

Executive Secretary at one of the following addresses:

1. *Submissions via Express/Package Delivery Services:* Foreign-Trade Zones Board, U.S. Department of Commerce, Franklin Court Building—Suite 4100W, 1099 14th St., NW., Washington, DC 20005; or

2. *Submissions via U.S. Postal Service:* Foreign-Trade Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Ave., NW., Washington, DC 20230.

Dated: September 24, 2004.

**Dennis Puccinelli,**  
*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1355]

#### Expansion of Foreign-Trade Zone 170; Clark County, IN

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Indiana Port Commission, grantee of Foreign-Trade Zone 170, submitted an application to the Board for authority to expand FTZ 170-Site 1 to include the entire 993-acre Clark Maritime Center in Jeffersonville, Indiana, within the Louisville Customs port of entry (FTZ Docket 62-2003; filed 11/10/03);

Whereas, notice inviting public comment was given in the **Federal Register** (68 FR 65872, 11/24/03) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 170-Site 1 is approved, subject to the Act and the Board's regulations, including Section 400.28, and further subject to the Board's standard 2,000-acre activation limit for the overall zone project.

Signed at Washington, DC, this 24th day of September 2004.

**James J. Jochum,**  
*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1356]

#### Grant of Authority for Subzone Status Eubank Manufacturing Enterprises, Inc.; Longview, TX

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for “\* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board (the Board) to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

Whereas, Gregg County, Texas, grantee of Foreign-Trade Zone 234, has made application for authority to establish special-purpose subzone status at the air conditioning and heating equipment manufacturing plant of Eubank Manufacturing Enterprises, Inc., located in Longview, Texas (FTZ Docket 36-2003, filed 7-21-2003; application amended 6-29-2004 to remove products under HTSUS Heading 7019 from the scope of authority);

Whereas, notice inviting public comment was given in the **Federal Register** (68 FR 44282, 7-28-2003); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that approval of the application, as amended, is in the public interest;

Now, Therefore, the Board hereby grants authority for subzone status at the air conditioning and heating equipment manufacturing plant of Eubank

Manufacturing Enterprises, Inc., located in Longview, Texas (Subzone 234A), at the location described in the application, subject to the FTZ Act and the Board's regulations, including section 400.28.

Signed at Washington, DC, this 24th day of September 2004.

**James J. Jochum,**  
*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

[Docket Nos. 03-BIS-12 and 03-BIS-11]

#### In the Matters of: Xinjian Yi and Yu Yi, Respondents; Decision and Order

On November 5, 2003, the Bureau of Industry and Security (“BIS”) issued separate charging letters against Xinjian Yi and Yu Yi (collectively known as “Respondents”), alleging that the Respondents had each committed three violations of the Export Administration Regulations (the “Regulations”),<sup>1</sup> which were issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401–2420 (2000)) (the “Act”).<sup>2</sup>

BIS charged that Xinjian Yi: (i) In or about June 1998 through in or about July 1998, conspired with others to export from the United States to the People's Republic of China (“PRC”) thermal imaging cameras, which were classified under export control classification number (“ECCN”) 6A003 and controlled for national security reasons, without a BIS export license in violation of Section 764.2(d) of the Regulations; (ii) in or about July 1998, exported the national security controlled thermal

<sup>1</sup> The alleged violations occurred from 1998 through 1999. The Regulations governing the violations at issue are found in the 1998 and 1999 versions of the Code of Federal Regulations (15 CFR parts 730-774 (1998-1999)). The 2004 Regulations establish the procedures that apply to this matter.

<sup>2</sup> From August 21, 1994 through November 12, 2000, the Act was in lapse. During that period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000 (3 CFR, 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) (“IEEPA”). On November 13, 2000, the Act was reauthorized by Pub. L. 106-508, and it remained in effect through August 20, 2001. Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp., p. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 6, 2004 (69 FR 48763, August 10, 2004), continues the Regulations in effect under IEEPA.