

## 2018 Current Fiscal Year Report: Cultural Property Advisory Committee

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### 1. Department or Agency

Department of State

### 2. Fiscal Year

2018

### 3. Committee or Subcommittee

Cultural Property Advisory Committee

### 3b. GSA Committee No.

1319

### 4. Is this New During Fiscal Year?

No

### 5. Current Charter

03/26/2018

### 6. Expected Renewal Date

03/26/2020

### 7. Expected Term Date

### 8a. Was Terminated During Fiscal Year?

No

### 8b. Specific Termination Authority

19 U.S.C. 2601 et seq

### 8c. Actual Term Date

### 9. Agency Recommendation for Next Fiscal Year

Continue

### 10a. Legislation Req to Terminate?

Not Applicable

### 10b. Legislation Pending?

Not Applicable

### 11. Establishment Authority Statutory (Congress Created)

### 12. Specific Establishment Authority

19 U.S.C. 2601 et seq

### 13. Effective Date

01/12/1983

### 14. Committee Type

Continuing

### 14c. Presidential?

Yes

### 15. Description of Committee National Policy Issue Advisory Board

### 16a. Total Number of Reports

5

### 16b. Report Date

#### Report Title

10/02/2017 Report of the Cultural Property Advisory Committee on the Proposal to Extend the MOU Between the U.S. and the Republic Of Cyprus

10/25/2017 Report of the Cultural Property Advisory Committee on the Proposal to Extend the MOU Between the United States and Peru

02/02/2018 Report Of The Cultural Property Advisory Committee On The Proposal To Extend The MOU Between U. S. And Kingdom Of Cambodia

09/07/2018 Report Of The Cultural Property Advisory Committee On The Proposal To Extend The MOU Between The U.S. And The People's Republic Of China

09/07/2018 Report On The Request From The Government Of The Republic Of Ecuador Seeking Import Restrictions On Archaeological And Ethnological Materials Representing Ecuador's Cultural Patrimony From The Pre-Columbian Through Republican Periods

### Number of Committee Reports Listed: 5

17a. Open 0 17b. Closed 0 17c. Partially Closed 3 Other Activities 0 17d. Total 3

### Meetings and Dates

Purpose

Start

End

To review a proposal to extend the Memorandum of Understanding Between the Government of United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Archaeological Material from Cambodia from the Bronze Age through the Khmer Era; to conduct continuing review of the cultural property agreements currently in effect. 10/23/2017 - 10/24/2017

To review the request by the Government of Ecuador seeking import restrictions on archaeological and ethnological material; to review a proposal to extend the Memorandum of Understanding between the Government of 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 from the Paleolithic Period through the Tang Dynasty and Monumental Sculpture and Wall Art at Least 250 Years Old. 05/02/2018 - 05/04/2018

To review the request by the Government of Algeria seeking import restrictions on archaeological and ethnological material; to review a proposal to extend the Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras and Ecclesiastical Ethnological Material from the Colonial Period of Honduras; and to review a proposal to extend the Memorandum of Understanding between the Government of 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. 07/31/2018 - 08/02/2018

**Number of Committee Meetings Listed: 3**

	<b>Current FY</b>	<b>Next FY</b>
<b>18a(1). Personnel Pmts to Non-Federal Members</b>	\$0.00	\$0.00
<b>18a(2). Personnel Pmts to Federal Members</b>	\$0.00	\$0.00
<b>18a(3). Personnel Pmts to Federal Staff</b>	\$263,816.48	\$300,000.00
<b>18a(4). Personnel Pmts to Non-Member Consultants</b>	\$106,758.80	\$95,000.00
<b>18b(1). Travel and Per Diem to Non-Federal Members</b>	\$27,480.16	\$28,000.00
<b>18b(2). Travel and Per Diem to Federal Members</b>	\$0.00	\$0.00
<b>18b(3). Travel and Per Diem to Federal Staff</b>	\$46,267.48	\$50,000.00
<b>18b(4). Travel and Per Diem to Non-member Consultants</b>	\$2,336.64	\$2,500.00
<b>18c. Other(rents,user charges, graphics, printing, mail, etc.)</b>	\$88,867.19	\$90,000.00
<b>18d. Total</b>	\$535,526.75	\$565,500.00
<b>19. Federal Staff Support Years (FTE)</b>	1.90	2.20

**20a. How does the Committee accomplish its purpose?**

The President has delegated the authority to carry out most provisions in the CPIA to select senior officials at the Department of State. The government of any State Party to the 1970 UNESCO Convention may request a cultural property agreement by submitting a written request to the Department of State. On receiving a request, the Department will refer the matter to the Cultural Property Advisory Committee (CPAC) for its recommendations and views. In making its recommendations, the CPAC takes into consideration the foreign government's request and supporting documentation, as well as information that may be available from other sources. These sources include, but are not limited to, individuals, academic and scientific organizations, the United States government, intergovernmental organizations, and non-governmental organizations with recognized expertise in the subject matter. Public comment, while not required, may also

be solicited.

**20b. How does the Committee balance its membership?**

The Committee has balanced representation as required by the Cultural Property Implementation Act Section 306 (b) (1-2). Appointments to the Committee are made by the President, not by the agency.

**20c. How frequent and relevant are the Committee Meetings?**

The Committee typically meets three times a year. In accordance with the CPIA, the Department engages in a consultative process with the CPAC when reviewing a request for an agreement and reviewing a proposal to extend an agreement. CPAC's meeting dates and agenda are published in the Federal Register. All cultural property agreements in force and all emergency import restrictions are subject to continuing review of their effectiveness.

**20d. Why can't the advice or information this committee provides be obtained elsewhere?**

The Committee is established by statute.

**20e. Why is it necessary to close and/or partially closed committee meetings?**

The Cultural Property Implementation Act, Section 306(h) exempts the Committee from open meetings whenever and to the extent it is determined by the President's designee that the disclosure of matters involved in the Committee's proceedings would compromise the government's negotiating objectives or bargaining positions on the negotiations of any agreement authorized by this title.

**21. Remarks**

As a State Party to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, the United States strives to protect and preserve cultural property from threats of pillage and trafficking. The Convention on Cultural Property Implementation Act (CPIA), 19 U.S.C. §§ 2601-2613, implements the United States' obligations under the 1970 UNESCO Convention, either through emergency actions or bilateral cultural property agreements (typically framed as Memoranda of Understanding) with partner countries. In collaboration with partner countries, certain categories of cultural property are designated by the U.S. government as important to archaeology, prehistory, history, literature, art or science. These include archaeological objects (e.g., antiquities, historical monuments) and ethnological objects (e.g., rare manuscripts, items used in rituals).

## Designated Federal Officer

Andrew C. Cohen Senior Cultural Property Analyst

Committee Members	Start	End	Occupation	Member Designation
Chatfield-Taylor, Adele	09/30/2016	04/25/2017	President Emerita of the American Academy in Rome	Special Government Employee (SGE) Member
Frank, John	01/11/2017	04/25/2018	Vice President for European Union Government Affairs, Microsoft	Special Government Employee (SGE) Member
Joyce, Rosemary	01/06/2017	04/25/2018	Richard and Rhoda Goldman Distinguished Prof of Social Sciences	Special Government Employee (SGE) Member
Reap, James	10/24/2016	04/25/2019	Professor and Graduate Coordinator of the Masters of Historic Preservation program at the University of Georgia (UGA)	Special Government Employee (SGE) Member
Straus, Dorit	01/10/2017	04/25/2019	Art and Insurance Advisor for Art and Insurance Advisory Services Inc.	Special Government Employee (SGE) Member
Wight, Karol	01/11/2017	04/25/2018	President and Executive Director of the Corning Museum of Glass	Special Government Employee (SGE) Member
Wilkie, Nancy	01/11/2017	04/25/2019	William H Laird Prof of Classics, Anthropology and the Liberal Arts, Carleton College	Special Government Employee (SGE) Member

**Number of Committee Members Listed: 7**

## Narrative Description

U.S. efforts to protect and preserve cultural heritage through cultural property agreements promote stability, economic development, and good governance in other countries, while denying critical financing to terrorist organizations and other criminal networks that engage in illicit trade. In essence, cultural property agreements are tools for preventing illicit activity. In some countries, it is unlawful to excavate, remove, or export cultural objects without a permit. Once a bilateral agreement is in place, importation of designated objects into the United States is prohibited except under limited circumstances. The goal of such an agreement is to protect cultural heritage by reducing the incentive for further pillage of archaeological and ethnological material.

## What are the most significant program outcomes associated with this committee?

Checked if Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input type="checkbox"/>
Major policy changes	<input type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input type="checkbox"/>

- Increased customer satisfaction
- Implementation of laws or regulatory requirements
- Other

**Outcome Comments**

N/A

**What are the cost savings associated with this committee?**

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

**Cost Savings Comments**

N/A

**What is the approximate Number of recommendations produced by this committee for the life of the committee?**

66

**Number of Recommendations Comments**

The Committee conducted reviews of the Department's proposals to extend cultural property agreements with Cambodia, China, Honduras, and Bulgaria. The Committee also reviewed requests to enter into cultural property agreements with Ecuador and Algeria. In FY 2017, the Committee reviewed a request to enter into a cultural property agreement with Libya. The Department acted to impose emergency import restrictions on Libyan cultural property and then enter into an agreement with Libya in FY 2018.

**What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?**

97%

**% of Recommendations Fully Implemented Comments**

In 2015, the Department acted to extend and amend the Agreement between the Government of the United States of America and the Government of the Republic of Nicaragua Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre Hispanic Cultures of the Republic of Nicaragua. The CPAC did not recommend this action.

**What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?**

0%

**% of Recommendations Partially Implemented Comments**

N/A

**Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?**

Yes  No  Not Applicable

#### **Agency Feedback Comments**

Through memoranda and meetings.

**What other actions has the agency taken as a result of the committee's advice or recommendation?**

	Checked if Applies
Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

#### **Action Comments**

In response to a new or extended cultural property agreement entering into force, U.S. Customs and Border Protection (CBP) regulations are amended to either initiate or continue import restrictions on categories of archaeological and/or ethnological material.

**Is the Committee engaged in the review of applications for grants?**

No

#### **Grant Review Comments**

N/A

**How is access provided to the information for the Committee's documentation?**

Checked if Applies

- Contact DFO
- Online Agency Web Site
- Online Committee Web Site
- Online GSA FACA Web Site
- Publications
- Other

**Access Comments**

Online information is available to the public at <http://eca.state.gov/cultural-heritage-center>. Other information or documentation of the Committee's activities may be requested through Freedom of Information Act procedures.