December 16, 2011

Regulatory Policy Division

Bureau of Industry and Security

Department of Commerce

Room 2099B

14th Street and Pennsylvania Avenue NW

Washington D.C. 20230

Re: Proposed Rule of Nov. 7, 2011 –

Control of Aircraft and Related Items

the President Determines No Longer

Warrant Control under USML

(RIN 0694-AF36)

Dear Regulatory Policy Division:

The Timken Company ("Timken"), Directorate of Defense Trade Controls ("DDTC") registration number M3899, appreciates the opportunity to provide comments regarding the proposed rule entitled: Revisions to the Export Administration Regulations (EAR): Control of Aircraft and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML), which appeared in the Federal Register, Vol. 76, No. 215, Monday, November 7, 2011 (the "Proposal").

Timken is an international business, with an expertise in friction management and power transmission. We are headquartered in Canton, Ohio. Our web site is at: www.timken.com <http://www.timken.com/> . Our most well known product is bearings.

Timken is submitting these comments from the perspective of its business, primarily our bearings, certain of which are currently on the United States Munitions List ("USML"), under Category VIII(h). Timken is a member of NAM, as well as other organizations, and it is our intention to coordinate with those organizations to submit separate comments to you (from such organizations), where such comments are not unique to bearings or to Timken's business.

The following are our comments:

1. Bearings used in landing wheels for Stealth Aircraft should be subject to EAR, not ITAR.

Timken is also submitting comments regarding the Department of State's Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category VIII, which appeared in the Federal Register, Federal Register, Vol. 76, No. 215, Monday, November 7, 2011 (the "DDTC Proposal"). In our comments to the DDTC Proposal, we noted that the bearings used in the landing wheels for the stealth aircraft listed in DDTC Proposal's Category VIII(h)(1), should not remain on the USML. These bearings do not have anything to do with the stealth or combat capabilities, rather, they have to do with the aircraft being able to take off and land, just like a civil aircraft. Most of our landing wheel bearings are designed and sold for civil aircraft. The manufacturing process is the same, whether the bearing goes on a civil or military aircraft. Bearings that should not remain on the USML under the DDTC proposal includes bearings used in nose landing wheels and main landing wheels for F-22, F-15, F-35, F-18, B-2, and B-1B, etc., rather these bearings should be subject to the EAR.

2. Definition of "specially designed".

We continue to believe that our comment to the Proposed Revision to EAR, Federal Register Vol. 76, No. 136, July 15, 2011 (RIN 0694-AF17), to exclude "gears" from the definition of "specifically designed" is important. The comment involved the Note to Exclusion Paragraph Number 1:

"Threaded fasteners….springs, gears and wire" are identified as representative types of items excluded from the definition of "specially designed"…"

Also, we support the Defense Trade Advisory Group ("DTAG") recommendations regarding the definition of "specially designed", as set forth in the DTAG's USML to CCL FRN Review, Plenary Session, November 9, 2011 slide show (slides #13-22), which is on the DDTC web site. While there are many good suggestions, the one we felt would be the most beneficial was on slide #18 (attached), which was a proposed additional exception to the definition of "specially designed", for common components. We believe that adopting these DTAG recommendations will significantly further the President's export reform effort toward its stated goals.

Finally, we believe it may be helpful for small businesses who are aerospace suppliers, if the "Section 17(c)" Note in current USML Category VIII(h), was explicitly added to the exclusions of the definition of "specially designed". We believe that many lower tier aerospace part suppliers, including small businesses, will find it easier to determine that the end item has an FAA civil aircraft type certificate and that the other requirements in the Note are satisfied, and therefore their part or component is not "specially designed".

We appreciate this opportunity to submit comments. Please do not hesitate to contact us with any questions,

Mark Bump

The Timken Company

Mgr - Global Trade & Compliance

Customs Attorney

330-471-3949

GNE-12