

June 10, 2012

To: DDTCResponseTeam@state.gov
Publiccomments@bis.doc.gov

Subject: ITAR Amendment - Category X RIN 1400-AD16 and
EAR Revision - Personal Protection and Shelters RIN 0694-AF58

What follows includes responses to the State requests that the public identify:

- (1) any potential lack of coverage in the June 7 State and Commerce rules compared with Wassenaar Munitions List (WML) Item 13 (or WML 21 or WDUL 1.A.5); and
- (2) specific examples of materials and miscellaneous articles whose jurisdiction would be in doubt based on this revision (this includes examples of double coverage).

What follows also identifies:

- (3) proposed coverage not now included in the WML.

Proposed U.S. omission of WML13 coverage should not continue or, if new, now be put into effect without Wassenaar concurrence. Proposed continued or new U.S. unilateral coverage would be more effective if included on the WML. It is recommended that the United States seek Wassenaar agreement along the lines of the proposed rules before putting them into effect in U.S. regulations.

- (1) The two proposed rules would omit the following WML 13, WML 21, or WDUL 1.A.5 coverage:

13.a Armored plate with a military standard or specification or suitable for military use not “specially designed” for military use, per 1A613.a,

to the extent not covered by the May 18, 2012 proposal for Category XIII.e; the December 23, 2011 proposal for ECCN 8C609.a; or the December 6, 2011 proposals for Category VI.g.1,3,4,5,6 or ECCNs 0A606.x or 0C606.a.

But, rather than conform with WML 13, the U.S. should seek changes in WML 13 along the lines of the June 7 proposed rules, in order to further the “bright line” objective.

13.b Constructions to provide ballistic protection for military systems
to the extent that “constructions” may be construed not to be “shelters,”
per 1A613.b.1

13.c Specially designed components for helmets (i.e., helmet shell, liner, and comfort pads) to military standards equal to or greater than NIJ Type IV
to the extent not covered by the November 2, 2011 proposals for Category VIII.h.15 or ECCN 9A610.x as it relates to 9A610.g.

The cross reference to Category XII in proposed Category X.a.5 may include some such components; but no reference to helmets was found in existing Category XII and no proposal to revise Category XII has yet been published. Deletion of “specially designed”

and explicitly controlling only the three specified components would be a brighter line.

- 13.d Protective garments manufactured according to military standards
to the extent not covered by proposed Category X.a.2 or ECCN
1A613.d.1.
But X.a.2 and 1A613.d.1 commendably further the “bright line” objective.
- 13.d Specially designed components for body armor or protective garments, NIJ Type IV or greater manufactured to military standards
But “specially designed” is not “bright line.”

21 Software for software

21 Software modified for 1A613 or 1B613

1.A.5.a Soft body armor regardless of NIJ level.

(2) Examples of doubtful jurisdiction

X.a.2 Protective clothing meeting both X.a.2 and 1A613.d.1 specifications would be controlled by both.

Note 1 to X.a.7 refers to XIII.j for controls on related materials. Technical specifications in XIII.j.1, 2, and 3 may make use of the ambiguous terms “specially designed” or “specially” in those sub-items unnecessary.

X.a.8 It is illogical to control parts, components, accessories, and attachments which are not developed under a DoD contract just because they are related to something which is developed under such a contract. Moreover, export restrictions related to something developed under a DoD contract should be specified in that contract, rather than in export control regulations. Export controls could, and in this case would, differ from the contract conditions.

X.d.3 Jurisdiction for classified items is unknown to exporters who have not been informed that the items are classified. If they have been informed, then regulations for classified items, rather than different export control regulations, should apply.

X.e Differing definitions of “technical data” and no definition of “directly related” give rise to significant doubts concerning jurisdiction.

0A018, 0A988, 1A005, 1A613.c, 0A613.d.1: “Less than NIJ Type IV (or Type III)” describes what is not controlled but does not describe what is controlled. The following quotation from the third column on page 33699 of the June 7 FR proposal could be read as indicating an intent to control only Type III:

“Type III body armor would be controlled on the CCL in proposed ECCN 1A613.”
If Types other than Type III are intended, listing of those other Types would be helpful.

1A005 Proposed heading (from WDUL 1.A.5) states:

“Body armor and components therefor, as follows”
but no components follow.

1A613.a Armored plate “specially designed” for military use and not controlled by the USML
The exporter is left in doubt as to what is covered. WML 13.a is not much better; but it at least avoids the ambiguous phrase “specially designed.”

1A613.b “Specially designed” as a modifier for shelters may serve no useful purpose, given the characteristics described in b.1 and b.2.

1A613.c includes 1A613.y.1

1A613.d.1 controls protective garments equal to or less than NIJ level III; whereas X.a.2 does not control protective clothing other than body armor NIJ level IV or higher.

The Note to 1A613.d states:

“See ECCN 1A005 for controls on soft body armor and protective garments not manufactured to military standards.”

However, 1A005 does not cover protective garments, being limited to body armor.

1A613.e Other personal protective “equipment” “specially designed” for military applications ...
Although “equipment” is in quotation marks, there is no accompanying definition. The words “specially designed” and “for military applications” are ambiguous.

1A613.x includes 1A613.y heading

1A613.y is limited to parts, components, accessories, and attachments; but 1A613.y.99 is not so limited and 1A613.y.1 helmets are not parts, components, accessories, or attachments.

1B613 is included in 2B018

1D613 for 1B613 is included in 2D018

1D613 heading includes software for installation, repair, overhaul, or refurbishing of 1A613 or 1B613; but nothing which follows includes such software

1E913 for 1B613 and for 1D613 for 1B613 is included in 2E018

(3) Proposed coverage not now included in the WML or WDUL 1.A.5

- X.a.1,2 Body armor and protective clothing with proposed specifications which are not manufactured according to military standards or specifications
- X.a.2 Personal protective equipment or face paints
- X.a.5,6 Helmets with proposed specifications which are not manufactured according to military standards or specifications
- X.a.7 & d.2 Goggles, spectacles, or visors and lenses therefor
- X.a.8 Developmental personal protective equipment and shelters and components therefor developed under a DoD contract
- X.d.1 Ceramic or composite plates providing protection equal to or greater than NIV Type IV if not manufactured to comply with a military standard or specification or suitable for military use.
- X.d.3 Classified items
- X.e Technical data for portions of X.a.1,2,3,5,6,7,8 and d.1,2,3 described above
- 1A613.b.2 Shelters specially designed to protect against nuclear, biological, or chemical contamination.
- 1A613.e Other personal protective equipment specially designed for military applications.
- 1A613.x & y Parts, accessories, and attachments
- 1A613.x Components for 1A613.a, 1A613.b.2, or 1A613.e
- 1A613.x for 1A613.c or 1A613.y components for helmets except for helmet shell, liner and comfort pads
- 1B613 for development
- 1B613.a for production of portions of X.a.1,2,5,6,7,8, d.1,2,3, and e and 1A613.b.2, e,x,y described above
- 1B613.y.99
- 1D613.a software for portions of 1A613.b.2, e,x,y and 1B613 described above
- 1E613.a technology for portions of 1A613.b.2, e,x,y, 1B613, and 1D613 described above



The Boeing Company
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July 18, 2012

Ms. Candace M. Goforth
Director, Office of Defense Trade Controls Policy
Directorate of Defense Trade Controls
Department of State
2201 C Street, NW
Washington, DC 20520-0001

Subject: "ITAR Amendment – Category X"
Reference: Federal Register/Vol. 77, No. 110/Thursday, June 7, 2012
Proposed Rule: Amendment to the International Traffic in Arms Regulations: Revisions of U.S. Munitions List Category X – Personal Protective Equipment and Shelters

Dear Ms. Goforth:

The Boeing Company ("Boeing") appreciates the opportunity to respond to the above-referenced Proposed Rule. We reiterate our continued support for the Export Control Reform Initiative and its efforts to rationalize the U.S. export control system in a manner that allows both government and industry to focus its licensing and compliance resources on those products and technologies that truly impact U.S. national security.

We welcome a simplified, narrowly-scoped, positive-list Category X. We appreciate the overall clarity of the proposed Category's qualifying language, and support the significant transitioning of items currently controlled under this Category to the export control jurisdiction of the Export Administration Regulations. Boeing believes that the proposed rule's focused controls represent an appropriate balance between national security protection and international business opportunity.

Please do not hesitate to contact me if you have any questions or need additional information. I can be reached at 703-465-3505 or via e-mail at stephanie.a.reuer@boeing.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephanie A. Reuer', written in a cursive style.

Stephanie A. Reuer
Director, International, Policy, and Licensing Administration
Global Trade Controls



DRS Technologies, Inc.
Trade & Security Compliance Office
2345 Crystal City Drive
Arlington, VA 22202

July 20, 2012

Mr. Robert S. Kovac
Managing Director
PM/DDTC, SA-1, Room 1200
Directorate of Defense Trade Controls
Bureau of Political Military Affairs
U.S. Department of State
Washington, DC 20522-0112

Subject: Response to the Proposed Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category X - 77 FR 33698, RIN 1400-AD16

Dear Mr. Kovac:

DRS Technologies, Inc. is fully supportive of the U.S. Government efforts to reform the regulations and systems for controlling exports. As a 10,000+ employee company with products and customers in both the international commercial and defense markets, we are very familiar with the current export control systems. The reforms are much needed to help the U.S. export control apparatus stay in step with the ever evolving and changing global markets and national security climates.

Overall, we are very pleased with the proposed rule revising USML Category X. The majority of the document contains clear and rational positive criteria that help to establish a clear line between what is or is not subject to the jurisdiction of the ITAR. There are two exceptions, noted below, that we urge the department to further evaluate.

Specific Comments on USML Category X-Personal Protective Equipment and Shelters

1. X(a)(7), Goggles, spectacles, or visors employing other than common broadband absorptive dyes and UV inhibitors as a means of protection. As with the "laser eye-safe media including narrow band dyes/coatings and wide band non-linear optical material "specially designed" for goggles" that was enumerated in the proposed revision to USML Category XIII, the positive criteria identified in X(a)(7) for such goggles is an optical density of 3 and other than broadband common absorption. As was the case with the Category XIII proposed rule, the defined positive criteria in this entry captures many commercial safety goggles available on the global market today. For example, Thorlabs makes green, laser safety glasses with an optical density of greater than 6 in the 0.2-0.4 μm and 0.9 -1.1 μm band widths that are utilized commercially to protect employees working around lasers from eye damage. The proposed change would move these inherently commercial items to the ITAR.

We recommend this entry be deleted as such goggles, spectacles, and visors are not unique to the military and do not merit control under the ITAR.

2. X(a)(8), Developmental personal protective equipment and shelters. The only positive criteria indentified for this entry is that the equipment or shelter be developmental and developed under contract with the Department of Defense. No other limiting criteria are cited. As such, this entry would capture a new shelter developed for use in artic environments simply because the DoD funded the development. Incidentally, personal protective equipment and shelters with no uniquely military attributes would be subject to control under the ITAR. We urge the department to either delete the entry or develop additional positive criteria that would limit such developmental equipment and shelters to those of a unique military application, such that control under this subchapter is warranted.

As we stated earlier, with the above two exceptions the proposed rule conforms extremely well to the tenants of the export control reform effort. It also establishes a clear jurisdictional line and limits control under the ITAR to those items truly critical to U.S. national security.

Should you have any questions in this matter or require additional information, please contact Mr. Greg Hill at (703) 412-0288, ghill@drs.com.

Sincerely,



Heather C. Sears
Vice President, Trade & Security Compliance
& Associate Corporate Counsel
DRS Technologies, Inc.



July 20, 2012

Directorate of Defense Trade Controls
Office of Defense Trade Controls Policy
Department of State
VIA EMAIL: DDTCResponseTeam@state.gov

Re: Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category X (Federal Register Docket ID. 2012–13744, RIN 1400–AD16)

IPC — Association Connecting Electronics Industries welcomes the opportunity to comment on the proposed revision of United States Munitions List (“USML”) Category X as detailed by the Department of State’s Federal Register notice. As an organization with a long history of cooperation with and support of the agencies that develop and implement national security policy, IPC shares the Department of State’s concern that the proposed rule ensures appropriate USML coverage and fully protects U.S. national security.

In December 2011, IPC submitted extensive comments to the State Department in response to proposed revisions of USML Category VIII. In this submission, IPC recommended that the Directorate of Defense Trade Controls (“DDTC”) clarify in a final Category VIII rule the treatment of printed boards, ensuring that a printed board’s designs and digital instructions be subject to the USML when the end item for which the printed board is designed is identified on the USML. In making its case, IPC provided a diverse selection of examples to illustrate the highly sensitive and important role of printed boards in military electronics.

The concerns and recommendations that IPC detailed in its December 2011 comments parallel those IPC has with regard to the Department of State’s Category X revisions. IPC believes it is important that the Category X rule – and similar USML/ Commerce Control List (CCL) rules developed in the future – ensure clear treatment of printed boards and their designs as the DDTC transitions certain parts, components, accessories, and attachments from the USML to the CCL. Specifically, the rules should make clear that the design instructions (known as “digital data” in the industry) for printed boards will remain under International Traffic in Arms Regulation (“ITAR”) control when the end item for which the board was designed is included on the USML. This clarification would ensure appropriate USML coverage and protect national security by controlling important technical data about ITAR controlled items.

These comments provide a concise response to the State Department’s Category X revisions. IPC has attached its comments to Category VIII as well, and it urges DDTC to reference this lengthier explanation of IPC’s position concerning export control reform. IPC also intends to comment on any proposed rule that DDTC publishes regarding Category XI.

I. About IPC

IPC is a U.S.-headquartered global trade association, representing all facets of the electronic interconnect industry, including design, printed board manufacturing and printed board assembly. IPC has more than 3,300 member companies of which 1,700 members are located in the United States. IPC is the definitive authority on standards used by the global electronics industry and is the leading source for training, market research and public policy advocacy and other programs to meet the needs of an estimated \$1.7 trillion global electronics industry.

II. National Security Importance of Printed Boards and Designs

Specialized printed board and printed board assemblies are custom-made and uniquely designed for the specific function of the electronic items in which they are incorporated. Drawing upon very precise specifications for the design and placement of parts, a printed board contains a roadmap for the operation of that item. Manufacture of the printed board, then, requires access to and use of all of the board's design information. This access exposes a significant portion of the intellectual property for both the printed board and the item for which it is uniquely designed. Companies with access to the designs of printed boards for defense articles thereby also have access to sensitive information about controlled technologies.

Printed circuit boards and their designs, in fact, hold valuable and specific information about the workings of the underlying defense articles that make up USML Category X. These articles include, for example, integrated helmets that incorporate optical sights or slewing devices capable of aiming, launching, tracking or managing munitions. Access to the printed boards and the designs for these helmets could provide adversaries sensitive information about an aircraft or pilot's targeting parameters—information that could disadvantage U.S. war fighters. In short, failure to properly secure the information embedded in printed boards that are custom-designed for defense articles could result in a breach of national security, theft of critical defense-related intellectual property and allow for reverse engineering of our critical defense systems.

III. Current Rule

Under the current ITAR, printed boards designed for personal protective equipment and shelters covered by ITAR are generally within the scope of the USML's controls on "components" that are specifically designed or modified for defense articles. Their printed board designs are also controlled by Category X(e) and/or Category XI (Military Electronics), because they reveal technical data regarding both the printed boards and the ultimate defense articles into which the printed boards are installed. IPC understands the treatment of printed boards under ITAR to be unequivocal, but the IPC has longstanding concerns that current law is frequently misunderstood, leading to preventable ITAR violations. IPC maintains that greater clarity about the controls on printed boards is necessary to protect national security.

IV. Proposed Rule

Under the proposed rule, it is unclear whether printed boards would be transferred to the jurisdiction of the CCL. The proposed rule generally transfers to the CCL all components specifically designed for personal protective equipment and shelters, but as IPC noted in its Category VIII comments, printed boards may be considered as “technical data” related to the defense articles into which they are incorporated, such as personal protective equipment and shelters. IPC recommends that DDTC clarify the proper treatment of printed boards, to ensure that the industry understands the U.S. government’s position regarding the proper export control jurisdiction of these important products.

If printed boards themselves are retained on the USML as “technical data” in physical form, then printed board designs necessarily must be retained on the USML as well. They convey the same information, just in a different format. Even if DDTC determines that printed boards for defense articles are not subject to USML jurisdiction, however, DDTC should determine that printed board designs are subject to the USML as “technical data” as they convey technical data regarding the defense items into which printed boards are incorporated. Control of printed circuit board digital data and related designs, in short, should follow the categorization of the end item itself, whether or not the physical printed board remains an ITAR controlled item.

V. Recommendation

Given confusion over the treatment of printed boards under ITAR, IPC contends that DDTC clarify the status of printed board designs in its final rule regarding Category X. For instance, DDTC could state the following in the Final Rule when it responds to public comments:

One commenter requested that DDTC confirm that the design and digital instructions for printed boards specifically designed for personal protective equipment and shelters are “technical data” within the meaning of Category X(e). DDTC confirms that these designs and digital data fall within the standard definition of “technical data,” to the extent that they contain technical data directly relating to Category X items. Accordingly, such printed board designs and digital instructions are subject to the USML when the end item for which the printed board is designed is identified in Category X.

IPC seeks similar clarification for printed boards in other USML categories, although IPC recognizes that there could be a number of additional ways to address this issue. DDTC may wish to amend the definition of “technical data” in 22 C.F.R. §120.10, to clarify this point. Another approach would be to address the issue clearly in Category XI (Military Electronics), to explicitly cover all printed board designs related to defense articles.

VI. Conclusion

IPC supports the State Department's goal of reforming the USML to clearly describe what items it covers. However, in order to prevent the unintentional release of detailed design information about these items, the State Department should clarify that printed board designs remain under the jurisdiction of ITAR when the end item for which the board is designed is a USML item.

The issue of printed board designs is not unique to the Category X. Every category of USML items includes the technical data directly related to those items.¹ These printed circuit board designs and digital data constitute technical data relating to the various end-items and USML components identified in each category because they contain information required for the design, development, manufacture, etc. of those defense articles.

Accordingly, IPC recommends that DDTC clarify the status of printed board designs in its final rule regarding Category X and has suggested one approach in Section V of these comments. Further, IPC recommends that DDTC consider the issue of printed board designs in the context of its ongoing revision of the USML, through steps such as (1) clarifying the scope of technical data in each USML Category, noting that printed board design coverage follows the coverage of the end item itself, (2) amending the definition of "technical data" in 22 C.F.R. §120.10, to clarify this point across all categories, and (3) clarifying Category XI to refer expressly to printed board designs for defense articles.

Thank you again for the opportunity to comment on the proposed amendments to USML Category X. If IPC can offer additional information or assistance, please contact me at fernabrams@ipc.org or 703-522-0225.

Sincerely,



Fern Abrams
Director, Government Relations

¹ See 22 C.F.R. § 121.1 Category I(i), II(k), III(e), IV(i), V(h), VI(g), VII(h), X(e), X(e), XI(d), XII(f), X(l), XIV(m), XV(f), XVI(e), XVII(a), XVIII(f), XX(d), XXI(b).

Proprietary Industries Association

Innovation at Private Expense

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July 23, 2012

via Federal Express &
email: "DDTCResponseTeam@state.gov"

Ms. Candace M.J. Goforth
Director
Office of Defense Trade Controls Policy
U.S. Department of State
2401 "E" Street N.W.
SA-1 Room H-1200
Washington, D.C. 20037

Subject: International Traffic in Arms (ITAR) Amendment-**Category X**
(Personal Protective Equipment. [Fed. Register/Vol. 77, No. 110,
June 7, 2012])

Dear Ms. Goforth:

The Proprietary Industries Association (PIA) applauds the above proposed ITAR amendment's elimination of most generic parts, components, accessories and attachments from needing a Dept. of State license for export. To meet the President's objective for export control reform we recommend that most products in the parts, components, etc. for category X and any other category be made EAR99 or at most be eligible for Dept. of Commerce express license. This is explained more fully below and in the detailed comments attached. Important exceptions to this are in the rare case where the part, component, etc is classified by the Government.

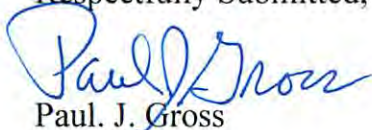
PIA is a nonprofit national organization of innovative, typically third tier, subcontractors that serve the global commercial and military aerospace market. A brief history of PIA is attached. Most of the products of the companies PIA represents fall into the category of generic parts, components, accessories and attachments serving most if not all of the ten ECCN categories. The existing requirement to obtain Dept. of State export licenses for most of these products is significantly hindering PIA companies' ability to compete in the global market and therefore hindering exports.

The dominant market for PIA company's products is global commercial aerospace. This is increasingly so with global military procurement steadily shrinking. Increasing our exports in this market is our objective as well as the President's. PIA company's military products are usually minor modifications of our commercial products and seldom have unique military value. Requiring a Government export license, whether Dept of State or Commerce, puts an anti-competitive burden on these mostly small businesses that cannot afford the overhead this requires. There is often not a single expert on export licensing in PIA companies relegating this activity to expensive consultants. The result is to be very cautious about increasing exports even when global customers ask for PIA company's unique products. The added administrative effort often makes the outcome uncertain and the business of marginal profitability at best.

U.S. DoD procurement considers most of PIA company products to be Commercial Items (CI), which greatly reduces regulations, paperwork and administrative expense for these small subcontractors and for DoD. PIA recommends that Government Export Control, whether Dept of State or Commerce adopt a similar CI designation that would streamline or eliminate the export administrative burden on such items, making them EAR99. This is explained more completely in the attached detailed comments.

Thank you for considering our recommendations, which we believe meet the President's objectives for Export Control Reform so the U.S. has more high value exports without jeopardizing our national security.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Paul J. Gross". The signature is written in a cursive style with a large initial "P".

Paul. J. Gross
President

cc: All PIA Directors & Members

Background & Purpose of the Proprietary Industries Association (PIA) May 2012

Summary – PIA is a non-profit national trade association of innovative aerospace subcontractors founded in 1985. PIA's purpose is to help innovative subcontractors obtain fair and equitable contractual terms and conditions (T&Cs) by working with and educating subcontractors, plus their commercial and government customers. PIA helps develop effective T&Cs that are uniquely suited to the proprietary products and processes that have high value to the customers buying them. PIA focuses on the most important specific contract issues that are crucial to maintaining incentives for subcontractors to develop valuable new products and processes at their own expense. PIA is sensitive to how these issues change with time.

Proprietary Rights – Protecting proprietary (data) rights and trade secrets is a PIA core activity and is key to the success of innovative subcontractors both as long-term suppliers to the commercial and government OEM markets plus for serving their aftermarkets. PIA started with government data rights contracting but is now expert in all contracting. PIA recommends specific proprietary data contract T&Cs plus safe methods for dissemination and use of proprietary data. PIA has also been a successful leader of improved legislation and regulations for data rights.

Government Contracting – Early PIA work focused only on government contracting and PIA has remained expert in all aspects of this market. Commercial practices have become a win-win solution for all parties in Government contracting concerned with proprietary rights and many other issues. This is true even for products used primarily by the military. Top levels of DoD and EM's have encouraged use of commercial or privately developed products as vital innovation increasingly comes from this sector. This is especially true for components and subsystems where DoD and OEM R&D is minimal. PIA has developed, disseminated and implemented strategies, contract language and other material, for subcontractors and their customers that is appropriate for high value privately developed products and processes. This helps subcontractors and their customers deal with this unique kind of procurement.

Commercial Contracting – Commercial aerospace has become the dominant business for most innovative aerospace subcontractors who usually have worldwide customers in the top level OEMs. Global competitive pressures and a troubled airline business have made proprietary rights, warranties and other issues in commercial contracting important for PIA member's success. PIA helps innovative subcontractors and their customers find appropriate contractual solutions for these difficult issues. New OEMs, in developing countries, where respect for intellectual property may be a new issue, has become an important challenge.

Subcontractor Advocacy – PIA is the only trade organization focused on representing innovative and many other aerospace subcontractors. PIA has been effective by focusing on the pivotal contracting issues for these subcontractor's success.

PIA Methods – PIA accomplishes its goals primarily with the following actions:

1. Finding current pivotal contractual issues and their solutions through day-to-day Interaction with innovative subcontractors and their customers using PIA attorneys.
2. Educating and training innovative subcontractors and their customers on specific contractual language, strategies and tactics with public & private seminars and publications.
3. Working with innovative subcontractors' customers on contract and other procurement issues to create an improved contracting environment.
4. Providing limited contract related assistance from PIA attorneys to individual PIA subcontractor members and appropriate non-members.

Proprietary Industries Association

Innovation at Private Expense

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July 23, 2012

**via Federal Express &
email: "DDTCResponseTeam@state.gov"**

Ms. Candace M.J. Goforth
Director
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SA-1 Room H-1200
Washington, D.C. 20037

Subject: International Traffic in Arms (ITAR) Amendment-Category X
(Personal Protective Equipment [Fed. Register/Vol. 77, No. 110,
June 7, 2012])

Dear Ms. Goforth:

Overview

Proprietary Industries Association (PIA)¹ is a 27 year old nationwide non-profit trade association of innovative, mostly small business, commercial subcontractors. PIA assists the U.S. defense and commercial aerospace industry in implementing fair and reasonable contract terms and U.S. Government regulations, including the ITAR and EAR. Of special interest and emphasis are commercial item (CI) acquisitions at all tiers of the subcontract level on Government programs.

-
1. Proprietary Industries Association (PIA) and its members have been privileged to submit written comments to each proposed DFARS and FAR tech data regulations since 1985, including active membership on the joint Section 807 committee in 1991-95. And, it also directly assisted Mr. David Packard's work on the *President's Blue Ribbon Commission on Defense Management* in 1985-86, which was the impetus for the current CI statutory provisions and FAR Part 12 regulations.

PIA's principle recommendation(s) for the subject Proposed Rule are that such protective equipment items (i) which receive a FAR Part 12 commercial item designation (CID), and (ii) other generic, non-specific parts, components, accessories and attachments that are in any way specifically designed or modified for a defense article, are to be automatically licensed if they fit an ECCN under the EAR's current ten categories of ECCNs, and all others under EAR 99.

This is especially necessary to keep clarity and incentives for innovative subcontractors at all tiers to contribute to Government procurements with their unique and high performance items, which routinely make up 70% or more of end-item weapons systems. Private development of components and subsystems is expensive, but is vital to Government programs, as very little (if any) Government R&D is available or spent at this level.² The costs for expensive and time consuming export licensing procedures cuts into monies that are otherwise available for subcontractor R&D programs. Further, truly innovative subcontractors are highly protective of their privately-developed trade secrets — which the DoD has long recognized as “the lifeblood of world class commercial companies engaged in leading-edge technologies.”³ As a result, they self-police their key technologies, perhaps to a higher degree than any Government export oversight efforts can.

2. In fact, as early as 1999 the military's share of total R&D spending precipitously dropped to only 16% vis-à-vis private sector R&D. See USD (AT&L) *Intellectual Property : Navigating Through Commercial Waters – Version 1.1* (Oct. 15, 2001), @ Forward, page iii.

3. Supra note 2, Appendix A [USD(AT&L) Policy Letters], page A-1. Sept. 5, 2000 “Memorandum for Secretaries of the Military Departments & Directors of Defense Agencies,” by Jacques S. Gansler, Under Secretary of Defense-Acquisition and Technology.

COMMENTS

- (1) Parts, Components, Accessories and Attachments For A Defense Article, such as Protective Equipment, That Receive a Commercial Item Designation (CID) Should Be Automatically Licensed Under the Current EAR Commerce Control List (CCL) Categories.**

The subject Department of State Notice and Request For Comments regarding its Proposed Rule to amend the ITAR:U.S. Munitions List (USML) Revision of Category X [personal protective equipment and shelters]⁴ proposes to substantially revise subsection (d) of the current ITAR Category X by removing less significant parts and components from the ITAR control altogether, and move them to a newly created 600 series controls in Category 1 of the CCL in the EAR, under the Department of Commerce licensing provisions. It states, in pertinent part –

“As with the revision of other categories,⁵ the USML will not control all generic, non-specific parts, components, accessories, and attachments that are in any way specifically designed or modified for a defense article, regardless of their significance to maintaining a military advantage for the United States.”⁶ (emphasis added)

We believe that this positive proposal greatly advances the national security objective — stated in this proposed rule — of “greater interoperability with the U.S. allies, enhancing the defense industrial base, and permitting the U.S. Government to focus its resources on controlling and monitoring the export and re-export of more significant items to destinations, end-uses, and end-users of greater concern than NATO allies and other multi-regime partners”.⁷ In short, it says that commercial-type, generic parts, components, accessories and attachments which are customarily modified for a new defense article application are simply not significant enough for

4. 77 Fed. Register 33698 (June 7, 2012).

5. To date other USML Categories VII, VIII and IX all have proposed rules for their revision, which were duly noticed for industry comments.

6. Supra note 4, at page 33699

7. Id.

COMMENTS (Cont'd)

the DoD (via the Dept. of State) to monitor for export — especially when they are earmarked for export to our defense allies. Brilliant idea!

In 1994 the U.S. Congress similarly sought to enhance the defense industrial base by encouraging more commercial suppliers to engage in bidding and contracting for supplies and services on Government programs. The Congress did this by passing a law which streamlined inflexible contract terms requirements and created a statutory preference for acquisition of commercial items.⁸ And, a broad Federal Acquisition Regulation (FAR) 2.101 definition for commercial items (CI) was created, which has eight separate disjunctive criteria to qualify as a CI.

Ironically, since 1995 the most often used CI definition is the so-called “of a type” definition, which parallels the above-described new USML Category X carve-out for “modified” generic parts and components. FAR 2.101 so provides, in pertinent part —

“Commercial item means —

- (1) Any item...that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes, and —
 - (i) Has been sold, leased, or licensed to the general public ...
-
- (3) Any item would satisfy a criterion expressed in paragraph (1) ... but for —
 - (i) modification of a type customarily available in the commercial market place ...” (emphasis added)

Note that items “customarily used by the general public” (FAR 2.101 above) equate to the words “generic, non-specific parts, components, etc.” used in the new USML Category X carve-out. And, “modifications of a type customarily available in the commercial market place” (FAR 2.101 above) similarly equate to the words “that

8. P.L. 103-355, Fed. Acquisition Streamlining Act of 1994 – FASA, Oct. 13, 1994; and later revised by P.L. 104-106, Fed. Acquisition Reform Act of 1996-FARA, Feb. 10, 1996.

COMMENTS (Cont'd)

are in any way specifically designed or modified for a defense article” in the new USML Category X carve-out of less specific items to be moved to the EAR.

In short, all parts, components, accessories and attachments [to a defense article] that qualify under FAR 1.201 that receive a CI Determination will, in fact, also meet the above-quoted criteria for the proposed USML Category X carve-out for new EAR export coverage.

Recommendations:

However, rather than creating an entirely new 600 series ECCN controls in Category 1 of Part 774 of the EAR (as proposed) it is strongly suggested that the current ten categories of commodities controlled by the Dept. of Commerce on the CCL are more than adequate to meet the above-stated national security objective — essentially to release from any export licensing (i.e., to EAR 99) less significant items (parts, components, etc.) that don't fall into any current EAR ECCN description. To do otherwise (as proposed) is to simply move the export licensing lender from the Government's right pocket (at Dept. of State) to the left pocket (at Dept. of Commerce) — which historically has taken longer to obtain export licenses.

COMMENTS (Cont'd)

2. **All Generic Non-Specific Parts, Components, Accessories, And Attachments That Are in Any Way Specifically Designed or Modified For a Defense Article Should Be Automatically Licensed Under the Current EAR's Commerce Control List (CCL) Categories.**

The subject Notice and Request For Components proposes to amend current Category X, subsection (d), to remove to the EAR's CCL (under a newly created 600 series, Category 1) "all generic, non-specific parts, components, accessories and attachments that are specifically designed or modified for a defense article."⁹

Recommendation:

Rather than creating an entirely new 600 series ECCN controls in Category 1 of Part 774 of the EAR (as proposed) it is strongly suggested that the current ten categories of commodities controlled by the Dept. of Commerce on the CCL are more than adequate to meet the above-stated national security objective — essentially to release from any export licensing (i.e., EAR 99) less significant items (parts, components, etc.) that don't fall into any current EAR ECCN description. To do otherwise (as proposed) is to simply move the export licensing lender from the Government's right pocket (at Dept. of State) to the left pocket (at Dept. of Commerce) — which historically has taken longer to obtain export licenses.

Further, this recommendation would establish the intended "bright line" between the USML and the CCL for generic parts, components, etc.; but, without unduly complicating the current proven EAR jurisdiction ECCN criteria by adding additional ECCN items.¹⁰

9. Supra, note 4, at page 33699, section entitled "Revision of Category X".

10. Id.

COMMENTS (Cont'd)

3. Examples Of Articles Whose Jurisdiction May be In Doubt Based Upon The Proposed USML Category X Revision

The subject Notice and Request For Comments asks for specific examples of articles whose jurisdiction would be in doubt based upon this revision.¹¹ One such example is an accessory/attachment for a “standard military helmet”¹² called a Helmet Mount Assembly (HMA).¹³ Currently the USML Category X, subsection (a)(6) includes —

“(a)(6) Helmets specially designed, developed, modified, configured or adapted to be compatible with military communications hardware or optical sights or slewing devices.

....

(d) Components, parts, accessories, attachments, and associated equipment specifically designed, modified, configured or adapted for use with the articles in paragraphs (a) through (c) of this Category.”

Whereas, the subject proposed subsections in 22 CFR 121.1 [USML] Category X which correspond to them provides —

“(a)(5) Integrated helmets, not specified in Category VIII(h)(15) or Category XII, incorporating optical sights or slewing devices, which include the ability to aim, launch, track, or manage munitions.

(a)(6) Helmets and helmet shells providing a protection level equal to or greater than NIJ Type IV.”

....

11. Supra note 4, at page 33700, section entitled “**Request for Comments**”

12. Note that the 2000 version of the USML literally excluded “standard military helmets”. And, a recent telephone call to the DDTC Response Team confirmed that this is still the case.

13. The HMA is intended to mount a night vision goggle (hands free) on the helmet if desired by the helmet user. The HMA’s ultimate utility is independent of the end-item to which it may be attached, and is functionally interchangeable in civil and military applications.

COMMENTS (Cont'd)

“(d) Parts, components, assemblies, and associated equipment for the personal protective equipment controlled in this category as follows:

- (1) Ceramic or composite plates that provide protection equal to or greater than NIJ Type IV.
- (2) Lenses for the goggles, spectacles, and visors controlled in paragraph (a)(7) of this category.
- (3) Any component, part, accessory, attachment, equipment, or system that:
 - (i) Is Classified;
 - (ii) Contains classified software;
 - (iii) Is manufactured using classified production data; or
 - (vi) Is being developed using classified information.

‘Classified’ means classified pursuant to Executive Order 13526, or predecessor order, and a security classification guide developed pursuant thereto or equivalent, or to the corresponding classification rules of another government.”

So, it appears under the current Category X that “a standard military helmet is not described or included as a controlled USML item. Thus, the HMA accessory/attachment isn’t subject to ITAR controls.

Under the more narrowly drawn new Category X only (i) ceramic or composite plate’s (ii) lenses for goggles, spectacles and visors, and (iii) classified components, parts, accessories, attachments, equipment or systems are included in this new USML Category; as well as integrated helmets incorporating optical sights or slewing devices to aim, launch, track or manage munitions [i.e., missiles, etc.] and helmets protected to NIJ Type IV level.

Further, the Notice’s specific guidance under **Revision of Category X**¹⁴ advises that all “generic non-specific parts, components, accessories and attachments that are in any way specifically designed or modified for a defense article, regardless of their significance to maintaining a military advantage for the United States” are not included in the ITAR jurisdiction coverage. Therefore, since the example HMA

14. Supra note 4, at page 33699.

COMMENTS (Cont'd)

also fits that description — and, is also designated by the DoD [Army] as a commercial item (CI) for FAR acquisition purposes¹⁵ — it appears to be a part, component, accessory or attachment under the EAR for all new more specifically identified Category X equipment in subsections (a)(1) through (a)(8) of the Proposed Rule.

Is there any doubt as to this conclusion?

Respectfully submitted,

PROPRIETARY INDUSTRIES ASSOCIATION



By Robert A. Brunette
Counsel

RAB/met

cc: Paul J. Gross (PIA Chairman)

15. See discussion as to Comment (1) above.

From: Zimmer, Justin (US SSA) [<mailto:justin.zimmer@baesystems.com>]
Sent: Monday, July 23, 2012 5:01 PM
To: DDTC Response Team
Subject: ITAR Amendment - Category X Comments from BAE Systems, Inc.

BAE Systems, Inc. respectfully submits the following comments to RIN 1400-AD16: Proposed Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category X

The proposed USML Category X(a)(8) proposes to control:

Developmental personal protective equipment and shelters and “specially designed” parts, components, accessories, and attachments therefor, developed under a contract with the U.S. Department of Defense.

BAE Systems is supportive of the Department’s efforts to integrate a consistent definition of “specially designed” into the USML in an effort to create a bright line between USML and CCL commodities. BAE Systems, Inc. has products in this USML category and we are concerned that the terms “developmental” and “developed under a contract with the U.S. Department of Defense” are not as clearly defined and would introduce some ambiguity into the product classification process. No clear guidance is provided as to when a product is “developmental” and it is unclear if the award of a U.S. Department of Defense contract at any point or for any portion of the product development would render it USML controlled for any future work outside the original qualifying Department of Defense Contract.

While not addressed in this proposed revision of the ITAR, BAE Systems, Inc. urges the State Department to review the procedures for authorizing the export of PPE controlled under USML Category X by U.S. persons under contract to the U.S. Government. The actual logistics of these export transactions dictated by the requirements of other U.S. Government Departments (The Department of Defense and The Department of Homeland Security (Customs and Border Protection)) make it difficult to use the ITAR 123.17 exemption. We believe that the large number of voluntary disclosures that have been submitted by various companies reflect that the requirement for an inspection by a customs officer upon export lacks recognition of its practical unworkability. Employees otherwise under contract to the U.S. Government often obtain their issued PPE at locations other than their point of exit from the United States. At this point, the PPE has become checked baggage and cannot be accessed by the employee to obtain the required inspection.

In the absence of a logistically workable ITAR exemption, companies with personnel under U.S. Government contract must utilize DSP-73 licenses to authorize the export of items in the

baggage of their employees. The use of these authorizations for the export of this type of equipment is not an ideal solution and creates an additional set of compliance risks. These commodities are processed as baggage, rather than cargo. Historically, it is clear that administrative violations of the ITAR when attempting to properly decrement these licenses increases. While the practical nature of these exports (direct, in-theater support of U.S. military forces) presents a minimal risk to national security, U.S. exporters are required to resolve these violations through the Voluntary Disclosure Process. BAE System, Inc. urges the Department of State to review the requirements of the ITAR 123.17 exemption so that it reflects reality. This may be an opportunity to initiate a meaningful change to the exemption so that exporters could provide the DSP-73 license to CBP within 30 days of export or within 30 days of return for decrementing. This would be an effective change that would minimize voluntary disclosures in this area but not increase the risk to the national security interests of the United States.

BAE Systems, Inc. wishes to thank the U.S. Department of State for the opportunity to provide comment on these proposed regulations. Should you have any questions about these comments, please feel free to contact us directly.

Sincerely,
Justin Zimmer
Manager, International Trade Licensing
BAE Systems, Inc.
(703) 907-8345
justin.zimmer@baesystems.com

Anonymous

July 23, 2012

We appreciate the opportunity to submit comments on the following:

- 1) Amendment to the ITAR: Revision of USML Category X, Protective Personnel Equipment and Shelters, proposed rule published in the Federal Register on 6/7/12.
- 2) Revisions to the EAR: Control of Personal Protective Equipment, Shelters, and Related Items the President Determines No Longer Warrant Control Under the USML, proposed rule published in the Federal Register on 6/7/12.

The current ITAR identifies controlled shelters in USML X(b) as those that are designed to protect against the effect of ballistic shock or impact; or nuclear, biological, or chemical contamination.

Shelters are manufactured using panels constructed of aluminum skins bonded to a honeycomb or foam and beam core, or of composite material construction. The primary function of shelters is to protect equipment and operators from the environments encountered during transport and field operation by providing thermal and acoustic insulation; electromagnetic shielding; resistance to penetration of water, sand, and dust; as well as shock and vibration isolation.

A basic (unmodified) shelter is a bare enclosure into which the manufacturer, the military, or other customers can install equipment racks or cabinets, heating and air conditioning systems, power and signal distribution systems, lighting, operator seats, antenna masts, electronic equipment etc., for the particular program or application. There are many uses for shelters, and they have both logistical and military applications. Shelters can be used for command posts centers; repair, maintenance, and workshop facilities; material transport structures; office and medical buildings; and living quarters. The general consumer of shelters is the Government.

There are several different types of shelters described as follows:

ISO Shelters: These shelters can be expandable and complexible and are ground deployable. The basic shelter structure is offered in several configurations including side removable curbside & roadside walls,

side close-out panels, double end cargo doors, recessed end walls, and side & end personnel door designs. These shelters are transported using all common intermodal transport methods.

Vehicle Mounted Shelters: There are numerous shelters designed to be installed onto military trucks and the typical end-use is to house operators and equipment.

An example of a vehicle-mounted shelter is the Cargo Bed Cover. These shelters are lightweight, rigid structures that are designed to provide a vented, weather-tight and lockable enclosure to store, protect and secure equipment, tools, and other theft-prone items without interfering with the mobility and functionality of the vehicle on which they are being transported. A unique feature of the CBCs is that they are height-reducible in order for them to remain on the back of a vehicle during C-130 air transport. CBCs offer a more secure and durable alternative to the standard canvas covers and are intended to replace the wooden covers that are often built by troops to provide secure storage on vehicles.

We have several reasons to believe that a basic (unmodified) shelter is not an export-controlled commodity as referenced in the bullet points below.

- We have researched the Federal Logistics Information System (FLIS) which is a US Federal Government system for identification of items in the US Government's inventory. The US Department of Defense maintains the FLIS System. The DOD has identified most of the shelters with DMIL Code A – which indicates the items are not USML or CCL items. See the list at the end of this document for reference.
- We have a current US Army Drawing Package for an Electrical Equipment Shelter labeled with Distribution Statement A – approved for public release.
- Several of the Army Standard Family shelters are defined by a drawing package that has unlimited distribution rights.
- A foreign company is currently manufacturing and delivering shelters for a US Army contract, which indicates the design is currently available in the foreign market.

- Finally, we have reviewed the US Department of State's Commodity Jurisdiction (CJ) webpage that identifies some shelters as EAR99 commodities. Although we are not privy to the actual submittal or full description of the submitted CJ, the general description seems to fit the shelter commodity.

We desire a more detailed definition to define at what point a shelter becomes export controlled. We recommend at points of certain modifications or installations, such as the installation of electronic or other equipment that is itself export controlled.

We respectfully would like to recommend that the following shelter modifications are not considered to be controlled:

- CARC (Chemical Agent Resistance Coating) PAINTED SHELTERS. This is paint **in its cured form** to help resist contaminants (resistance coating) on the surface of the shelter to which it is applied. It cannot be stripped from the shelter to be used for any other purpose or application. CARC paint MIL-DTL-53039 and MIL-DTL-64159 are readily available on the internet and provide definitive performance data. However, we believe CARC paint in its uncured, unapplied, and liquid form to be a controlled commodity under USML Category XIV(f).
- EMI/RFI (Electromagnetic/Radio Frequency Interference) SHIELDING. The US Army's drawing package which is approved for public distribution includes this shielding; the foreign company is currently manufacturing and providing shielded shelters to the U.S. Army, and the State Department's CJ page identifies an EMI/RFI Shielded Pouch as EAR99. These properties are also found in commercial applications.

THE PROPOSED RULE: The proposed rule suggests moving USML X (b) to EAR CCL 1A613 and identifies shelters as follows:

- b.1. Provide ballistic protection for military systems, or
- b.2. Protect against nuclear, biological, or chemical contamination

In an effort to help establish a clearer identification of controlled versus not controlled shelters, we respectfully recommend the following:

All types of (transportable) shelters to be moved from the USML to the CCL and classified as follows:

NOT CONTROLLED, Commerce Department Jurisdiction, EAR99:

1. Basic Shelters and Basic Shelters modified with items that are not controlled. Examples of non-controlled modifications are:
 - a. Lighting, Raceway
 - b. Power and signal distribution
 - c. Heating and air conditioning
 - d. Equipment racks and/or cabinets
 - e. RFI/EMI Shielded
 - f. CARC Painted
 - g. Skid or Jack Assemblies, Casters
 - h. Ladders/Roof Access Steps
 - i. Special door openings and/or emergency kickout or escape hatch panels
 - j. Generator Trailers

CONTROLLED, Commerce Department Jurisdiction, ECCN 1A613 b:

1. Shelters modified with installation of controlled items or equipment such as:
 - a. Electronic, Radar, or Surveillance Equipment
 - b. High Altitude Electromagnetic Pulse (HEMP)
 - c. Ballistic Protection
 - d. Nuclear, Biological or Chemical Contamination (NBC) Protection

DMIL Code A = NOT USML/CCL ITEMS.

DMIL Codes B & F = ARE USML ITEMS

Army	AF	Marine	Navy	NSN	Description	FLIS Description	Schedule B #	DMIL Code
				5340-01-455-8700	HMMWV Mounting Kit	Hardware Kit, Mechanic Equipment		A
X				5411-00-489-6076	Shelter, Electronic Equipment, S-250/G, EMI Shielded	Shelter, Nonexpandable	9406.00.8090	A
X				5411-00-999-4935	Shelter, Electronic Equipment, S-250/G Unshielded	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-092-0892	Shelter, Electrical Equipment, S-280(C)/G, Unshielded	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-124-1377	ISO, Shelter, Tactical, Expandable One Side, S-783/G (60 Amp)	Shelter, Expandable, One Side		A
X				5411-01-136-9837	ISO, Shelter, Tactical, Nonexpandable, S-781/G (60 Amp)	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-136-9838	ISO, Shelter, Tactical, Expandable, Two Side S-785/G (60 Amp)	Shelter, Expandable	9406.00.8090	A
		X		5411-01-206-6077	ISO, Knockdown	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-206-6078	ISO, 20 Foot, EMI Shielded	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-206-6079	ISO, 10 Foot, EMI Shielded	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-209-3451	ISO, 20 Foot, General Purpose	Shelter, Nonexpandable	9406.00.8090	A
	X			5411-01-280-2909EJ	Expandable, S-530 A/G	Shelter, Nonexpandable	9406.00.8090	B
		X		5411-01-287-4341	ISO, 10 Foot, General Purpose	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-294-6390	ISO, Shelter, Tactical, Nonexpandable, S-782/G (100 Amp)	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-294-9866	ISO, Shelter, Tactical, Expandable, Two Side S-786/G (100 Amp)	Shelter, Expandable	9604.00.8090	A
X				5411-01-295-3433	ISO, Shelter, Tactical, Expandable One Side, S-784/G (100 Amp)	Shelter, Expandable	9406.00.8090	A
X				5411-01-304-3069	Shelter, Electrical Equipment, S-280(C)/G, EMI Shielded	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-312-9084	Modular Extendable Rigid Wall Shelter (MERWS)	Shelter, Expandable	9406.00.8090	A
		X		5411-01-355-4318	ISO, Integration Unit Mobile Facility	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-355-4319	ISO, SOMF B (Modified 80" Door)	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-355-4320	ISO, SOMF A	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-355-4321	ISO, SOMF B	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-355-4322	ISO, BMF A	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-355-4323	ISO, BMF B	Shelter, Nonexpandable	9406.00.8090	A
		X		5411-01-355-6566	ISO, SOMF C	Shelter, Nonexpandable	9406.00.8090	A
				5411-01-387-4894	GSS-1497 Shelter	Shelter, Nonexpandable	9406.00.8090	A
X				5411-01-467-3185	Cargo Bed Covers, Type II (M105A2 Ton Trailer), Camouflage	Cover, Cargo Bed, Trailer	9406.00.8090	A
X				5411-01-467-3243	Cargo Bed Covers, Type I (HMMWV), Camouflage	Cover, Cargo Bed, Vehicle Tactical	9406.00.8090	A
X				5411-01-472-7852	Cargo Bed Covers, Type III (M35A2 Truck, M1078 LMTV, M1082 LMTV Trailer), Camouflage	Cover, Cargo Bed, Vehicle Tactical	9406.00.8090	A
X				5411-01-472-7857	Cargo Bed Covers, Type IV (M923 Truck, M1083 LMTV, M1095 LMTV Trailer), Camouflage	Cover, Cargo Bed, Vehicle Tactical	9406.00.8090	A
X				5411-01-473-5051	Shelter, Electrical Equipment, Lightweight, S-788/G Type I	Shelter, LMS, TY I		A
X				5411-01-473-5055	Shelter, Electrical Equipment, Lightweight, S-788/G Type III	Shelter, LMS TY III		F
X				5411-01-479-1925	Cargo Bed Covers, Type II (M105A2 Ton Trailer), Desert Sand	Cover, Cargo Bed, Trailer	9406.00.8090	B
X				5411-01-479-1928	Cargo Bed Covers, Type I (HMMWV), Desert Sand	Cover, Cargo Bed, Vehicle Tactical	9406.00.8090	B
X				5411-01-479-1932	Cargo Bed Covers, Type III (M35A2 Truck, M1078 LMTV, M1082 LMTV Trailer), Desert Sand	Cover, Cargo Bed, Vehicle Tactical	9406.00.8090	B
X				5411-01-479-1933	Cargo Bed Covers, Type IV (M923 Truck, M1083 LMTV, M1095 LMTV Trailer), Desert Sand	Cover, Cargo Bed, Vehicle Tactical	9406.00.8090	B
X				5411-01-548-5065/5067	Cargo Bed Covers (CBC) Type IAI, Camouflage/Desert Sand	Cover, Cargo Bed Vehicle		A
X				5411-01-548-5068/5069	CBC Type IIAI, Camouflage/Desert Sand	Cover, Cargo Bed Tra		A
X				5411-01-559-8738/8741	CBC Type IVAI, Camouflage/Desert Sand	Cover, Cargo Bed, Veh		A
X				5411-01-559-8740/8739	CBC Type IIIAI, Camouflage/Desert Sand	Cover, Cargo Bed, Veh		A
				5999-00-880-2188	EMI Modification Kit	Parts Kit, Electronic Equipment	8543.90.9000	A