

**DEPARTMENT OF THE TREASURY****Customs Service****19 CFR Part 12**

[T.D. 00—16]

RIN 1515-AC61

**Extension of Import Restrictions Imposed on Certain Categories of Archaeological Material From the Prehispanic Cultures of the Republic of El Salvador****AGENCY:** U.S. Customs Service, Department of the Treasury.**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations to reflect the extension of the import restrictions on certain categories of archaeological material from the Prehispanic cultures of the Republic of El Salvador which were imposed by T.D. 95-20. The 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, the restrictions will remain in effect for an additional 5 years, and the Customs Regulations are being amended to indicate this extension. These restrictions are being imposed pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act in accordance with the 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. T.D. 95-20 contains the Designated List of archaeological material representing Prehispanic cultures of El Salvador.

**EFFECTIVE DATE:** March 8, 2000.

**FOR FURTHER INFORMATION CONTACT:** (Legal Aspects) Michael L. Smith, Intellectual Property Rights Branch (202) 927-1996; (Operational Aspects) Alfred Morawski, Other Government Agencies Branch (202) 927-0402.

**SUPPLEMENTARY INFORMATION:****Background**

Pursuant to the provisions of 1970 UNESCO Convention (codified into U.S. law as the "Convention on Cultural Property Implementation Act" (Public Law 97-446, 19 U.S.C. 2601 *et seq.*) ("the Act")), the United States entered into a bilateral agreement with the Republic of El Salvador on March 8, 1995, concerning the imposition of

import restrictions on certain categories of archeological material from the Prehispanic cultures of the Republic of El Salvador. The United States Customs Service issued T.D. 95-20 (March 10, 1995), amending § 12.104g(a) of the Customs Regulations (19 CFR 12.104g(a)) to reflect the imposition of these restrictions and including a list designating the types of article covered by the restrictions.

After reviewing the findings and recommendations of the Cultural Property Advisory Committee, the Under Secretary for Public Diplomacy and Public Affairs, United States Department of State, concluding that the cultural heritage of El Salvador continues to be in jeopardy from pillage of Prehispanic archaeological resources, made the necessary determinations to extend the import restrictions for an additional five years on February 14, 2000. Accordingly, Customs is amending § 12.104g(a) (19 CFR 12.104g(a)) to reflect the extension of the import restrictions.

The Designated List of Archaeological Material Representing Prehispanic Cultures of El Salvador covered by these import restrictions is set forth in T.D. 95-20. The Designated List and accompanying image database may also be found at the following internet website address: <http://e.usia.gov/education/culprop>.

The restrictions on the importation of these archaeological materials from the Republic of El Salvador are to continue in effect until March 8, 2005. Importation of such material continues to be restricted unless:

- (1) Accompanied by appropriate export certification issued by the Government of the Republic of El Salvador or;
- (2) With respect to Pre-Columbian material from archaeological sites throughout El Salvador, documentation exists that exportation from El Salvador occurred prior to March 10, 1995; or;
- (3) With respect specifically to Pre-Columbian material from the Cara Sucia archaeological region, documentation exists that exportation from El Salvador occurred prior to September 7, 1987.

**Regulatory Amendment**

This document amends § 12.104g(a), Customs Regulations (19 CFR 12.104g(a)) extending the effective date for five years for the import restrictions on the archaeological material representing Prehispanic cultures of the Republic of El Salvador.

**Inapplicability of Notice and Delayed Effective Date**

This amendment is being made without notice or public procedure pursuant to 5 U.S.C. 553(a)(1). In addition, pursuant to 5 U.S.C. 553(b)(B), Customs has determined that such notice or public procedure would be impracticable and contrary to the public interest because the action being taken is essential to avoid interruption of the application of the existing import restrictions. For the same reasons, pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required.

**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 Order 12866**

This amendment does not meet the criteria of a "significant regulatory action" as described in Executive Order 12866.

Drafting Information: The principal author of this document was Keith B. Rudich, Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

**List of Subjects in 19 CFR Part 12**

Cultural property, Customs duties and inspections, Imports.

**Amendment to the Regulations**

Accordingly, Part 12 of the Customs Regulations (19 CFR Part 12) is amended as set forth below:

**PART 12—SPECIAL CLASSES OF MERCHANDISE**

1. The general authority and specific authority citation for Part 12, in part, continue to read as follows:

**Authority:** 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Note 20, 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(a), the table of the list of agreements imposing import restrictions on described articles of cultural property of State Parties is amended in the entry for El Salvador by adding "extended by T.D. 00-16"

immediately after "T.D. 95-20" in the column headed "T.D. No."

**Raymond W. Kelly,**  
*Commissioner of Customs.*

Approved: March 1, 1999.

**John P. Simpson,**  
*Deputy Assistant Secretary of the Treasury.*

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 8819]

RIN 1545-AX14

**Use of Actuarial Tables in Valuing Annuities, Interests for Life or Term of Years, and Remainder or Reversionary Interests; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction of final and temporary regulations.

**SUMMARY:** This document contains corrections to final regulations which were published in the **Federal Register** on Friday, April 30, 1999 (64 FR 23187), relating to the use of actuarial tables in valuing annuities, interests for life or terms of years, and remainder or reversionary interests.

**DATES:** This correction is effective May 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** William L. Blodgett at (202) 622-3090 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are subject of these corrections are under section 7520 of the Internal Revenue Code.

**Need for Correction**

As published, the final regulations (TD 8819) contain an error that may

prove to be misleading and is in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final regulations (TD 8819), which were the subject of FR Doc. 99-10533, is corrected as follows:

**§ 1.664-2 [Corrected]**

1. On page 23229, in the table in amendatory instruction Par. 32, the entry for 1.664-2(c) is corrected to read as follows:

	Section		Remove		Add
*	*	*	*	*	*
1.664-2(c), sixth sentence	.....	April 30, 1989	.....	April 30, 1999.	
*	*	*	*	*	*

**Dale D. Goode,**  
*Federal Register Liaison, Assistant Chief Counsel (Corporate).*

[FR Doc. 00-5245 Filed 3-8-00; 8:45 am]

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 8852]

RIN 1545-AT52

**Passthrough of Items of an S Corporation to its Shareholders; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to final regulations which were published in the **Federal Register** on Wednesday, December 22, 1999 (64 FR 71641), relating to the passthrough of items of an S corporation to its shareholders, the adjustments to the basis of stock of the shareholders, and

the treatment of distributions by an S corporation.

**DATES:** This correction is effective December 22, 1999.

**FOR FURTHER INFORMATION CONTACT:** Martin Schaffer, Deane Burke, or David Shulman at (202) 622-3070, or Brenda Stewart at (202) 622-3120 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are subject to these corrections are under sections 1366, 1367, and 1368 of the Internal Revenue Code.

**Need for Correction**

As published, the final regulations (TD 8852) contain errors that may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final regulations (TD 8852), which were the subject of FR Doc. 99-32697, is corrected as follows:

**§ 1.1366-4 [Corrected]**

1. On page 71648, column 3, § 1.1366-4(c), third line from the bottom of the paragraph, the language, "the amount of the tax as the amount of" is corrected to read "the amount of the tax as the net amount of".

**§ 1.1367-1 [Corrected]**

2. On page 71649, column 2, § 1.1367-1(h) *Example 5.(i)*, lines 7 through 11, the language, "section 1377(a)(2)(B) and § 1.1377-1(b)(2), B and C are affected shareholders because B has transferred shares to Corporation S. Pursuant to section 1377(a)(2)(A) and § 1.1377-1(b)(1), B and C, the affected" is corrected to read "section 1377(a)(2)(B) and § 1.1377-1(b)(2), B, C, and D are affected shareholders because B has transferred shares to Corporations S and D. Pursuant to section 1377(a)(2)(A) and § 1.1377(b)(1), B, C, and D, the affected".

**Dale D. Goode,**

*Federal Register Liaison, Assistant Chief Counsel (Corporate).*

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