Information Technology Industry Council

July 3, 2013

Mr. Timothy Mooney
Regulatory Policy Division
Room 2099B
Bureau of Industry and Security
U.S. Department of Commerce
14th Street & Pennsylvania Ave., NW
Washington, DC 20230

Mr. Kerem Bilge
Acting Director
Office of Defense Trade Controls Policy
U.S. Department of State
2401 E Street, NW
Washington, DC 20037

Re: Control of Spacecraft Systems and Related Items The President Determines No Longer Warrant Control Under the United States Munitions List (USML) (*Federal Register* Notice of May 24, 2013;_RIN 0694-AF87) and Revision of U.S. Munitions List Category XV and_Definition of Defense Services (*Federal Register* Notice of May 24, 2013; RIN 1400-AD33)

Dear Mr. Mooney and Mr. Bilge:

ITI is pleased to provide comments related to the above-referenced Notices of Proposed Rulemaking (NPRMs). ITI represents the leading providers of information technology products and services. ITI's member companies are global innovation leaders spanning the information and communications technology (ICT) industry: infrastructure, computer hardware, software, IT services, consumer electronics, e-commerce, and Internet services.

Our comments focus on proposed regulatory modifications within the NPRMs that deal with the export control treatment of radiation hardened integrated circuits (ICs). Consistent with comments from the Semiconductor Industry Association (SIA), ITI strongly supports proposed changes that replace USML Category XV(d) with ECCN 9A515.d and, in doing so, provide a realistic distinction between commercial ICs and specialized devices intended for space. We also robustly support SIA's recommendation for a waiver of the 180-transition rule for these specific changes, since they should not affect existing industry products in the transition from Cat XV(d) to 9A515.d.

Thank you for the opportunity to provide comments on this important topic. We believe these proposed regulatory changes should more effectively delineate the scope of control for radiation hardened ICs of interest, while protecting national security.

Sincerely,

John F. Neuffer
Senior Vice President for Global Policy

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