



DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 2154]

Reorganization of Foreign-Trade Zone 128 under Alternative Site Framework

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 (FTZ) 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 Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

WHEREAS, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

WHEREAS, the Lummi Indian Business Council, grantee of Foreign-Trade Zone 128, submitted an application to the Board (FTZ Docket B-32-2023, docketed May 9, 2023) for authority to reorganize under the ASF with a service area that includes all Lummi Nation property which encompasses the Lummi Indian Reservation plus all property owned by the Lummi Nation outside the exterior boundaries of the Lummi Indian Reservation, in and adjacent to the Bellingham Customs and Border Protection port of entry, and FTZ 128's existing Site 1 would be categorized as a magnet site;

WHEREAS, notice inviting public comment was given in the *Federal Register* (88 FR 30718, May 9, 2023) 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 examiners' report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

NOW, THEREFORE, the Board hereby orders:

The application to reorganize FTZ 128 under the ASF is approved, subject to the FTZ Act and the Board's regulations, including section 400.13, to the Board's standard 2,000-acre activation limit for the zone.

Dated: October 30, 2023.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance,
Alternate Chairman,
Foreign-Trade Zones Board.

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