From: Mark Miller <Mark.Miller@Multek.com>
Sent: Thursday, January 19, 2012 4:40 PM
To: PublicComments
Subject: Comments Under Retrospective Regulatory Review

We wish to comment on the existing process of classification requests for material subject to the EAR.

In the past year we had reason to submit applications via SNAP-R for exports of material on the CCL. After a lengthy time, we were advised orally that licenses were no longer required for exports of the subject material. We asked for confirmation in writing, but none forthcame until the RWA was received weeks later. Subsequently we discovered from industry sources that another company had submitted CCATS much earlier in the year which ruled that the material was no longer controlled. We did not see any corresponding notice in the Federal Register advising the public of the change in control status.

Because those CCATS decisions were not publicized, we sought our own CCATS on the material; again, after a lengthy period, we received a confirming CCATS.

Exports by our company were delayed by months in this process. Fortunately none of the affected customers cancelled their orders during this time.

If an item is deemed no longer subject to export licensing, it seems that the public interest would be better served if that information was made public.

If you need further information, please do not hesitate to contact me.

Regards

Mark Miller

Corporate Logistics Manager

Multek Flexible Circuits / Sheldahl Technical Materials

507 663 8453 Phone

507 664 8453 Fax

952 221 2302 Mobile

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