a) to reflect the extension of these import restrictions for an additional period of five years until September 19, 2013. This document also amended the Designated List to include new

categories of objects (glass and bone) and additional subcategories of stone and metal objects from the Bronze Age (c. 1500 B.C.–500 B.C.) and the Iron Age (c. 500 B.C.–550 A.D.), covering archaeological material from the Bronze Age through the Khmer Era (16th c. A.D.).

On January 7, 2013, the United States Department of State proposed in the **Federal Register** (78 FR 977) to extend the MOU between the United States and Cambodia concerning the imposition of import restrictions on archaeological material from Cambodia. On June 10, 2013, the Assistant Secretary for Educational and Cultural Affairs, United States Department of State, made the determination to extend the import restrictions for an additional five years. On September 16, 2013, CBP published a final rule (CBP Dec. 13–15) in the **Federal Register** (78 FR 56832), which further extended the import restrictions for an additional five years. The import restrictions are due to expire on September 19, 2018.

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 11, 2018, 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 Cambodia continues to be in jeopardy from pillage of certain archaeological material and that the import restrictions should be extended for an additional five years. Diplomatic notes have been exchanged reflecting the extension of those restrictions for an additional five-year period. Accordingly, CBP is amending 19 CFR 12.104g(a) to reflect the extension of the import restrictions. The amended Designated List of archaeological material from Cambodia covered by these import restrictions is set forth in CBP Dec. 08–40.

The Designated List and additional information may also be found at the following website address: <https://>

[eca.state.gov/cultural-heritage-center/cultural-property-protection/bilateral-agreements](http://eca.state.gov/cultural-heritage-center/cultural-property-protection/bilateral-agreements) by clicking on “Cambodia.” The restrictions on the importation of archaeological material from Cambodia are to continue in effect through September 19, 2023. Importation of such material from Cambodia 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.

**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(a), the table is amended in the entry for Cambodia by removing the words “CBP Dec. 13–15” in the column headed “Decision No.” and adding in its place the words “CBP Dec. 18–11”.

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

Approved: September 13, 2018.  
**Timothy E. Skud,**  
*Deputy Assistant Secretary of the Treasury.*  
 [FR Doc. 2018–20316 Filed 9–18–18; 8:45 am]  
**BILLING CODE 9111–14–P**

**DEPARTMENT OF DEFENSE**

**Department of the Army**

**32 CFR Part 571**  
**[Docket No. USA–2018–HQ–0012]**  
**RIN 0702–AA78**

**Recruiting and Enlistments**

**AGENCY:** Department of the Army, DoD.  
**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Army’s regulation governing recruiting and enlistments. This part does not impose obligations on members of the public that are not already imposed by statute. The language in this part already exists elsewhere in the Code of Federal Regulations, and thus is duplicative.

**DATES:** This final rule is effective on September 19, 2018.

**FOR FURTHER INFORMATION CONTACT:** Mr. Alphonsa Green, (703) 695–7490.

**SUPPLEMENTARY INFORMATION:** It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing content from the CFR which already exists at 32 CFR part 66 and for which public comment was taken.

Army internal guidance governing recruiting and enlistments will continue to be published in AR 601–210, Regular Army and Reserve Components Enlistment Program, and is available at <http://www.apd.army.mil/Search/ePubsSearch/ePubsSearchForm.aspx?x=AR>.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review,” therefore, the requirements of E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” do not apply.

**List of Subjects in 32 CFR Part 571**

Recruiting and enlistment eligibility.

**PART 571—[REMOVED]**

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 571 is removed.

Dated: September 13, 2018.  
**Brenda S. Bowen,**  
*Army Federal Register Liaison Officer.*  
 [FR Doc. 2018–20365 Filed 9–18–18; 8:45 am]  
**BILLING CODE 5001–03–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 151**  
**[Docket No. USCG–2018–0245]**  
**RIN 1625–AC45**

**Ballast Water Management—Annual Reporting Requirement**

**AGENCY:** Coast Guard, DHS.  
**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is eliminating the requirement for certain vessels that operate on voyages exclusively within a single Captain of the Port Zone to submit an Annual Ballast Water Summary Report for calendar year 2018. We view this current reporting requirement as unnecessary for us to analyze and understand ballast water management practices. This final rule will reduce the administrative burden on this regulated population of U.S. non-recreational vessels equipped with ballast tanks.

**DATES:** This final rule is effective October 1, 2018.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2018–0245 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** For information about this document call or email Mr. John Morris, Program Manager, Environmental Standards Division, Coast Guard; telephone 202–372–1402, email [environmental\\_standards@uscg.mil](mailto:environmental_standards@uscg.mil).