

Integration, [shana.j.banks@census.gov](mailto:shana.j.banks@census.gov), Department of Commerce, Census Bureau telephone 301-763-3815. For TTY callers, please use the Federal Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** The Committee will review and provide feedback related to 2030 Census plans and execution to assist the Census Bureau to devise strategies to increase census awareness and participation, reduce barriers to response, and enhance the public's trust and willingness to respond.

The Census Bureau will benefit from the insight, perspectives, and expertise of the Committee through recommendations on planning and implementation of the 2030 Census to advise the Census Bureau in conducting an accurate decennial census. The Committee will provide the Director of the Census Bureau periodic updates on insights regarding various topics relating to preparation for the 2030 Census.

Robert L. Santos, Director, Census Bureau, approved the publication of this Notice in the **Federal Register**.

Dated: August 21, 2023.

**Shannon Wink,**

*Program Analyst, Policy Coordination Office,  
U.S. Census Bureau.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[S-104-2023]

#### Approval of Subzone Status; LL Flooring Services, LLC, Sandston, Virginia

On June 23, 2023, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Virginia Port Authority, grantee of FTZ 20, requesting subzone status subject to the existing activation limit of FTZ 20, on behalf of LL Flooring Services, LLC, in Sandston, Virginia.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (88 FR 41884, June 28, 2023). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR 400.36(f)), the application to establish Subzone 20G was approved on August 22, 2023, subject to the FTZ Act and the

Board's regulations, including section 400.13, and further subject to FTZ 20's 2,000-acre activation limit.

Dated: August 22, 2023.

**Elizabeth Whiteman,**

*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

**Ilya Balakaev,**

Sharikopodshipnikovskaya 20-68,  
Moscow, Russian Federation;  
Radiotester OOO,  
a/k/a Radiotester LLC,  
Sharikopodshipnikovskaya 11,  
Building 1,  
Moscow, 115088, Russian Federation  
and  
Volgograd Prospect, House 2,  
Moscow, 109316, Russian Federation;  
Order Renewing Temporary Denial of  
Export Privileges

Pursuant to Section 766.24 of the Export Administration Regulations (the "Regulations" or "EAR"),<sup>1</sup> I hereby grant the request of the Bureau of Industry and Security ("BIS"), U.S. Department of Commerce, through its Office of Export Enforcement ("OEE"), to renew the temporary denial order ("TDO") issued in this matter on February 24, 2023. I find that renewal of this order is necessary in the public interest to prevent an imminent violation of the Regulations.

#### I. Procedural History

On February 24, 2023, I signed an order denying the export privileges of

<sup>1</sup> The Regulations, currently codified at 15 CFR parts 730-774 (2020), originally issued pursuant to the Export Administration Act (50 U.S.C. 4601-4623 (Supp. III 2015) ("EAA")), which lapsed on August 21, 2001. The President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), as extended by successive Presidential Notices, continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)) ("IEEPA"). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. 4801-4852 ("ECRA"). While section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), section 1768 of ECRA provides, in pertinent part, that all orders, rules, regulations, and other forms of administrative action that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA's date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA. Moreover, section 1761(a)(5) of ECRA authorizes the issuance of temporary denial orders.

Ilya Balakaev and Radiotester OOO a/k/a Radiotester LLC (collectively, "the Respondents") for a period of 180 days on the ground that issuance of the order was necessary in the public interest to prevent an imminent violation of the Regulations. The order was issued *ex parte* pursuant to Section 766.24(a) of the Regulations and was effective upon issuance.<sup>2</sup>

On July 31, 2023, BIS, through OEE, submitted a written request for renewal of the TDO that was issued on February 24, 2023. The written request was made more than 20 days before the TDO's scheduled expiration. A copy of the renewal request was sent to Respondents in accordance with Sections 766.5 and 766.24(d) of the Regulations. No opposition to the renewal of the TDO has been received.

## II. Renewal of the TDO

### A. Legal Standard

Pursuant to Section 766.24, BIS may issue an order temporarily denying a respondent's export privileges upon a showing that the order is necessary in the public interest to prevent an "imminent violation" of the Regulations. 15 CFR 766.24(b)(1) and 766.24(d). "A violation may be 'imminent' either in time or degree of likelihood." 15 CFR 766.24(b)(3). BIS may show "either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations." *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge "is significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]" *Id.* A "[l]ack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

Pursuant to Sections 766.23 and 766.24, TDO may also be made applicable to other persons if BIS has reason to believe that they are related to a respondent and that applying the order to them is necessary to prevent its evasion. 15 CFR 766.23(a)-(b) and 766.24(c). A "related person" is a person, either at the time of the TDO's issuance or thereafter, who is related to a respondent "by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business." 15 CFR 766.23(a). Related persons may be added to a TDO on an

<sup>2</sup> The TDO was published in the **Federal Register** on March 1, 2023 (88 FR 12912).