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20 July 2012
Mr. Michael Rithmire
Office of National Security and Technology Transfer Controls
Bureau of Industry and Security, Room 2099B
U.S. Department of Commerce
14th and Pennsylvania Ave., NW
Washington, DC 20230

Subject: **RIN 0694-AF58, Control of Personal Protective Equipment, Shelters, and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)**

Dear Mr. Rithmire:

Alliant Techsystems Inc. (ATK) appreciates the opportunity to comment on the subject advanced notice of proposed rulemaking (ANPR) to make certain revisions to the EAR to control certain items that no longer warrant USML control. We provide the following comments based on our review of the ANPR.

- The ANPR uses the term 'equipment' in numerous locations both with quotation marks and without. However, 'equipment' is currently not a defined term in Part 772 of the EAR, nor was a proposed definition offered as part of the ANPR. Therefore, ATK recommends either removing the quotation marks around equipment, or providing – under a separate ANPR – a proposed definition for industry to consider and provide comment.

- Proposed ECCN 1A613c. specifies: "Military helmets and helmet shells providing less than NIJ Type IV protection."
    - What constitutes a 'military helmet' versus a 'police helmet' controlled under ECCN 0A979? Does manufacturing a helmet to military standards or specifications constitute a 'military helmet'? And therefore, helmets not manufactured to military standards or specifications constitute a 'police helmet'?
    - Proposed ECCNs 1A005a. and 1A613d.1. differentiate soft body armor based on whether or not the armor was manufactured to military standards or specifications.
    - Based on the above, ATK recommends the following:
        1. Create a new ECCN 1A005c. "Helmets and helmet shells not manufactured to military standards or specifications that provide ballistic protection less than NIJ Type IV."
        2. Revise proposed ECCN 1A613c. "Helmets and helmet shells manufactured to military standards or specifications that provide ballistic protection less than NIJ Type IV."
        3. If helmets exist outside the above ECCNs that would constitute 'police helmets', define in a positive way within ECCN 0A979 those characteristics that constitute a 'police helmet' separate from the helmets contained within the above proposed

ECCNs. If 'police helmets' are defined and remain within 0A979, "Note 1" to proposed ECCN 1A613c. would need to be added to proposed ECCN 1A005c.

- ATK requests the Bureau consider inclusion of helmets under the license exceptions in sections 740.9 and 740.14, as the proposed revisions account for body armor but not helmets.

ATK again thanks the Bureau for the opportunity to comment on the ANPR and applauds the Bureau's continued efforts to clarify and update the Regulations.

Sincerely,

Robert Schuettler
Director, Corporate Export Licensing
Alliant Techsystems Inc.