PUBLIC SUBMISSION

As of: September 06, 2013
Received: August 15, 2013
Status: Posted
Posted: August 20, 2013
Tracking No. 1jx-871t-fyxp
Comments Due: September 09, 2013
Submission Type: Web

Docket: BIS-2012-0045
Revisions to the Export Administration Regulations (EAR): Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

Comment On: BIS-2012-0045-0021
Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control under the United StatesMunitions List

Document: BIS-2012-0045-0023
Anynmous Comment on Second Proposed Military Electronics Rule

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General Comment

Subject: Electrical Connectors

ITT Cannon is a manufacturer of harsh environment electrical connectors that are used on a wide range of applications from oil/gas, mining, aerospace, industrial, transportation, and military. The majority of the connectors produced by ITT Cannon are subject to the EAR and classified as EAR99 since they were not designed for a specific application and considered general use connectors. There are additional connectors that are designed for commercial aircraft and these are classified as 9A991. ITT Cannon also produces ITAR connectors that are mainly covered under category XI(c) but there are a few connectors that are specially designed for products in Category IV, VI, VII, VIII, and XV.

Under the proposed rule our XI(c) connectors would tranfer to 6A611.y.3. An example of an XI(c) connector would be our connectors for the JTRS and SINCGARS radio programs. The problem with the 6A611y is that it states that it is "for a commodity subject to control in this entry and not elsewhere specified in any 600-series ECCN". That means that if I have an electrical connector that is specially designed for military aircraft equipment currently under VIII, my connector for this application is classified under 9A610x.

A fews years back, ITT Cannon submitted DSP-5 licenses for electrical connectors with varied USML categories. For example if the connector was for a military aircraft, ITT Cannon would enter VIII(h) for the USML category in the application. Same would go for an application for connectors for vessels, these would be classified as VI(f) in the license application. This was accepted by DDTC until we

received approved license No. 050065689 on 9/17/2007.(license attached). The license provisos stated the following:
1. The applicant is reminded that electronic components are normally categorized under Category XI. Failure to properly categorize your commodity could result in your application returned without action.
2. Block 11 was corrected changing Category VIII(h) to XI(c).

Since we received this proviso it has been our practice to put the following statement in block 20 of our license application, "Note: The USML Category is XI(c) per Proviso 1 on license 050065689.

ITT Cannon respectfully requests that the ECCN for specially designed/application specific electronic components (like connectors) not depend on the end item but be placed in an ECCN that covers connectors for all applications. Under the proposed rule it is not clear and we may control electronic components differently based on the ECCN category of the end item/or major component. Currently, ECCN 3A661y is the only 600 level that covers connectors, and in other categories the connectors can possibly have tighter controls since they would not fall under "y" but "x".

Attachments

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