

LBJ LIBRARY DOCUMENT WITHDRAWAL SHEET

Page 1

Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
04a	letter	Kratzer to Keeny	PCI	2	9/7/66	A
05a	memo	George to Van Doren, O'Donnell, Tollin, Barber, Barnes & Bator	S	2	4/6/66	A
05b	report	"Conclusions & Recommendations of NSAM 294 Working Group" [Duplicate of #14a]	S	3	[4/66]	A
		open '14/18 per RAC 12/17				
08	memo	Memo for the Record of Meeting, 12/30/64 [Duplicate of #15, 50 & 51]	S	3	1/11/65	A
14a	report	Duplicate of #5b	S	3	[4/66]	A
		open '14/18 per RAC 12/17				
15	memo	Duplicate of #8, 50 & 51	S	3	1/11/65	A
16	letter	Rowe to Bundy	PCI	1	11/2/65	A
		open '14/18 per RAC 12/17				
19	memo	George to Van Doren, O'Donnell, Tollin, Nichols, Gorman, Keeny & C. Johnson	C	2	12/16/65	A
		open '14/18 per RAC 12/17				
23	memo	C. Johnson to Bundy	PCI	1	11/12/65	A
		open '14/18 per RAC 12/17				

Collection Title National Security File, Files of Charles E. Johnson

Folder Title "NUCLEAR - French Cooperation (NSAM No. 294 Review)"

Box Number 32

Restriction Codes

- (A) Closed by Executive Order 13292 governing access to national security information.
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3/25/2009



Initials

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Page 2

Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
24	memo	C. Johnson to Bundy [Duplicate of #25 & near duplicate of #36, NSF, CEJ, "CDC & French AEC Computer Problem", Box 13] <i>open '14/118 per RAC 12/17</i>	G	2	12/8/65	A
25	memo	Duplicate of #24 <i>open '14/118 per RAC 12/17</i>	G	2	12/8/65	A
26	memo	Intelligence Memo [Exempt per RAC, 5/03]	PCI	1	12/6/65	A
26a	report	Intelligence Report [Exempt per RAC, 5/03]	S	2	12/65	A
32	memo	C. Johnson for the Record <i>open '14/118 per RAC 12/17</i>	PCI	1	11/17/65	A
35	memo	O'Donnell to Meyer	C	3	11/2/65	A
36	memo	George to C. Johnson	C	3	10/26/65	A
43	letter	Hall to Conway	C	2	undated	A
50	memo	Duplicate of #8, 15 & 51	S	3	1/11/65	A
51	memo	Duplicate of #8, 15 & 50	S	3	1/11/65	A

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Page 3

Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
54	memo	George for the Record	S	3	1/4/65	A
55a	memo	Memo for the Record of Meeting, 12/30/64 [Duplicate of #63b]	S	2	12/31/64	A
56	letter	Solbert to Bundy	S	1	12/31/64	A
56a	memo	Solbert for the Record	S	2	12/31/64	A
56b	memo	Murray for the Record	S	3	12/31/64	A
59	letter	McNamara to Bundy	S	5	12/4/64	A
60	letter	Rusk to Bundy <i>open 11/4/18 per RAC 12/17</i>	S	3	12/1/64	A
63b	memo	Near duplicate of #55a	S	2	12/31/64	A
64	memo	From Klein <i>open 6/09</i>	RCI	1	12/24/64	A
64a	draft	draft NSAM 294 <i>open 6/09</i>	S	2	12/24/64	A

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Initials

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Page 4

Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
71a	memo	Thompson to Bundy	S	5	12/10/64	A
72	notes	Handwritten notes Open 1/4/18 per RAC 12/17	PCI	1	undated	A
73	letter	AEC to Hodges [Duplicate of #74]	S	1	12/1/64	A
74	letter	Duplicate of #73	S	1	12/1/64	A
83	letter	Seaborg to Bundy	S	2	11/23/64	A
84	report	"Summary of Factors involved in Applying NSAM 294..."	S	4	[11/64]	A
85	memo	Friedman for the Record	S	2	11/23/64	A
86a	draft	"Working Draft...NSAM 294" [Exempt per RAC, 5/03]	S	21	9/18/64	A
88	memo	George to G. Johnson Open 1/4/18 per RAC 12/17	G	1	12/4/64	A
91a	memo	Meyers to Kitchen Open 6/09	C	1	8/27/64	A

Collection Title National Security File, Files of Charles E. Johnson

Folder Title "NUCLEAR - French Cooperation (NSAM No. 294 Review)"

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Initials

LBJ LIBRARY DOCUMENT WITHDRAWAL SHEET

Page 5

Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
93	report	"Meeting of Principals on Nuclear Assistance to France" [Duplicate of #93a]	S	1	11/18/63	A
93a	report	Duplicate of #93 <i>open 6/09</i>	S	1	11/18/63	A
94	letter	Seaborg to Bundy	S-	3	11/15/63	A

Collection Title National Security File, Files of Charles E. Johnson**Folder Title** "NUCLEAR - French Cooperation (NSAM No. 294 Review)"**Box Number** 32

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3/25/2009

Initials

1

September 28, 1966

MEMORANDUM FOR MR. ROSTOW

Subject: Lease of U-235 to the French

The AEC has informed me in the attached letter that, unless we express some reservation, they plan to lease to the French an additional 33-1/3 kilograms of highly enriched U-235 and an additional 880 kilograms of low enriched U-235 for use in their peaceful civilian program. The lease can be made under existing legislation.

There is no security problem involved since the material will be under appropriate bilateral safeguards. The only issue is the politics of dealing with the French.

The proposal has been cleared through the State Department, which has no objections. I have discussed the problem with Francis and Chuck and we are in agreement that we should not raise any objections.

Therefore, unless you disagree, I will inform the AEC that there is no objection to their proceeding with the lease of these materials.

Spurgeon Keeny

Att. - Ltr dtd 9/23
fm ASFriedman

cc: FMBator
CEJohnson

Approve ✓

Disapprove

Discuss

*Mr. Keeny
notified Friedman
of approval
on 10-3-66.
per J. Barker*

September 20, 1966

MEMORANDUM FOR MR. ROSTOW

Subject: Sale of 3 Kilograms of Plutonium to the French

The AEC has informed me in the attached letter that unless I express some reservation they plan to sell the French 3 kilograms of plutonium metal, which is at present being leased by the French, for use in peaceful experiments. The sale can be made under existing legislation.

The matter was originally called to my attention by the AEC some six weeks ago when the AEC requested my clearance by telephone. I asked them to put the proposal in writing and to obtain appropriate clearance from the State Department, which has now been done.

I don't object to the sale. There is no security problem involved since the material will be under appropriate bilateral safeguards. The only issue is the politics of dealing with the French, which I assume has been weighed by the State Department. Francis and Chuck both agree that we should go ahead with the sale.

Therefore, unless you disagree, I will inform the AEC that there is no objection to their proceeding with this sale.

Spurgeon Keeny

Att. - Ltr fm Kratzer 9/7

cc: FMBator
CEJohnson

Approve ✓

Disapprove

Discuss

*Keeny notified
Friedman by
telephone of
the approval
9/21
per Jean Barker*

September 9, 1966

NOTE FOR MR. SPURGEON M. KEENY

Spurg --

I agree with your judgment that our action on this request should be prompted largely by political considerations. The amounts of special nuclear materials and the safeguards attached thereto minimize any security considerations. In view of the State Department clearance, we have now only to anticipate the Presidential attitude. I defer to Francis' judgment.

C. E. Johnson

cc: Mr. Bator

NOTE FOR MR. BATOR
and MR. JOHNSON ✓

Francis and Chuck--

What are your views on the attached?

Some time ago the AEC tried to clear this with me informally; however, I told them that I didn't want to do anything about it until they got a formal clearance from the State Department, which they have apparently done.

I believe this should be judged strictly on its relation to our current political problem with the French since it is neither a real security problem nor, as far as I can see, do we have any commitment to the French to do this.

Spurgeon

Att. :
Ltr 9/7 Kratzer to Keeny
re 3 kg plutonium for French
Alecto reactor

THE WHITE HOUSE
WASHINGTON

April 7, 1966

FOR MESSRS. KEENY AND JOHNSON ✓

Can we talk about this?

Francis M. Bator

Attachment

~~SECRET~~

CONCLUSIONS AND RECOMMENDATIONS OF NSAM 294 WORKING GROUP

Conclusions:

1. The purpose of the policy set forth in NSAM 294 is to use export denial, as one means of achieving effective control over material, equipment and technology which any nation* seeks to acquire for use in an independent nuclear weapons/strategic delivery vehicle program, and which would significantly benefit such program.
2. Adequate legislative authority and export control mechanisms already exist within the U.S. Government to assure that all items of potential concern in NSAM 294 terms come within the cognizance of the appropriate export licensing authorities, either AEC, State, or Commerce.
3. The tasks of the licensing authorities are therefore (1) to make sure that procedures are in effect which are adequate to identify all proposed export items falling under NSAM 294 and (2) to establish the best possible judgment on the following:
 - a. The technical, economic, quality, and timing importance of the item to the national weapons program.
 - b. The use actually intended for the item.
 - c. The alternative sources outside the U.S. for the item or a comparable substitute.

* In practical terms, the U.K. is at present exempted from this policy, since we are cooperating with that country extensively in both the nuclear weapons and delivery vehicle areas. The policy is also not relevant to Bloc countries, since more stringent policies are governing with respect to them.

~~SECRET~~

DECLASSIFIED

Authority NLJ-030R-32-2-3
By CTS, NARA, Date 12/10/11

~~SECRET~~

-2-

4. Those items which are clearly intended for use in a national program, would significantly and directly benefit that program in terms of timing, quality, or cost, and are unavailable in comparable substitute form elsewhere than the U.S. are to be denied.

5. Those items intended for other uses, or of only marginal benefit to the national program, or available elsewhere than the U.S. without undue difficulty or delay, will normally be approved. Other than NSAM 294 considerations may come into play, however (Atomic Energy legislation, Nuclear Test Ban Treaty, political considerations, other U.S. policies, etc.), and individual decisions must take these into account.

6. While NSAM 294 is of general application, France, under her present policies, is the major target country now and for the immediate future. Nevertheless exports to all other countries must be continuously evaluated in terms of both the potential and intention of the recipient country to engage in a national program.

7. No new control mechanisms or formalized inter-agency committees are required, but improved coordination, exchange of views and centralized compilations of case-by-case experience are needed. To the extent feasible, definite lists of commodities and related technologies of importance in NSAM 294 terms should be developed in order to make the controls most effective. The agencies with technical competence in the area are therefore continuing to work on improving present lists. It is recognized, however, that the relative and shifting nature of the NSAM 294 control problem probably means that individual decisions will necessarily continue to be mostly of an ad hoc nature.

Recommendations:

1. Each agency concerned (State, Defense, AEC, Commerce, NASA) should name a single senior staff level representative

~~SECRET~~

~~SECRET~~

-3-

to have general responsibility within that agency for NSAM 294 matters.

2. These representatives should keep in close touch with each other and with all concerned areas within their own agencies, the purpose being to ensure that NSAM 294 cases arising within or referred through normal channels to their agencies get adequate and expeditious consideration under the criteria outlined above.

3. These representatives should also be constituted as an informal NSAM 294 Review Group, meeting under State chairmanship once a month or as necessary, and including additional participation from their own agencies as desirable. The purpose will be to continue to explore ways and means to improve inter-agency coordination, discuss implementation problems which may have arisen, study decisions reached in individual cases of a precedent value or with unusual features, build up a central body of NSAM 294 experience, and make recommendations for change in policy or procedures to their respective agencies as may be required.

4. The intelligence community should be requested to provide the Review Group on a regular basis with evaluations of additional-country potential and intention to engage in nuclear weapons programs, to assist the group in achieving the purpose mentioned in paragraph 6 above.

~~SECRET~~

NATIONAL SECURITY COUNCIL

January 14, 1965

MEMORANDUM FOR:

Mr. Fubini - DOD	Mr. Thompson - State
Mr. Solbert - DOD	Mr. Tyler - State
Mr. Howard - DOD	Mr. Meyers - State
Mr. Murray - DOD	Mr. George - State
Mr. Palfrey - AEC	Mr. Kitchen - State
Mr. Kratzer - AEC	Mr. Margrave - State
Mr. Fisher - ACDA	Mr. Beigel - State
Mr. Lewis - Commerce	Mr. Frutkin - NASA

This memorandum is being circulated in order to provide all participants with a common record, approved by Mr. Bundy, of certain conclusions and decisions arrived at the December 30, 1964 meeting.

Charles E. Johnson

~~SECRET~~ attachment

*how many
CIA 2/12/65
dispatched
to all participants
1-14-65*

*Including Spangenberg
& Mr. George Bundy.*

7

NATIONAL SECURITY COUNCIL


January 12, 1965

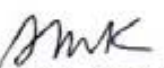
NOTE FOR MR. BUNDY

Mac --

It appears that memos for the file were written by almost everybody who attend our December 30 meeting on NSAM 294. Unfortunately there are minor but still significant variations among these memos. We fear there may be trouble in the future unless there is a single authoritative record of what you thought was agreed on. Accordingly we have taken the draft that we previously sent you (which you okayed) and added to it certain language borrowed from a memo by Ron Murray and also language by the State Department on the general approach to implementing NSAM 294. We believe that this product is more complete and an improvement over our previous draft. We recommend that you approve this draft for circulation to all participants.




Charles E. Johnson


Spurgeon M. Keeny

~~SECRET~~ attachment

File 9

March 9, 1965

Dear Tommy:

I have held your letter of February 26 about NSAM 294 until we could have a first meeting with the two Secretaries on the Gilpatric Report. In the light of our discussion of yesterday, I now think we should clearly go ahead on the basis which is suggested in the memorandum enclosed with your letter. My one additional suggestion is that I hope a White House Staff Officer may also be included in the NSAM Review Group under State chairmanship. I would expect to nominate Spurgeon Keeny for this job.

Sincerely,

McGeorge Bundy

The Honorable Llewellyn Thompson
Acting Deputy Under Secretary
Department of State

cc: Messrs. Klein, Keeny, Chas. Johnson

March 9, 1965

MEMORANDUM FOR MR. BUNDY

Mac --

Here is an informal note to Ambassador Thompson along the lines discussed at the staff meeting yesterday.

C. E. Johnson

March 9, 1965

MEMORANDUM FOR MR. BUNDY

Mac --

Here is an informal note to Ambassador Thompson along the lines discussed at the staff meeting yesterday.

C. E. Johnson

~~SECRET~~

MEMORANDUM FOR AMBASSADOR THOMPSON,
ACTING DEPUTY UNDER SECRETARY OF STATE

Tommy --

Your suggestion that we should proceed to put into effect the recommendation of the NSAM 294 working group on ways to improve implementation of NSAM 294 and related policies looks fine to me and I agree with your view that we should proceed along the lines proposed. I also agree completely with your observation that the relative and shifting nature of the control problem probably means that individual decisions will necessarily have to be played by ear for the time being. We probably won't be able to rewrite our specific applicable policies until we have definitively dealt with Ros's paper.

McGeorge Bundy

~~SECRET~~

DECLASSIFIED
E.O. 13526, Sec. 3.4
By cbm/sj NARA, Date 3-12-09

March 1, 1965

NOTE FOR MR. BROMLEY SMITH

Brom --

Mac should see this and decide whether we need another meeting of the NSAM 294 group. I suggest that you put this on the pile of items for Mac to take up with Klein, Keeny and me when he gets dug out. I have sent copies of Tommy's memo to both Klein and Keeny.

C. E. Johnson

~~SECRET~~ Attachment

Cy Keeny
Klein

14 - 807

L. C. Johnson
[Signature] BKS

DEPUTY UNDER SECRETARY OF STATE
WASHINGTON

February 26, 1965

SECRET

Dear Mac:

You will recall that we had set up a small working group to look into some of the coordination and implementation aspects of NSAM 294. I enclose a preliminary report of the group.

Their findings and views as to continued application of the policy set forth in the NSAM seem to me to square with the consensus reached in the White House meeting of December 30 as recorded in the January 14 memorandum sent to participants in the meeting. We all recognize that we are feeling our way in a singularly complex area, and the approach suggested by the working group is in my view a sound one.

I believe we should proceed along these lines, and plan to ask the other agencies concerned to designate representatives to the Review Group proposed. In the Department of State, general NSAM 294 responsibility will continue to rest with the Deputy Assistant Secretary for Politico-Military Affairs, Mr. Jeffrey C. Kitchen, and he or an officer designated by him will represent the Department on the Review Group.

Sincerely,

[Signature]
Llewellyn E. Thompson
Acting

Enclosure:

Report of Working Group.

The Honorable
McGeorge Bundy,
Special Assistant to the President,
The White House.

DECLASSIFIED
E.O. 12958, Sec. 3.4
By *[Signature]* NARA, Date 3-12-01

SECRET

236

DECLASSIFIED
Authority NIJ-080-32-2-3
By CTS, NARA, Date 12/20/17

~~SECRET~~

CONCLUSIONS AND RECOMMENDATIONS OF NSAM 294 WORKING GROUP

Conclusions:

1. The purpose of the policy set forth in NSAM 294 is to use export denial, as one means of achieving effective control over material, equipment and technology which any nation* seeks to acquire for use in an independent nuclear weapons/strategic delivery vehicle program, and which would significantly benefit such program.
2. Adequate legislative authority and export control mechanisms already exist within the U.S. Government to assure that all items of potential concern in NSAM 294 terms come within the cognizance of the appropriate export licensing authorities, either AEC, State, or Commerce.
3. The tasks of the licensing authorities are therefore (1) to make sure that procedures are in effect which are adequate to identify all proposed export items falling under NSAM 294 and (2) to establish the best possible judgment on the following:
 - a. The technical, economic, quality, and timing importance of the item to the national weapons program.
 - b. The use actually intended for the item.
 - c. The alternative sources outside the U.S. for the item or a comparable substitute.

4. Those items

* In practical terms, the U.K. is at present exempted from this policy, since we are cooperating with that country extensively in both the nuclear weapons and delivery vehicle areas. The policy is also not relevant to Bloc countries, since more stringent policies are governing with respect to them.

PRESERVATION COPY

~~SECRET~~

~~SECRET~~

- 2 -

4. Those items which are clearly intended for use in a national program, would significantly and directly benefit that program in terms of timing, quality, or cost, and are unavailable in comparable substitute form elsewhere than the U.S. are to be denied.

5. Those items intended for other uses, or of only marginal benefit to the national program, or available elsewhere than the U.S. without undue difficulty or delay, will normally be approved. Other than NSAM 294 considerations may come into play, however (Atomic Energy legislation, Nuclear Test Ban Treaty, political considerations, other U.S. policies, etc.), and individual decisions must take these into account.

6. While NSAM 294 is of general application, France, under her present policies, is the major target country now and for the immediate future. Nevertheless exports to all other countries must be continuously evaluated in terms of both the potential and intention of the recipient country to engage in a national program.

7. No new control mechanisms or formalized inter-agency committees are required, but improved coordination, exchange of views and centralized compilation of case-by-case experience are needed. To the extent feasible, definite lists of commodities and related technologies of importance in NSAM 294 terms should be developed in order to make the controls most effective. The agencies with technical competence in the area are therefore continuing to work on improving present lists. It is recognized, however, that the relative and shifting nature of the NSAM 294 control problem probably means that individual decisions will necessarily continue to be mostly of an ad hoc nature.

Recommendations:

1. Each

~~SECRET~~

PRESERVATION COPY

~~SECRET~~

- 3 -

1. Each agency concerned (State, Defense, AEC, Commerce, NASA) should name a single senior staff level representative to have general responsibility within that agency for NSAM 294 matters.

2. These representatives should keep in close touch with each other and with all concerned areas within their own agencies, the purpose being to ensure that NSAM 294 cases arising within or referred through normal channels to their agencies get adequate and expeditious consideration under the criteria outlined above.

3. These representatives should also be constituted as an informal NSAM 294 Review Group, meeting under State chairmanship once a month or as necessary, and including additional participation from their own agencies as desirable. The purpose will be to continue to explore ways and means to improve inter-agency coordination, discuss implementation problems which may have arisen, study decisions reached in individual cases of a precedent value or with unusual features, build up a central body of NSAM 294 experience, and make recommendations for change in policy or procedures to their respective agencies as may be required.

4. The intelligence community should be requested to provide the Review Group on a regular basis with evaluations of additional-country potential and intention to engage in nuclear weapons programs, to assist the group in achieving the purpose mentioned in Paragraph 6 above.

~~SECRET~~

PRESERVATION COPY

November 2, 1965

Dear Mac,

Control Data

As to our telephone conversation yesterday, this is a temporary progress report only:

Somewhat or other our contract people got instructions (from Commerce?) to make the contract the same as IBM's contract and it would then be cleared for export license. The IBM form of contract gave the buyer the right to re-install the computer wherever it wished and evidently the French AEC did exactly this.

My notes show I passed on the comments about "twenty miles away" but somewhere along the line there must have been a failure of communication. (I know this is always Alibi No. One in the modern world but it is often enough true-which is why it is No. One!)

No one in Minneapolis knows exactly what happened when the shipment reached Paris. It was sent to Control Data - France (a wholly owned subsidiary).

One of Control Data's top people will go to Paris this weekend, check out what happened and report back. For all we now know, it may have been taken directly to the weapon facility and installed.

I do think this is an unintentional foul-up, based on the adoption of the IBM contract form. It hardly behooves us, as a sinner, to point out that the same thing happened to the IBM machines and that they too are now installed in the weapon facility.

I will send on to you another report when we find out what actually happened.

There was really "good faith" on my part and I hope (and think as far as I have gone, despite my usual cynicism) not bad faith on the company's part.

As ever,

James Rowe

Mr. McGeorge Bundy
The White House
Washington, D. C.

cc: Charles E. Johnson ✓

DECLASSIFIED
Authority MJ-0602-32-2-4
By CTS, NARA, Date 11/10/17

NATIONAL SECURITY COUNCIL

Dec. 20
November 19, 1965

Alice:

I'm still willing
I will be willing to dispatch this once it is signed. However, if you do it from your end I would appreciate that the following people get either a burned copy of the signed original or a good carbon copy:

Charles E. Johnson
Spurgeon M. Keeny
Arthur Barber (Defense)
William McFadden, State
Theodore Thau, Commerce
Arnold Frutkin, NASA
Larry O'Donnell, AEC

If you have any questions, please call me.

Florence
Florence



*Reg B signed on
20 Dec*

18

NATIONAL SECURITY COUNCIL

November 19, 1965

NOTE FOR MR. BUNDY

Mac --

The attached is now ready for your signature. The procedure and substance have been cleared by State, Defense and Commerce. Assistant Secretary of Commerce Towbridge is prepared to initiate the "Assistant Secretary level" review of the work of the technical working group and Spurg and I will stay with this aspect of the problem.

4
The attached draft is different from the one you looked at in two respects: (1) State suggested that we insert some reference in the second paragraph to our policy of discouraging the proliferation of national nuclear weapons capabilities, and (2) State also requested that we delete throughout the letter any reference to "the Soviet bloc" in favor of "Warsaw Pact countries," and "the USSR and Moscow oriented Eastern European countries."

Charles E. Johnson

Handwritten notes:
Full for
Mitt
Mitt
Mitt

(1) Mail Dec 6

(2) with 3rd of - Full on indy under prg

THE WHITE HOUSE
WASHINGTON

Dear Senator McCarthy:

The Secretaries of State, Defense and Commerce have agreed to my replying to your identical letters to them of October 15, 1965, on the subject of computer exports.

The policy governing the licensing of computers for export has two aspects:

First, in fulfillment of our commitment under the Test Ban Treaty ~~and~~ ~~consistent with U. S. policy against proliferation of independent nuclear weapons capabilities~~, we take great care to scrutinize applications for licenses to export advanced computer equipment ^{to France} ~~to France~~. I believe you will agree with me that this program is necessary and wise, and that it should be continued.

Second, we are continuously concerned with the national security ^{that would be directly useful to the development and testing of nuclear weapons} implications of the export of computers to the Warsaw Pact countries. It is quite true that these countries present a vast potential market for computers. The U.S.S.R. and the Moscow oriented countries of Eastern Europe have thus far not developed computers equal to those produced in the United States. Additionally, their production has been small, and, as the Control Data Corporation's brief intimates, they are used almost entirely for strategic purposes. Because of the centralized nature of socialist governments, the lack of computers represents a significant deficiency which inhibits orderly planning and optimum use of resources. We are acutely aware of the potential Eastern European market. It has been brought to our attention not only by Control Data Corporation, but also by practically all of the major computer manufacturers in this country. We are equally aware, however, of the danger to the national security if exports in this area are not carefully screened, since exports of highly sophisticated computers could significantly contribute not only to the economic potential of the Warsaw Pact countries, but also to their military potential.

inasmuch as France has not signed the Treaty.

G/PM

~~CONFIDENTIAL~~~~MEMORANDUM~~

December 16, 1963

TO : ACDA - Mr. Van Doren
AEC - Mr. O'Donnell
Commerce - Mr. Tollin
DOD/ERA - Mr. Nichols
NASA - Mr. Gorman
White House - Mr. Keeney, Mr. Johnson

FROM : G/PM - Scott George

SUBJECT: NSAM 294: Export Control of Technical Data as Compared to Hardware

From time to time in our NSAM 294 Review Group sessions, the problem of how to handle technical data as compared to actual equipment has been mentioned. There seems to be no difficulty as far as clear-cut military equipment is concerned, or for equipment coming within the licensing purview of AEC, because the AEC and State EC systems are more or less comprehensive, all-country systems, in which hardware and technical data are equated, and in which the same control-leverage is available for one as for the other.

Commerce has a real problem, however, because it deals with a much greater variety of "gray area" items, has a different system of discriminatory control, and must also take account of certain factors and U.S. objectives which play comparatively smaller roles in the AEC, Defense, and State scheme of things.

The tech data vs. hardware problem is seen particularly clearly in the case of advanced computers. Under the NSAM 294 guidelines, while each case has to be studied carefully on its merits, the general picture is that advanced computers are currently being turned down for export to France, the reason being that such computers are too useful for the French nuclear weapons program. The actual location of the computer inside France is of course an important factor to be considered, but since weapons problems are easily portable, this factor can hardly be considered decisive.

As I understand it, there is no analogous control currently being exercised over technical data, so that a U.S. firm (IBM, G.E., CDC, etc.) could export construction know-how to a subordinate or

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Authority: NW-0802-32-2-5
By CTS, NARA, Date 12/20/17

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- 2 -

or affiliated firm in France or elsewhere in the Free World without restriction. This could lead, at least in theory, to a situation in which a French, British, German, Japanese, etc. firm could sell the French CEA the same computer which we might be refusing to permit the American producer to sell the French CEA from this country.

If the situation is as described, this would seem to be a possible NSAM 294 loophole that ought to be looked at carefully not only with respect to computers but to any other type of equipment in which there is this kind of disparity between hardware-control and information-control. This may not be an accurate picture, however, and I am sure also there are aspects with which I may be unfamiliar that would need to be considered in deciding on remedial action required if any. For example, such production abroad based on American technical data is a future possibility, not a present actuality, and we would need to make the best estimate possible as to when that production point might be reached in order to decide what change may be required in present procedures. We would also need to take account of the production possibilities ahead for the Anglo-French "big computer" consortium which we have heard about, and which may not be based on American technology at all.

I believe it would be worthwhile in any case to discuss this problem in depth, and in the near future, for the purpose of putting whatever views we can develop before the ACIEP. As you know, ACIEP will shortly be looking at the whole computer export problem, and it would seem to me that this aspect certainly warrants attention in that context. I propose that we meet next Tuesday, December 21, at 3:30 in Room 7320, Department of State building.

cc:

HC - Mr. Sipes
BPT - Mr. McFadden
DOA/OSSE - Mr. Murray
G/PA - Mr. Myers

G/PA:SGeorge:fm
12/16/65

~~CONFIDENTIAL~~

December 20, 1965

NOTE FOR MR. BUNDY

Mac --

This is the letter we held until after the French runoff election. It was revised in accordance with your suggestion that we do not include any reference to our policy of discouraging the proliferation of national nuclear capabilities, but we did adopt the State suggestion that references to the "Soviet Bloc" be revised in favor of other language. The paragraph explaining our present policy with respect to exports to the Eastern European countries was further edited by Secretary Towbridge and I believe it was improved considerably.

I believe it is now ready for your signature.

Dear Senator McCarthy:

The Secretaries of State, Defense and Commerce have agreed to my replying to your identical letters to them of October 15, 1965, on the subject of computer exports.

The policy governing the licensing of computers for export has two aspects:

First, in fulfillment of our commitment under the Test Ban Treaty which as you know France has not signed, we take great care to scrutinize applications for licenses to export to France advanced computer equipment that would be directly useful to the development and testing of nuclear weapons. I believe you will agree with me that this program is necessary and wise, and that it should be continued.

Second, we are continuously concerned with the national security implications of the export of computers to the Warsaw Pact countries. It is quite true that these countries present a vast potential market for computers. The U.S.S.R. and the Moscow oriented countries of Eastern Europe have thus far not developed computers equal to those produced in the United States. Additionally, their production has been small, and, as the Control Data Corporation's brief intimates, they are used almost entirely for strategic purposes. Because of the centralized nature of socialist governments, the lack of computers represents a significant deficiency which inhibits orderly planning and optimum use of resources. We are acutely aware of the potential Eastern European market. It has been brought to our attention not only by Control Data Corporation, but also by practically all of the major computer manufacturers in this country. We are equally aware, however, of the danger to the national security if exports in this area are not carefully screened, since exports of highly sophisticated computers could significantly contribute not only to the economic potential of the Warsaw Pact countries, but also to their military potential.



First, in fulfillment of our commitment under the Test Ban Treaty which as you know France has not signed, we take great care to scrutinize applications for licenses to export to France advanced computer equipment that would be directly useful to the development and testing of nuclear weapons. I believe you will agree with me that this program is necessary and wise, and that it should be continued.

Save above
language to
see show

November 12, 1965

MEMORANDUM FOR MR. BUNDY

SUBJECT: Annotated Agenda - Meeting on Computer Export Policy

For use at meeting at 4:00 p.m., November 12, 1965, of Messrs. Bundy, Hornig, Keeny and C. Johnson

1. Replies to Senator McCarthy's letter

The Defense, State and Commerce replies to McCarthy's letter have been held up. The draft replies are attached, as well as Senator McCarthy's letter and the Control Data Corporation's brief on exporting computers to the Bloc. The problem is what guidance should be given to the departments in replying to McCarthy and also what should be the procedure for dealing with substantive questions involved.

2. Computer Exports to France

The questions here are:

- a. What to do about the CDC 3600 case. The computer is now located at Vaujours (a French weapons laboratory) instead of Saclay (the civil uses laboratory) for which the export license was issued. Jim Rowe was to report on what he learned from CDC.
- b. What to tell Commerce regarding pending application for an additional CDC export of \$400,000 worth of upgrading equipment for the computer at Vaujours.
- c. A pending application by IBM for exporting two highly advanced computers to France. The latest word is that the French will cancel the order for the civil laboratory unless it is confirmed by Nov. 21. Memoranda by State and AEC dealing with the French export problem are attached.

Charles E. Johnson

DECLASSIFIED

Authority NLJ-0302-32-2-6
By CTS, NARA, Date 12-10-17

~~CONFIDENTIAL~~

December 8, 1965

MEMORANDUM FOR MR. BUNDY

SUBJECT: Control Data and French AEC

Mac --

Jim Rowe's November 24 confidential memo to you confirms and amplifies the information we already have concerning the location and use of the CDC 3600 computer that was licensed for export to France last spring. It appears that CDC really does not understand that the name of the game is to slow down or prevent the creation of significant French national nuclear capability and that we are not taking sides in a commercial rival between CDC and IBM -- as CDC and its French clients apparently believe. The following points come through loud and clear:

(1) Jim Rowe did not know that the computer was not installed at Saclay until you told him. CDC had withheld this fact.

(2) CDC and the French AEC people apparently are willing to take certain steps such as certifying that the computer will be used primarily for fundamental research and not basic weapons work, or even removing the computer from Vaujours to another location if we insist and if higher French political authorities will concur. However, even if the machine were physically removed from Vaujours, CDC is still planning to leave behind certain equipment for data transmission so that the computer would still be linked to the weapons laboratory.

(3) Michel Perineau, the Director of Research for Military Application, at a later interview with a CDC vice president described the movement of the computer as "impossible." The movement of the machine would be forbidden as a point of honor. He also doubted the feasibility of remote operation by telecommunications.

(4) The CDC vice president has even suggested to Perineau that CDC might provide him with two 6600's (this is an even higher capacity machine than the 3600) and then the 3600 at Vaujour would be "moved" by having it returned completely to CD. CDC suggested that one of the 6600's might be designed to operate by remote control.

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Authority: NJ-0302-32-2-7
By: CTS, NARA, Date: 12/10/17

CONFIDENTIAL

-2-

As of now, the problem and situation still remains as before. CDC is still technically and probably substantially in violation of the U. S. export controls. Jim Rowe's concern of the need for restoring CDC's good name in the Government is well-based. On the basis of the facts and present policy as they exist, I cannot see how Commerce can license any further high capacity computer equipment or technology to France. In addition, there is a problem of what enforcement action should be taken against CDC. A demand for the removal of the equipment from Vaujours would probably, as Perineau pointed out, be met with an emotional refusal by French authorities. Even so, it might be best for Commerce to insist that CDC make such a demand even though it knows it would have to bow to a "no" from the French Government.

In view of the Confidential nature of the memo that Jim has given you I have purposely not discussed its contents with any of the departmental officials who would be obligated to take punitive action against CDC if the facts become known to them. I did show the memo to Spurg Keeny and his reactions were much the same as mine.

Charles E. Johnson

CONFIDENTIAL

CONFIDENTIAL

December 8, 1965

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SUBJECT: Control Data and French AEC

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DECLASSIFIED

Authority NJ-030R-32-2-7
By CTS, NARA, Date 12/10/17

CONFIDENTIAL

~~CONFIDENTIAL~~

-2-

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Charles E. Johnson

~~CONFIDENTIAL~~

November 22, 1965

NOTE FOR:

1. Mr. Francis Bator
2. Mr. Spurgeon Keeny

Here is some revised language for the paragraph on France. If this looks okay now, we will just put it on the shelf until December 6.

Charles E. Johnson

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

November 17, 1965

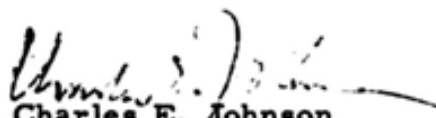
MEMORANDUM FOR:

Mr. William A. McFadden, State Department
Mr. Arthur Barber, Defense Department
Mr. Theodore Thau, Commerce Department

The attached draft letter has been prepared as a single reply to the identical letter of October 15, 1965, from Senator McCarthy to the Secretaries of State, Defense and Commerce. It would be signed by Mr. Bundy as an Administration reply to the Senator.

The substance of the reply is largely drawn from the draft prepared by Commerce, supplemented by certain language drawn from the other two draft replies that were provided by State and Defense.

It would be appreciated if you would inform me if your department concurs in this procedure and also in the substance of the attached letter. For your information, it is now planned to have an "Assistant Secretary level" look at the work of the interagency technical group to see if any further guidance is needed to define more clearly U.S. policy with respect to this complicated aspect of export control.


Charles E. Johnson

Attachment

*Mr. Barber
concerned 11-17-65
Mr. Thau
concerned
Mr. McFadden OK'd
as amended*

J. W. FULBRIGHT, ARK., CHAIRMAN

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United States Senate

COMMITTEE ON FOREIGN RELATIONS

CARL MARCY, CHIEF OF STAFF
 DARNELL ST. CLAIRE, CLERK

October 15, 1965

The Honorable Dean Rusk
 Secretary of State
 Department of State
 2201 C Street, N. W.
 Washington, D. C. 20520

Dear Mr. Secretary:

Control Data Corporation of Minneapolis has recently encountered a series of problems in Washington in obtaining export licenses for sale of computers to France and to CERN, the thirteen-nation European organization for nuclear research at Geneva. A license for a sale to East Germany was refused as "not in the public interest." Other problems are expected regarding application for another export license for sale of a computer to the French Atomic Energy Commission.

It is my opinion that the Iron Curtain countries are going to get modern computers one way or the other. If they cannot purchase them from the United States, they will get them from France, England, Japan or even by a joint venture abroad in which some American company is a participant. I am aware that there is a belief in the Department of State that the Coordinating Committee (CoCom) can and does police this licensing and that, when the United States refuses an export license as not in the public interest, the Department believes it can persuade France, England, Japan, West Germany and other countries to forbear from the same sale. Is there any certainty these countries will continue to be persuaded to withhold sales?

Cy S. Keeney

The Honorable Dean Rusk
October 15, 1965
Page two

I am informed that there is no computer industry of great significance in the Iron Curtain countries today. If the U. S. S. R. has reached some sophistication in computers, it is not making this skill available for industrial or commercial use, either within Russia or by export to its satellites. There is, moreover, in East Germany and Czechoslovakia and possibly in other countries enough scientific and engineering sophistication to create a computer industry if this becomes imperative.

And it will become imperative if United States firms are denied export licenses. I understand it is our policy to keep such countries five years behind the American standard of computers. Control Data officials tell me that it would take East Germany, probably the most sophisticated of the Iron Curtain countries, at least five years to copy any computer it may receive from the United States. As a condition precedent to building computers an entire electronic and transistor industry would have to be built to support such a computer industry.

If selling computers of current U. S. design to the Iron Curtain countries would prevent them from building up a computer industry, such sales may be in our interest. These countries would necessarily have to rely on American technicians to service the computers.

It appears that the United States has, as a matter of defense policy, much to gain and little to lose in granting these export licenses. I do think a policy review now would be helpful. An examination of the Export Import Control law,

The Honorable Dean Rusk
October 15, 1965
Page three

recently extended, shows this to be a discretionary and interpretative matter.

I suggest, therefore, that the Secretaries of State, Defense, and Commerce each designate Assistant Secretaries who will form an Ad Hoc Committee. The purpose of this committee will be to make a policy recommendation to you and to the other two Secretaries on the basis of what is best for the defense of the United States.

I am enclosing a detailed brief of Control Data Corporation on this matter which may be helpful to you in considering this recommendation.

With best wishes.

Sincerely yours,

EJM/eb

Eugene J. McCarthy

bcc: \

Mr. James Rowe

same letter sent to The Honorable Robert S. McNamara
and The Honorable John T. Connor

THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

Office of Export
Control, Dept. of
Commerce

Honorable Eugene J. McCarthy
United States Senate
Washington 25, D. C.

Dear Senator McCarthy:

Thank you for your letter of October 15, 1965, regarding the sale of computers to the Soviet bloc.

It is quite true that the Soviet bloc presents a vast potential market for computers. The U.S.S.R. and its satellites have thus far not developed computers equal to those produced in the United States. Additionally, their production has been small, and, as the Control Data Corporation's Chief intimates, they are used almost entirely for strategic purposes. Because of the centralized nature of socialist governments, the lack of computers represents a significant deficiency which inhibits orderly planning and optimum use of resources. We are acutely aware of the potential bloc market. It has been brought to our attention not only by Control Data Corporation, but also by practically all of the major computer manufacturers in this country. We are equally aware, however, of the danger to the national security if exports in this area are not carefully screened, since exports of highly sophisticated computers could significantly contribute not only to the economic potential of the Soviet bloc, but also to its military potential. In this connection, I note CDC has the impression that our interpretation of the Export Control Act includes a belief that any aid to the build-up of the economic potential of bloc nations should be construed as a violation of the Act. This is a mistaken impression. The Act calls for denial of any transaction making a significant contribution to the economic potential of the bloc, but only if this contribution would prove detrimental to the national security and welfare of the United States. Each proposed transaction is reviewed from this dual point of view. I might add that, in the denial of the application to export the CDC computer to H/C Maschinenbauvereinigung in East Germany, the potential contribution to the bloc's military capabilities, not its economic base, was the deciding factor.

As I am certain you know, "computer" is a generic term which covers not only simple machines that are hardly more than tabulating equipment, but also modern data processors having the capability of supplying real-time solutions

to complex problems encountered in the design and utilization of nuclear weapons, guided missiles, and similar devices. We believe the mandate imposed on us by the Export Control Act of 1949 clearly permits approval to the bloc of computers at the low end of the scale and denial of those at the high end. The difficulty is in determining where the line should be drawn.

For a number of months now we have had an interagency technical task group engaged in attempting to delineate the types of computers which should continue to be embargoed to the Soviet bloc. Although its work has not yet been finished, the group has succeeded in reducing the "gray" area between strategic and non-strategic types. We hope to submit the results of this study to the other COCOM nations and obtain agreement on the types of computers which should continue to be embargoed to the bloc. However, even if COCOM does not adopt our position, we feel there may well be certain types of computers which the United States will want to deny to the bloc. In this regard we believe we will continue to have a significant degree of control over foreign produced computers of the strategic type by our restrictions over the use by foreign manufacturers of U.S. technical data and U.S. components.

Rather than assemble, at this time, an ad hoc group of the type you mentioned, I believe it would be prudent to continue the technical work now underway and to press in COCOM for a realistic revision of the current embargo definition.

With respect to the computer complex that Control Data Corporation proposed to export to East Germany, I believe I should point out that the computers involved are far advanced over any computers known to be manufactured in the bloc and also far advanced over any computers previously exported to the bloc from any country. As such, they are among the types we believe should continue to be under embargo since they have found important strategic applications in our own country and could readily be used for similar purposes in the bloc. With reference to the CDC point that the computers it wishes to sell to East Germany will be used for civilian purposes only, it should be borne in mind that since a computer can be located at a point remote from the area where problems are generated, it would be impossible to assure ourselves that the computers would not be used, at least part of the time, in highly complicated work of a strategic nature.

I can assure you that the sale of computers to the bloc will continue to receive priority attention, and that trade with the bloc will be permitted to the extent that it is found to be consistent with the Export Control Act of 1949.

Sincerely yours,

Secretary of Commerce

November 19, 1965

NOTE FOR MR. BATOR

Francis --

For your information I attach a draft reply to Senator McCarthy that Mac has already approved in principle subject to my obtaining the concurrence of State, Defense and Commerce in the substance. The statement of policy embodied in the draft is the product of the Commerce export control people (specifically Ted Thau). Defense and Commerce have concurred in both the procedure of a single reply and in the substance. State is, as usual, nitpicking it and has been asked to give me its views today.

It has been agreed that the "Assistant Secretary level" standby review committee, under the Assistant Secretary of Commerce Towbridge, will review the work of the existing inter-agency technical task group referred to on page two to see if any additional policy guidance is needed to sharpen up the line at which we boggle in licensing the export of high performance computers.

Charles E. Johnson

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

November 17, 1965


Memorandum for the Record

Subject: Meeting on Computer Export Policy, November 16, 1965, 6:00 p.m.

Present: Messrs. Bundy, Hornig, Keeny and Johnson

The following points were developed at the meeting:

1. Senator McCarthy's Letter - The text of a single reply to the identical letter to State, Defense and Commerce was reviewed and approved for clearance with the three departments. Bundy will sign it. Also, an "Assistant Secretary level" review of the work of the interagency technical group will be laid on -- probably under Dr. Hornig's leadership.
2. Computers for France - (a) No further word has been received from Rowe so the disposition of the CDC 3600 at Vaujours is still to be settled. (b) The application for the \$400,000 worth of parts will not be approved while the Vaujours incident is still unsettled. (c) The policy toward France expressed in 294 is still valid. The IBM computers would represent such a substantial increment to the total computer capacity available in France that it would unquestionably be of value to the French nuclear weapons development and, therefore, these applications should be nonapprovable under the present policy.


Charles E. Johnson

DECLASSIFIED
Authority NLI-030R-32-2-8
By CTS, NARA, Date 12/10/11

Mr. Johnson:

Regarding the advanced IBM computers for France on which I sent you a memo Wednesday, I just received this word: the French have told IBM that unless delivery is confirmed for the civil activity by November 21, the order will be cancelled. Considering the recommendations in the memo I sent you and considering this note I suggest that maybe we need to expedite our conclusions on the CDC 3600 case. If you have any questions please call.

T. Thau
11/12/65

34

TRANSMITTAL FORM - U.S. DEPARTMENT OF COMMERCE

FORM CD-82
(8-2-60)

DATE 11/9/65

TO: Mr. Charles Johnson

FROM: Theodore L. Thau

For your information.

DO NOT USE FOR PERMANENT RECORD INFORMATION

USCOMM-DC

DATE
Nov. 1, 1965

INTERDEPARTMENTAL REFERENCE

37

REFERRED TO

Mr. Charles Johnson, Room 368, Executive Office Bldg

RE:

WRITER ☐ HAS ☐ HAS NOT BEEN INFORMED OF THIS REFERENCE

COMMENTS:

In accordance with your conversation with Mr. Greenwald. This letter has not been signed and despatched.

SIGNATURE

William A. McFadden

William A. McFadden Code 182 X3967

OFFICE OR DIVISION Office of East-West Trade
Bureau of Economic Affairs
Dept. of State

STATE

Dear Senator McCarthy:

Thank you for your letter of October 15, concerning the difficulties which have been encountered by the Control Data Corporation in connection with the Corporation's efforts to market computers in France, to the CERN organization, and to Eastern Europe. Your letter suggests that United States policy with respect to computers be the subject of special examination under the Secretaries of State, Defense, and Commerce.

I understand that the Commerce Department has in fact issued a license for the sale of the Control Data computer to CERN. As to France, in fulfillment of our commitment under the Test-Ban Treaty and consonant with U.S. policy against proliferation of nuclear weapons, it has been necessary to scrutinize with great care applications for licenses to export advanced computer equipment to that country. I understand however that to date, the Commerce Department has not denied any license applications for Control Data computers for export to France.

Concerning controls over sales to communist countries, there is currently under way an intensive review of the United States position with respect to computers within the framework of the Economic Defense Advisory Committee, an interagency committee responsible for the establishment of United States positions in COCOM. This review is part of a continuing review of computers and other items on the International List. There will be over the next several months a detailed examination with our COCOM partners of the status of computers on the International List. From that review, we hope to be able to maintain an agreed position among the several COCOM countries in which computers are manufactured that will insure parallel treatment with respect to sales to Eastern Europe.

The

The Honorable
Eugene J. McCarthy,
United States Senate.

The determination of which computers may be licensed for export, and which are considered to be so advanced as to risk making a contribution to the strategic capability of a communist country that would not be in United States interest, is one that depends largely on evaluations by technical experts in the Departments of Defense and Commerce, the AEC and NASA. As you know, responsibility for the control of strategic types of computers other than those covered by the Munitions List lies with the Secretary of Commerce. However, licensing policy determinations are made after consultations on an interagency basis. In general, it is United States policy to issue licenses for the sale of equipment that is no more advanced than that which manufacturers in other countries are permitted to sell to Communist purchasers.

I understand Secretary Connor will be writing to you in greater detail with respect to the technical questions raised by the Control Data Corporation. If this Department can be of any further assistance, I know you will feel free to call upon me.

Sincerely,

Douglas MacArthur II
Assistant Secretary for
Congressional Relations

Clearances: EUR -
COMMERCE- Mr. Thau

ITED - Mr. Greenwald

R: ITED: EWT: WAMcFadden: jh
October 27, 1965 x3967

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Charles Johnson
White House

DATE: November 2, 1965

FROM : Col. Frederick H. Gaston, Jr., USA
OASD(ISA)OFEA - Rm 4C 763 - Ext. 57164

MS

SUBJECT: Export of Computers

Mr. Arthur W. Barber, Deputy Assistant Secretary of Defense (Arms Control) requested that the attached copy of his proposed reply to Senator McCarthy's letter on the above subject be forwarded to you.



INTERNATIONAL SECURITY AFFAIRS

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

In reply refer to:
I-14766/65

The Honorable Eugene J. McCarthy
United States Senate
Washington, D. C.

Dear Senator McCarthy:

The Secretary of Defense has asked that I reply to your letter of October 15, 1965. The subject of export licenses for computer sales has two distinct aspects:

First, as a part of our obligation under the Limited Test Ban Treaty, we take great care not to assist any nation in conducting nuclear tests. In accordance with that policy, our government is quite strict in licensing any material for the French atomic program. I believe you will agree with me that this program is necessary and wise, and that it should be continued.

Second, as for the question of our policy on licensing commercially available computers to the Soviet bloc, I agree that the subject deserves a review, and, consequently, have asked Mr. Barber of my staff to review the matter with the Departments of State and Commerce, and report back to me. Upon completion of this review, I will inform you of our decision.

I trust that this letter has clarified our present policy regarding computer exports to France and I hope that, upon completion of the review which I have requested, we will be able to clarify our policy regarding computer sales to Eastern Europe.

Sincerely,

CORCORAN, FOLEY, YOUNGMAN & ROWE
1511 K STREET, N. W.
WASHINGTON, D. C. 20005

TELEPHONES
REPUBLIC 7-0200
REPUBLIC 7-3525

CABLES
FOLYN
CORCORAN
YOUNGMAN

October 28, 1965

Dear Mr. Johnson,

We have had previous conversations on this subject and I thought, therefore, I had better send you copies of the material I am sending Mac Bundy. Probably you will get Mac's anyway, but this way you start even.

As ever,

James Rowe

Mr. Charles E. Johnson
The White House
Washington, D. C.

October 28, 1965

MEMORANDUM FOR: McGeorge Bundy

Dear Mac,

American Computers for Iron
Curtain Countries - and France

Gene McCarthy's office told me they were sending you a copy of his letter to Dean Rusk, McNamara and Jack Connor. This letter asks that a policy committee consisting of Assistant Secretaries, with staff, be set up to review the policy of the government in denying sales of computers to Iron Curtain countries (and to France).

For your convenience I am attaching a copy of that letter which deals with Control Data's problems in getting export licenses. Control Data is more aggressive in its salesmanship than the other American companies and it is far more advanced technologically than are they.

Of course, Control Data has an ax to grind. But putting the ax aside, you should take a hard-boiled look at Control Data's argument that as a matter of national policy the American industry can control the computer industry behind the Iron Curtain. It can, if the government will take a more enlightened view of the realities of the situation, and not rely on technological technicians in the Pentagon bureaucracy who unimaginatively always take the easy way out by saying "no". This puts too much of a burden on State and Commerce to override "national defense". If we are right, the Pentagon is harming national defense in the long-range future.

This is why Senator McCarthy suggests a high-level review. I would add that such a committee should have good staff and hear from industry technicians as well as government technicians.

I am aware that a distinction might well be drawn between the Iron Curtain countries and the French AEC. It is even arguable that at present the French AEC is more of a problem. There may be some value in making it hard for it to get the benefits of the new American computers. There is a Control Data 6600 in Switzerland and the French are going to use that if they have to.

cy S Keeney

An old Yankee like you remembers Emerson's remark to Holmes about the latter's Essay on Plato: "If you shoot at a King, you must kill him". I sometimes wonder if just irritating Grand Charlie does pay dividends.

As ever,

James Rowe

I am also sending you a brief on the subject from Control Data. Yes, I would have written it better myself but it does have some useful material

cc: Charles E. Johnson

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Mr. Moncher

41

*From -
Make copy
for Mr. Tamm
in Comm. -
October 27, 1965*

MEMORANDUM TO THE FILES

FROM: Thomas E. Drumm, Jr.

SUBJECT: Proposed Sale of a Control Data Model 6600 to the French Atomic Energy Commission

Mr. John Bremer, European General Manager of Control Data, and Mr. Gérard Deaugonin, Assistant Director General of Control Data, France, conferred with Mr. Grant and me today in connection with the above.

At the beginning of the conference it was indicated that a "contract had been signed" by the French Atomic Energy Commission officials for the purchase of a Model 6600 Control Data computer. The visitors stated that they understood that they would have to obtain an export license. They advised that they had already sold five computers in other models in France. France was a very good market for their products. The proposed sale of the Model 6600 meant an order to their company of about \$7 million. If they were successful in obtaining an approval for export of this model it could lead to the sale to five other prospects or a total business of about \$20 million. This represents about ten percent of the company's annual sales.

Among the points which were made by the visitors to justify their application were the following:

- (1) If they do not obtain an approval the French Atomic Energy Commission will find other sources of supply probably in the U.K. or possibly elsewhere.
- (2) The French AEC can obtain something approaching the desired computer performance characteristics by assembling and banking together five smaller units.

The visitors advised that the "contract" contains a cancellation clause by virtue of which the French AEC can cancel the order if it appears that the American company is not diligently pursuing its application for an export license.

I advised the visitors that they were confronted with a double-barrel difficulty on this application -- (1) the

product

LIMITED OFFICIAL USE

*cy 1. S. Keeney
2. Dr. Drumm*

LIMITED OFFICIAL USE

-2-

product because of its strategic nature and (2) the consumer because of the position of the United States in regard to non-proliferation of nuclear weapons.

I advised them that Mr. Mayer had succeeded Mr. Heckerwith as the Director of the Office of Export Control in the Department of Commerce. I suggested to them that they file their application for the export license at the earliest moment and that it might be that the decision in this particular case might not be taken by the Department of Commerce without consultation and the approval of higher authorities.

Mr. Bremer stated that he would recommend this course of action to his home office immediately and that he would advise us as soon as this step was taken.

COMAFF:TED:mpd

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TRANSMITTAL FORM - U.S. DEPARTMENT OF COMMERCE

FORM CD-82
(8-2-60)

DATE 10/29/65

TO: Mr. Charles Johnson

42

FROM: Theodore L. Thau
Department of Commerce

For your information.

DO NOT USE FOR PERMANENT RECORD INFORMATION

USCOMM-DC

DRAFT -- CEJ
November 16, 1965

Honorable Eugene J. McCarthy
United States Senate
Washington 25, D. C.

Dear Senator McCarthy:

The Secretaries of Defense, State and Commerce have agreed to my replying to your identical letters to them of October 15, 1965, on the subject of computer exports.

The policy governing the licensing of computers for export has two aspects:

First, as a part of our obligation under the Limited Test Ban Treaty, we take great care not to assist any nation in conducting atmospheric nuclear tests. In accordance with that policy, our government is quite strict in licensing any material for the French atomic program. I believe you will agree with me that this program is necessary and wise, and that it should be continued.

If we are continuously concerned with the national security implications of the export of computers to the Soviet Bloc,
Second, ~~It~~ is quite true that the Soviet bloc presents a vast potential market for computers. The U.S.S.R. and its satellites have thus far not developed computers equal to those produced in the United States. Additionally, their production has been small, and, as the Control Data Corporation's brief intimates, they are used almost entirely for strategic purposes. Because of the centralized nature of socialist governments, the lack of computers represents a significant deficiency which inhibits orderly planning and optimum use of resources. We are acutely aware of the potential bloc market. It has been brought to our attention not only by Control Data Corporation, but also by practically all of the major computer manufacturers in this country. We are equally aware, however, of the danger to the national security if exports in this area are not carefully

screened, since exports of highly sophisticated computers could significantly contribute not only to the economic potential of the Soviet bloc, but also to its military potential. In this connection, I note CDC has the impression that our interpretation of the Export Control Act includes a belief that any aid to the build-up of the economic potential of bloc nations should be construed as a violation of the Act. This is a mistaken impression. The Act calls for denial of any transaction making a significant contribution to the economic potential of the bloc, but only if this contribution would prove detrimental to the national security and welfare of the United States. Each proposed transaction is reviewed from this dual point of view. I might add that, in the denial of the application to export the CDC computer to H/O Warenhouseveringung in East Germany, the potential contribution to the bloc's military capabilities, not its economic base, was the deciding factor.

As I am certain you know, "computer" is a generic term which covers not only simple machines that are hardly more than tabulating equipment, but also modern data processors having the capability of supplying ~~real-time~~ solutions to complex problems encountered in the design and utilization of nuclear weapons, guided missiles, and similar devices. We believe ^{the} ~~that~~ mandate imposed by the Export Control Act of 1949 clearly permits approval to the bloc of computers at the low end of the scale and denial of those at the high end. The difficulty is in determining where the line should be drawn.

For a number of months an interagency technical task group has been engaged in attempting to delineate the types of computers which should continue to be embargoed to the Soviet bloc. Although its work has not yet been finished, the group has succeeded in reducing the "gray" area between strategic and non-strategic types. We hope to submit the results of this study to the other COCOM nations and obtain agreement on the types of computers which should continue to be embargoed to the bloc. However, even if COCOM does not adopt our position, we feel there may well be certain types of computers which the United States will want to deny to the bloc. In this regard we believe we will continue to have a significant degree of control over foreign produced computers of the strategic type by our restrictions over the use by foreign manufacturers of U. S. technical data and U. S. components.

Rather than assemble, at this time, an ad hoc group of the type you mentioned, it would be prudent to continue the technical work now underway and to press in COCOM for a realistic revision of the current embargo definition.

With respect to the computer complex that Control Data Corporation proposed to export to East Germany, it should be pointed out that the computers involved are far advanced over any computers known to be manufactured in the bloc and also far advanced over any computers previously exported to the bloc from any country. As such, they are among the types we believe should continue to be under embargo since they have found important strategic applications in our own country and could readily be used for similar purposes in the bloc. With reference

~~to the CDC point that the computers it wishes to sell to East Germany will be used for civilian purposes only, it should be borne in mind that since a computer can be located at a point remote from the area where problems are generated, it would be impossible to assure ourselves that the computers would not be used, at least part of the time, in highly complicated work of a strategic nature.~~

I can assure you that the sale of computers to the bloc will continue to receive priority attention, and that trade with the bloc will be permitted to the extent that it is found to be consistent with the Export Control Act of 1949.

I trust that this letter has clarified our present policy regarding computer exports and I hope that, upon completion of the review mentioned above, we will be able better to define and agree with our friends on a workable common policy regarding computer sales to Eastern Europe.

Sincerely,

FORM CD-14 (2-8-59)		U.S. DEPT. OF COMM.	DATE
TRANSMITTAL SLIP			AUGUST 23, 1965
TO:	MR. CHARLES F. JOHNSON	REF. NO. OR ROOM, BLDG.	Rm. 368
FROM:	HAVER H. MEYER, O.E.G.	REF. NO. OR ROOM, BLDG.	1201 E, NN
ACTION			
<input type="checkbox"/> NOTE AND FILE	<input type="checkbox"/> PER OUR CONVERSATION		
<input type="checkbox"/> NOTE AND RETURN TO ME	<input checked="" type="checkbox"/> PER YOUR REQUEST		
<input type="checkbox"/> RETURN WITH MORE DETAILS	<input type="checkbox"/> FOR YOUR APPROVAL		
<input type="checkbox"/> NOTE AND SEE ME ABOUT THIS	<input type="checkbox"/> FOR YOUR INFORMATION		
<input type="checkbox"/> PLEASE ANSWER	<input type="checkbox"/> FOR YOUR COMMENTS		
<input type="checkbox"/> PREPARE REPLY FOR MY SIGNATURE	<input type="checkbox"/> SIGNATURE		
<input type="checkbox"/> TAKE APPROPRIATE ACTION	<input type="checkbox"/> INVESTIGATE AND REPORT		
COMMENTS:			
file with the NSAM file on instructions reports to France			



U.S. DEPARTMENT OF COMMERCE • John T. Connor, Secretary

Bureau of International Commerce

Office of Export Control

CURRENT EXPORT BULLETIN

Supplement to the Comprehensive Export Schedule

Number 919

August 13, 1965



PARTIAL SHIPMENTS MAY BE MADE UNDER ONE VALIDATED LICENSE

If you do not wish to export the full quantity listed on a license in one shipment, you can split this total quantity into several smaller or partial shipments. These partial shipments can be made through a single port of exit, through two or more ports of exit or by mail.

- To make partial shipments through two or more ports of exit, request the Collector of Customs who is holding your license to forward approval to the additional port(s) of exit from which you intend to ship.
- To make partial shipments by mail against an export license, file your license with a Collector of Customs. The Collector will authenticate for you a Shipper's Export Declaration for presentation to your Postmaster instead of the license.

§ 379.1(b)(1)(ii) and 379.2(d) & (e) of the Comprehensive Export Schedule provide complete information concerning these procedures.

(This notice does not change, revise, nor completely summarize the current regulations on this subject. Exporters should refer to the Comprehensive Export Schedule for an authoritative and complete statement of the regulations.)

Alexander B. Trowbridge, Assistant Secretary for Domestic and International Business
Bureau of International Commerce, Eugene M. Broderman, Director Office of Export Control, Rauer H. Meyer, Acting Director

SUBJECTS...

- I. Exportation of Commodities and Technical Data Related to Nuclear Weapons, Nuclear Explosive Devices, or Nuclear Testing. (§ 373.7)
- II. Revision of Interpretation 20: Aircraft, Parts, Accessories, and Components. (§ 399.2)
- III. Revision of the Commodity Control List. (§ 399.1)

I. Exportations of Commodities and Technical Data Related to Nuclear Weapons, Nuclear Explosive Devices, or Nuclear Testing.

Purpose and Effect:

It is the policy of the United States Government to discourage the proliferation of national nuclear weapons capabilities. An important step in achieving this policy, the United States signed on August 5, 1963 the "Treaty Banning Nuclear Tests in the Atmosphere, Outer Space, and Under Water," more commonly known as the "Limited Nuclear Test Ban Treaty." All agencies of the Government which exercise export control authority over commodities and technical data which could involve assistance to foreign countries in the design, development, and fabrication or in the testing of nuclear weapons or nuclear explosive devices have taken steps to reinforce this policy. Consistent with this effort, the Export Regulations of the Department of Commerce have been revised to provide a closer control over all exportations of commodities and technical data within the licensing authority of the Department of Commerce in any case where these commodities or technical data could be used in producing or testing nuclear weapons or nuclear explosive devices. Exporters should keep particularly in mind the controls over the export of commodities and technical data applicable under Munitions Control Regulations of the Department of State and the Atomic Energy Commission, as well as the controls of the Department of Commerce.¹

¹ Commodities and technical data specifically designed or specifically modified for use in designing, developing, or fabricating nuclear weapons or nuclear explosive devices are subject to export licensing or other requirements of the Department of State's Office of Munitions Control or the licensing or other restrictions specified in the Atomic Energy Commission Act of 1954, as amended. Similarly, commodities and technical

A validated export license is now required from the Department of Commerce for the exportation to any destination, including Canada, of the following three types of commodities or technical data described below:

(1) Any commodity or technical data which has not been specifically designed or specifically modified for use in designing, developing, or fabricating nuclear weapons or nuclear explosive devices, but which the exporter knows or has reason to believe will be used for one or more of these purposes.

(2) Any commodity or technical data which has not been specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions, but which the exporter knows or has reasons to believe will be used for one or more of these purposes.

(3) Any commodity or technical data which is in normal commercial use for other purposes but which has been specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions, if the intermediate or ultimate destination is subject to the jurisdiction of any country which, at the time of the exportation is not an adherent to the Limited Nuclear Test Ban Treaty.² However, these new provisions of the Office of Export Control do not apply in any case where the exporter knows that the commodities or technical data will not be used in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions.

data specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions (except such items as are in normal commercial use for other purposes) are subject to the same requirements.

² The list of countries adhering to the "Limited Nuclear Test Ban Treaty" is set forth in Supplement No. 4 to Part 373.

Current Export Bulletins, issued by the Office of Export Control, U. S. Department of Commerce, for the guidance of all concerned with export regulations and interpretations, are supplements to the Comprehensive Export Schedule, dated January 1, 1965. Subscription may be placed with the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402; or with any field office of the U. S. Department of Commerce. The rate for the Comprehensive Export Schedule and all Current Export Bulletins for an indefinite period is \$7.00 to a domestic address, \$9.00 to a foreign address. A special air mail service to domestic addresses only is available for an additional \$4.00. (Only the Current Export Bulletins will be sent airmail.) All orders for this service should indicate that the remittance is for this purpose.

Individual copies of Bulletins may be purchased for 25 cents from the U. S. Department of Commerce field offices and in Room 6045 of the U. S. Department of Commerce Building.

Remittances should be made in cash, money order, or coupons issued by the Superintendent of Documents, U. S. Government Printing Office.

An exporter who proposes to export commodities or technical data which he knows are capable of any of the uses described above and who is not also the manufacturer of such commodities or the originator of such technical data, shall, if he has grounds for a reasonable doubt as to whether a validated export license is required under these provisions, take the following measures: (1) request from the manufacturer of the commodities or the originator of the technical data a written statement as to whether he knows or has reason to believe that the intended export requires a validated export license, and (2) if in the opinion of the manufacturer (or originator) a validated export license is required, apply for a validated export license in order to export such commodities.

In applying for a validated license to export any commodities or technical data covered by this new regulation, full details of the proposed exportation shall be given. These details shall include the basis for the applicant's belief that a validated license is required. If a validated license is otherwise required for a proposed exportation covered by this new regulation, the requirements of this new regulation shall apply in addition to those otherwise required by the Export Regulations. Insofar as consistent with these new provisions, all other provisions of the Export Regulations also apply to applications for licenses, and licenses issued, under these special provisions. This includes all regulations pertaining to the re-exportation, as well as the exportation, of commodities and technical data.

Effective Date of Action: August 27, 1965.¹

Accordingly, a new § 373.7 is added to the Comprehensive Export Schedule and paragraphs 370.2 (a) (1), 371.7(a), 371.10(a), 371.18(a) & (f), 374.2 (b), 376.2(a), 377.1(b), 380.2(f), 385.2(c), 385.4 (c), and 399.1 (e) & (f) are amended to read as set forth on the attached reprint pages. (See filing instructions at end of Bulletin.)

II. Revision of Interpretation 20; Aircraft, Parts, Accessories, and Components.

Purpose and Effect:

Interpretation 20 to § 399.2 of the Comprehensive Export Schedule is revised to reflect the transfer

¹ The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

from U.S. Department of Commerce to U.S. Department of State the export licensing authority for (a) Models C-46, C-47 and C-54 aircraft without armament, (b) engines, other than reciprocating, specially designed for or modified for military aircraft, and (c) propellers designed or modified for use with military aircraft.

Effective Date of Action: August 13, 1965.

Accordingly, Interpretation 20, § 399.2 of the Comprehensive Export Schedule is amended to read as set forth on the attached reprint pages. (See filing instructions at end of Bulletin.)

III. Revision of the Commodity Control List.

Revisions

The Commodity Control List is revised as set forth below. Exporters are advised that only the items listed below opposite the specific Export Control Commodity Numbers are affected by these changes. The unnumbered captions serve only to identify the broad categories of commodities within which these items are to be found in Schedule B.

Two different types of explanatory numerical references are used at the end of a commodity description:

- (a) A numerical reference enclosed in parentheses to indicate the entry being revised. For example, where a revised entry is followed by (1), this indicates that the new entry revises the first entry presently on the Commodity Control List under the same Export Control Commodity Number; if the entry is followed by a (2), it revises the second entry on the Commodity Control List, etc.
- (b) A footnote reference referring to the footnote below which explains effect of the revision. Several footnote references below refer to the fact that effective July 13, 1965 authorization is required from the U.S. Department of State for the exportation of certain commodities. Any outstanding validated licenses issued by the Department of Commerce for the export of these commodities may continue to be used in accordance with the terms and conditions under which the licenses were issued.

¹ This entry is deleted from the Export Control Commodity List.

² Effective July 13, 1965, authorization is required from the U.S. Department of State for exportation of this commodity. See paragraph 370.5(a).

³ Effective July 13, 1965, export authorization is required from the U.S. Department of State for .22 caliber rimfire ammunition and for ammunition under .22 caliber, and the following parts therefor: cartridge cases, powder bags, bullets, jackets, cores, cartridge shells, projectiles, boosters, fuses and components therefor, primers and other detonating devices. Also, effective July 13, 1965, percussion caps, formerly under the jurisdiction of the U.S. Department of State, require a validated license from the U.S. Department of Commerce for exportation to Country Groups T, V, W, X, Y and Z, and an Import Certificate (or a Hong Kong Import License) will be required in support of a license application covering exportation of this commodity to the countries specified in § 375.3.

⁴ Effective July 13, 1965, export authorization is required from the U.S. Department of State for ammunition manufacturing machines.

⁵ Presently appears as the third entry under Export Control Commodity No. 86198.

⁶ A validated license is no longer required for exportation of these commodities to Country Groups T, V, and W.

⁷ A separate entry is established for these commodities under the same Export Control Commodity Number with no change in controls.

⁸ The processing code and/or related commodity group number is changed.

⁹ Effective July 13, 1965, export authorization is required from the U.S. Department of State for photomicrographic arc lamps specially designed for air reconnaissance cameras and other military cameras, and cameras designed for use in space vehicles.

¹⁰ Effective July 13, 1965, export authorization is required from the U.S. Department of State for cathode ray oscilloscopes (oscillographs) ruggedized to meet a military specification, and parts and accessories specially designed for this equipment.

¹¹ Two entries are substituted for three entries presently on the Commodity Control List under the same Export Control Commodity Number.

¹² Effective July 13, 1965, export authorization is required from the U.S. Department of State for Models C-46, C-47 and C-54 cargo and passenger transports without armament. Heretofore these models of aircraft have been under the jurisdiction of the U.S. Department of Commerce when exported without armament.

¹³ Effective July 13, 1965, export authorization is required from the U.S. Department of Commerce for nonexpansive balloons in normal sporting use of 3,000 cubic feet capacity or over. Heretofore these balloons have been under the jurisdiction of the U.S. Department of State.

¹⁴ Effective July 13, 1965, propellers designed or modified for use with military aircraft require export authorization from the U.S. Department of State.

¹⁵ Effective July 13, 1965, export authorization is required from the U.S. Department of State for landing gear and other parts and accessories specially designed for Models C-46, C-47 and C-54 aircraft. Also, effective July 13, 1965, authorization is required from U.S. Department of Commerce for exportation to Country Groups T, V, W, X, Y and Z of landing gear and other parts and accessories for nonexpansive balloons in normal sporting use, of 3,000 cubic feet or over capacity.

¹⁶ Effective July 13, 1965, export authorization is required from the U.S. Department of State for space cameras and specifically designed components, and specifically designed components for air reconnaissance cameras and other cameras designed and used for military purposes.

¹⁷ Effective July 13, 1965, export authorization is required from the U.S. Department of State for all riflescopes other than sporting type. Heretofore only sniperscopes, and riflescopes for automatic rifles, required export authorization from the U.S. Department of State.

¹⁸ Effective July 13, 1965, export authorization is required from the U.S. Department of State for (a) gyro-astro compasses and other devices which derive position and/or orientation by means of automatically tracking celestial bodies, (b) gyroscopes and accelerometers of very high precision and miniaturized gyroscopes and accelerometers which are designed for use in inertial navigation systems or in guidance systems of all types; and (c) parts and accessories specially designed for this equipment.

¹⁹ Effective July 13, 1965, export authorization is required from the U.S. Department of State for rifles, revolvers, pistols and combination rifle-shotguns of .22 caliber rimfire and under .22 caliber.

²⁰ Effective July 13, 1965, export authorization is required from the U.S. Department of State for parts, for shotguns for insurgency and counterinsurgency, parts for firearms using only .22 rimfire ammunition, and parts for firearms under .22 caliber, and parts other than barrels, cylinders and breech mechanisms for firearms .22 caliber to .50 caliber inclusive (other than those using only .22 caliber rimfire). These barrels, cylinders and breech mechanisms already require export authorization from the U.S. Department of State.

²¹ A validated export license is also required for exportation to the Republic of South Africa of shotguns and shotgun parts. In addition, a GLV dollar-value limit of \$50 is established for the shipment of shotgun shells, and \$100 for the shipment of parts for shotgun shells, to the Republic of South Africa.

²² Two entries are substituted for an entry presently on the Commodity Control List under the same Export Control Commodity Number.

²³ Effective July 13, 1965, parachutes in normal sporting use and complete canopies and harnesses therefor require a validated license from the U.S. Department of Commerce for exportation to Country Groups T, V, W, X, Y and Z.

²⁴ Effective July 13, 1965, export authorization is required from the U.S. Department of State for bayonets and parts therefor.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
CHEMICAL ELEMENTS AND COMPOUNDS							
51209 Monomethyl hydrazine. (2) ^{1, 2}	Lb.	SALT 1	TVWXYZ	500	—	—	A E-13
51209 Symmetrical dimethylhydrazine. (4) ^{1, 2} ...	Lb.	SALT 1	TVWXYZ	500	—	—	A E-13
EXPLOSIVES AND PYROTECHNIC PRODUCTS (INCLUDING HUNTING AND SPORTING AMMUNITION)							
57140 Parts for other hunting and sporting am- munition, any caliber, <i>except cartridge cases,</i> <i>powder bags, bullets, jackets, cores, cartridge</i> <i>shells, projectiles, boosters, fuzes and components</i> <i>therefore, primers, and other detonating devices.</i> (Specify by name) (2, 4 and 5) ³	.....	FINP 5	TVWXYZ	500	100	—	A
MANUFACTURES OF METAL, N.E.C.							
69891 Aircraft landing mats. (3) ^{1, 2}	Lb.	STEE 6	TVWXYZ	500	100	—	E-2
MACHINERY, OTHER THAN ELECTRIC							
71510 Bomb nose and tail boring machines. (4) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Projectile drilling and facing machines. (7) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Bomb copy boring lathes. (22) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Bomb spinning lathes. (23) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Cartridge-case lathes. (24) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Cartridge case mouth boring lathes. (25) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Shell lathes. (29) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Other artillery lathes, n.e.c. (30) ⁴	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Shell tappers. (44) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Bomb nose and tail forging machines. (65) ^{1, 2}	No.	TOOL 1	TVWXYZ	500	100	—	A
71715 Cord treating laboratory units (for example, Computreators®), and specially designed parts, n.e.c. ^{5, 6}	.....	GIEQ 8	XYZ	—	—	100	B
71923 Laboratory centrifuges, n.e.c., and parts, n.e.c. (13) ^{7, 8}	.....	SATE 8	XYZ	—	—	100	B
71980 Bullet and cartridge manufacturing ma- chines; and specially designed parts and accesso- ries, n.e.c. (16) ^{1, 2}	.....	GIEQ 1	TVWXYZ	500	500	—	A
71980 Cartridge and/or shell loading or filling ma- chines; and specially designed parts and accesso- ries, n.e.c. (17) ^{1, 2}	.....	GIEQ 1	TVWXYZ	500	500	—	A

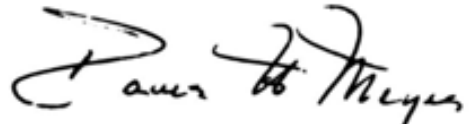
Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
ELECTRICAL MACHINERY, APPARATUS AND APPLIANCES							
72920 Photomicrographic arc lamps specially designed for high speed cameras capable of recording in excess of 64 frames per second, or streak cameras having writing speed of 8 mm/micro-second and above and/or to be used with photographic microflash equipment capable of giving a flash of 1/100,000 second or shorter duration, at a minimum recurrence frequency of 200 flashes per second. (6) *	No.	FINP 5	TVWXYZ	500	25	—	A
72952 Cathode ray oscilloscopes (oscillographs) possessing any of the following characteristics: (a) an amplifier bandwidth greater than 20 megacycles per second for DC-coupled scopes or greater than 30 megacycles per second for AC-coupled scopes (defined as the band of frequencies over which the deflection on the cathode ray tube does not fall below 70.7 percent of that at the maximum point measured with a constant input voltage to the amplifier); (b) a time base shorter than 40 nanoseconds per centimeter, including calibrated magnified sweep factor; (c) employing accelerating potentials in excess of 5,000 volts; (d) containing or designed for the use of a cathode ray tube with three or more electron guns; (e) containing or designed for use of (i) cathode ray memory tubes, or (ii) cathode ray tubes with travelling wave or distributed deflection structure or incorporating other techniques to minimize mismatch of fast phenomena signals to the deflection structure; (f) rated for operation over a range of ambient temperatures from below minus 25° C. to above plus 55° C.; (g) incorporating a calibrated variable sweep delay with an incremental accuracy (measured at the 90 percent delay point) of better than 3 percent; or (h) including any device which increases the capabilities of the oscilloscope to enable it to meet specifications (a) or (b) of this entry; or (i) having a rise-time of less than 12 nanoseconds. (Specify by name and model number.) (5) ¹⁰	No.	ELME 1	TVWXYZ	500	500	—	A
TRANSPORT EQUIPMENT							
73410 Nonmilitary aircraft, heavier than air, new, used, rebuilt, modified or converted, 90,000 lbs. and over empty weight, of types and models which have been in normal civil use for two years	No.	TRAN 1	TVWXYZ	500	—	—	A

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
or less. (Specify name of manufacturer and manufacturer's model designation.) (See § 399.2, Interpretation 20.) (1, 2 and 3) ¹¹							
73410 Other nonmilitary aircraft, heavier than air. (See § 399.2, Interpretation 20.) (1, 2 and 3) ^{11, 12}	No.	TRAN 2	TVWXYZ	500	—	—	
73491 Nonmilitary airships; nonexpansive balloons of less than 3,000 cubic feet capacity; and nonexpansive balloons in normal sporting use of 3,000 cubic feet capacity or over. (1) ¹³	No.	TRAN 2	TVWXYZ	500	—	—	
73492 Propellers, <i>except those designed or modified for use with military aircraft.</i> (3) ¹⁴	No.	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
73492 Other landing gear and parts, n.e.c., for aircraft, airships and balloons. (8) ¹⁵	.....	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
73492 Other parts and accessories, n.e.c., for aircraft, airships and balloons. (9) ¹⁵	.....	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
PROFESSIONAL, SCIENTIFIC AND CONTROLLING INSTRUMENTS: PHOTOGRAPHIC AND OPTICAL GOODS, WATCHES AND CLOCKS							
86112 Lenses for high-speed cameras and streak cameras which are subject to the Import Certificate/Delivery Verification procedure under Export Control Commodity No. 86140. (1) ¹⁶	No.	FINP 5	TVWXYZ	500	—	—	A
86112 Mounted prisms specially designed for high speed cameras and streak cameras which are subject to the Import Certificate/Delivery Verification procedure under Export Control Commodity No. 86140. (6) ¹⁶	No.	FINP 5	TVWXYZ	500	25	—	A
86139 Other optical appliances, n.e.c., and parts and accessories, n.e.c., (4) ¹⁷	.....	SATE 8	XYZ	—	—	100	B
86140 Cameras specially designed for use in space vehicles. (Specify by name and model number.) (1) ^{1, 16}	No.	FINP 5	TVWXYZ	500	—	—	A
86140 Parts and accessories, n.e.c., specially designed for high-speed cameras and streak cameras under Export Control Commodity No. 86140 which are subject to the Import Certificate/Delivery Verification procedure. (9) ¹⁶	.....	FINP 5	TVWXYZ	500	25	—	A
86191 Compasses and gyroscopic equipment as follows: (a) gyro compasses, North-seeking only, possessing one or more of the following characteristics: (i) automatic correction for the effects on compass accuracy of changes in ship's speed, acceleration, or latitude, (ii) provision for accepting ship's data as an electrical input, (iii) provision for setting in corrections for current set	.....	SATE 1	TVWXYZ	500	100	—	

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
and drift, (iv) utilization of accelerometer, rate gyro, rate integrating gyros, or electrolytic levels as sensing devices; (v) provision for determining and electrically transmitting ship's level reference data (roll, pitch) in addition to own ship's course data; (b) integrated flight instrument systems for aircraft which include gyro-stabilizers and/or automatic pilots, (c) gyro-magnetic compasses, (d) gyro-stabilizers used for other purposes than aircraft control, <i>except those for stabilizing an entire surface vessel</i> ; (e) automatic pilots used for other purposes than aircraft control, <i>except marine type for surface vessels</i> ; gyros and gyro compasses with a minimum rated free directional drift rate (minimum rate free precision) of 1 degree per hour or less; (g) and specially designed parts and accessories, n.e.c. (Specify by name and model number.) (3) ¹⁸							
MISCELLANEOUS MANUFACTURED ARTICLES, N.E.C.							
89430 Nonmilitary shotguns and whaling guns, and parts therefor; and wooden gun stock blanks. (1, 2 and 5) ^{19, 20}	.....	FINP 8	XYZ ²¹	—	—	100	B
89998 Parachutes in normal sporting use, and complete canopies, and harnesses therefor. (1) ^{22, 23}	.....	TEXT 2	TVWXYZ	500	—	—	
89998 Other parachute parts and accessories. (1) ²²	.....	TEXT 8	XYZ	—	—	100	B
ARMS, MILITARY VEHICLES, ETC.							
95102 Military rifles, caliber .22 rimfire. (Specify caliber.) Report nonmilitary rifles and shotguns in Export Control Commodity No. 89430.) (1) ^{1, 2}	No.	FINP 5	TVWXYZ	500	100	—	A
95102 Military shotguns, and combination rifle-shotguns with rifle caliber .22 rimfire and under caliber .22. (Specify by name and rifle caliber of combination rifle-shotguns.) (Report nonmilitary shotguns in Export Control Commodity No. 89430.) (2) ^{1, 2}	No.	FINP 8	XYZ ²¹	—	—	100	B
95103 Wooden gun stock blanks. (1, 2, and 3) ²⁰	.....	FINP 8	XYZ ²¹	—	—	100	B
95104 Sidearms, n.e.c., and parts, <i>except bayonets and parts</i> . (Specify by name.) (1 and 2) ²⁴	.....	FINP 8	WXYZ	—	—	100	B
95105 Compressed air and gas charged pistols. (1, 2 and 3) ¹⁹	No.	FINP 8	Z	—	—	—	B
95106 Parts and components for ammunition, <i>except cartridge cases, powder bags, bullets, jackets, cores, shells, projectiles, boosters, fuzes and components, primers, and other detonating devices, and ammunition belting and linking machines</i> . (Specify by name.) (1 thru 6) ²	.....	FINP 5	TVWXYZ	500	100	—	A

FILING INSTRUCTIONS

PAGES TO BE REMOVED			NEW PAGES TO BE INSERTED	
Part	Page Number	Date	Part	Page Number
Digest	xi, xiii	March 11, 1965	Digest	xi, xiii
370	5	March 11, 1965	370	5
	7	January 1, 1965		7, 8A
371	1, 3	January 1, 1965	371	1, 3
	5	March 11, 1965		5
	13, 15	January 1, 1965		13, 15
373	27	January 1, 1965	373	27, 28A
	29, 31	March 11, 1965		29, 31
	33, 35	January 1, 1965		33, 35
	37	March 11, 1965		37
	Supp. No. 3, page 1	January 1, 1965		Supp. No. 3, page 1
				Supp. No. 4, page 1
374	1	March 11, 1965	374	1
376	1	January 1, 1965	376	1
377	1	March 11, 1965	377	1
380	5	March 11, 1965	380	5
385	1, 2A, 11, 13	March 11, 1965	385	1, 2A, 11, 13
399.1	1	January 1, 1965	399.1	1
399.1	3	July 22, 1965	399.1	3
399.1	CCL-21, 35, 89, 101, 103, 107, 119, 127, 151, 153, 159, 185, 191, 193, 195, 197, 211, 215, 217	July 22, 1965	399.1	CCL-21, 35, 89, 101, 103, 107, 119, 127, 151, 153, 159, 185, 191, 193, 195, 197, 211, 215, 217
399.2	11, 13	January 1, 1965	399.2	11, 13


 RAUER H. MEYER, Acting Director
 Office of Export Control

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X-1

EXPORTATIONS SUBJECT TO THE EXPORT REGULATIONS OF THE U.S. DEPARTMENT OF COMMERCE

Exportations from the United States or its territories and possessions, of all commodities and technical data to all foreign destinations, are subject to the rules and regulations of the U.S. Department of Commerce as published in the *Federal Register* and contained in this *Schedule*, with the following exceptions:

1. Commodities for the official use of or consumption by the armed forces of the United States when shipped under a United States Government Bill of Lading or a United States Government space charter, or by means of a United States Government-owned or Government-chartered carrier (paragraph 370.2 (a)(2)).
2. Commodities exported by the U.S. Department of Defense pursuant to Section 414 of the Mutual Security Act of 1954 (paragraph 370.5(a)).
3. Arms, ammunition, and implements of war, and technical data relating thereto, which are under export licensing authority of the U.S. Department of State (paragraph 370.5 (a)).
4. Gold (except fabricated gold with a gold content value of 90 percent or less) and narcotics, which are under export licensing authority of the U.S. Treasury Department (paragraphs 370.5(b) and (c)).
5. Source material "by-product material", special nuclear material, and facilities for the production or utilization of special nuclear material (except components for such facilities which are under export licensing authority of the Office of Export Control), and technical data relating thereto which are under export licensing authority of the U.S. Atomic Energy Commission (paragraph 370.5(d)).
6. Vessels, other than vessels of war and vessels exported for scrapping abroad, are under export licensing authority of the U. S. Maritime Administration (paragraph 370.5(e)).
7. Natural gas, and electric energy which is under export licensing authority of the U.S. Federal Power Commission (paragraph 370.5(f)).
8. Tobacco seed and plants, which are under export licensing authority of the U.S. Department of Agriculture (paragraph 370.5(g)).

TYPES OF EXPORT LICENSES

U.S. Department of Commerce export licenses are of two general types: *general* and *validated* licenses.

A *general* license is a privilege which permits certain exportations within *general* limitations, without requiring that an application be filed or that a license document be issued.

A *validated* license is a *document* which authorizes the exportation of commodities within *specific* limi-

tations set forth in the document, which is issued only upon formal application in accordance with procedures set forth in this *Schedule*.

The type of license required for any exportation authorized by the U.S. Department of Commerce is governed by two basic considerations: the country of destination, and the commodity to be exported.

Country Groups

All foreign countries except Canada are classified into six country groups designated by the symbols "T", "V", "W", "X", "Y", and "Z". A list of the destinations included in Country Groups T, W, X, Y, and Z appears in paragraph 370.1(g). All other foreign countries except Canada are in Country Group V. Canada is not included in any country group.

Commodity Classifications

● Exportations to Canada for use and consumption therein do not require export licenses from the U.S. Department of Commerce. In addition, shipments to possessions of the United States require no export license from the U.S. Department of Commerce, except as indicated in paragraph 370.2(a).

● All commodities under the export licensing authority of the U.S. Department of Commerce are listed in numerical order, by Export Control Commodity number, on the Commodity Control List (§ 399.1). A validated license is required for exportation of these commodities to any destination covered by a Country Group Symbol in the Commodity Control List column titled "Validated License Required for Country Groups Shown Below" unless the exportation can be made under the provisions of a general license. However, regardless of the Country Group Symbol in this column a validated license is required for an exportation of any commodity related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b), to any destination including Canada. Otherwise exportations of commodities to destinations other than Canada for which a validated license is not required by the information set forth in the Commodity Control List column titled "Validated License Required for Country Groups Shown Below" may be made under the provisions of General License G-DEST.

Technical Data

The types of technical data which require a validated export license and those which may be exported under General License GTDP, GTDS or GTDU are set forth in Part 385.

HOW TO DETERMINE THE TYPE OF LICENSE AND SUPPORTING DOCUMENTS REQUIRED

If one of the general licenses listed in Table I applies to your proposed shipment, you need not submit an application for an export license. Export clearance may be effected by showing on the Ship-

per's Export Declaration the symbol for the general license you are using. (See Part 371 for more detailed information on general licenses.)

If the proposed exportation cannot be made under any of the general licenses, you must apply for a validated export license. Detailed instructions on how to prepare and file an application for export license may be found in paragraph 372.5 (a) (4).

Table II summarizes the principal provisions of the types of validated export licenses. (For more detailed information, refer to the appropriate Part cited in the last column of Table II.)

Table III summarizes the documents that must be submitted in support of applications for validated licenses to export commodities. (See § 385.4 for requirements for applications to export technical data.)

TABLE I—GENERAL LICENSES

General License Symbol	Definition or Purpose	Type of Commodities Covered ¹	Destinations	Specific Reference in Comprehensive Export Schedule
G-DEST	Shipment of any commodity listed on the Commodity Control List to any destination except Canada for which a validated license is not required by the information set forth in the Commodity Control List column titled "Validated License Required for Country Groups Shown Below".	Commodities indicated by information set forth in Commodity Control List.	Destinations indicated by information set forth in Commodity Control List.	§ 371.7.
GIT.....	In transit shipments.....	All commodities, except certain defined categories.	Country Groups T & V and Cuba. ²	§ 371.9.
GLV.....	Shipments of limited value	Any commodity on Commodity Control List valued within the GLV dollar value limit specified on Commodity Control List.	Country Groups T, V, & X.	§ 371.10
BAGGAGE.....	Shipments of personal baggage and effects.	All commodities within defined general categories identified by the symbol "B" in the last column of the Commodity Control List.	All destinations.	Paragraph 371.11 (b)
		Commodities within defined general categories not identified by the symbol "B" in the last column of the Commodity Control List.	Country Groups T, V, & X.	Paragraph 371.11 (b)
TOOLS OF TRADE..	Shipments of personal tools of trade and containers therefor, in usual and reasonable kinds and quantities.	Commodities within defined general categories identified by the symbol "B" in the last column of the Commodity Control List.	All destinations.	Paragraph 371.11 (c).
		Commodities within defined general categories not identified by the symbol "B" in the last column of the Commodity Control List.	Country Groups T, V, & X.	Paragraph 371.11 (c).
	Shipments of tools of trade not personally owned and containers therefor, in usual and reasonable kinds and quantities.	All commodities for use in installing, inspecting, testing, calibrating, or repairing any type of commodity.	Country Groups T, V, & X.	Paragraph 371.11 (c)
GLD.....	Shipments of dunnage.....	Types of commodities used for dunnage.	All destinations except Country Group Z (excluding Cuba).	§ 371.12.

¹ Except for exportations made under the provisions of General License GTDP or GTDS, no exportation related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b), regardless of type, may be exported under the provisions of any general license.

² Exportations under this general license are permitted to Country Groups W, X, Y, or Z (other than Cuba), only if the same exportations may be made directly from the United States under a general license.

TABLE I—GENERAL LICENSES—Continued

General License Symbol	Definition or Purpose	Type of Commodities Covered ¹	Destinations	Specific Reference in Comprehensive Export Schedule
SHIP STORES.....	Shipments of ship stores for use on outgoing and immediate return voyage of vessels; necessary equipment and spare parts for proper operation of departing vessel.	Food, bunker fuel, and other commodities specified as ship stores, with stated exceptions.	All destinations except Country Group Z (excluding Cuba). ²	Paragraph 371.13(a).
PLANE STORES.....	Shipments of plane stores for use on outgoing and immediate return trip of aircraft; necessary equipment and spare parts for proper operation of departing plane.	Food, fuel, and other commodities specified as plane stores, with stated exceptions.	All destinations except Country Group Z (excluding Cuba). ²	Paragraph 371.13(b)
CREW.....	Shipments by members of crew of usual and reasonable kinds and quantities of personal and household effects under prescribed conditions.	Clothes, adornments, medicines, toiletries, food, souvenirs, games, hand tools, and similar personal effects; furniture, household effects, household furnishings, and their containers.	All destinations except Country Group Z. ⁴	Paragraph 371.13(a).
RCS.....	Shipments to Canadian and U.S. vessels, planes, and airline installations or agents located abroad.	Food, fuel, and other commodities needed for use by or on such carriers.	Country Groups T, V, W, X, and Cuba.	Paragraph 371.13(d).
GUS.....	Shipments to members of U.S. Armed Services and civilian personnel of U.S. government for personal use. Shipments to U.S. government agencies for official use.	Commodities within defined categories.	All destinations.	§ 371.14.
GLC.....	Shipments of equipment operated by private or common carriers or commercial airlines between the U.S. and other countries.	Civil aircraft, trucks, buses, trailers, railroad rolling stock, and other commercial vehicles.	Country Groups T, V, W, X, and Cuba.	§ 371.15.
GTF.....	Shipments of commodities imported for trade fairs.	Commodities imported for exhibition at trade or similar fairs, under stated conditions.	All destinations except Country Group Z. ³	§ 371.16.
GLR.....	Shipments of commodities returned to countries from which imported. Shipments of aircraft and related commodities returned to the country of manufacture or, the country from which imported for repair or overhaul. Shipment of replacement of defective or unacceptable commodities.	Specified types of commodities.....	Country Groups T & V. ⁵	§ 371.18.
GTDP.....	Shipments of unclassified technical data.	Technical data generally available in published form.	All destinations.	Paragraph 385.2(b).

¹ Except for exportations made under the provisions of General License GTDP or GTDS, no exportation related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b), regardless of type, may be exported under the provisions of any general license.

² Under specified circumstances, exportations under this general license are not permitted for use on vessels registered in or under control of certain countries included in Country Group W, Y, or Z.

³ Under specified circumstances, exportations under this general license are not permitted for use on planes registered in or under control of certain countries included in Country Group W, Y, or Z.

⁴ Crews effects may not be exported from the United States on a carrier which is registered in Communist China, North Korea, the Communist-controlled area of Viet-Nam, or Cuba.

⁵ Under specified circumstances, exportations under this general license are not permitted to Country Group W, X, or Y.

⁶ Under specified circumstances, exportations under this general license are permitted to Country Group W, X, or Y.

TABLE I—GENERAL LICENSES—Continued

General License Symbol	Definition or Purpose	Type of Commodities Covered ¹	Destinations	Specific Reference in Comprehensive Export Schedule
GTDU.....	Shipments of unclassified technical data.	Technical data either unpublished or not generally available in published form except technical data, other than operating and maintenance manuals, relating to civil aircraft and certain commodities.	Country Groups T, V, & X.	Paragraph 385.2(c).
GTDS.....	Shipments of unclassified technical data.	Scientific and educational technical data.	All destinations.	Paragraph 385.2(d).
GIFT.....	Shipments of gift parcels from individual donors to individuals or to religious, charitable, or educational organizations.	Commodities identified by the symbol "B" in the last column of the Commodity Control List, up to a total of \$100 in one parcel, ordinarily sent as gifts; such as food, clothing, medicinals, and drugs, with stated exceptions.	All destinations except Country Group Z (excluding Cuba).	§ 371.21.
GATS.....	Permits departure under its own power of civil aircraft on temporary sojourn.	Civil aircraft of U.S. or foreign registry.	Country Groups T, V, & X. ²	§ 371.25.
GMS.....	Shipments of commodities sold by the U. S. Department of Defense under the provisions of the Mutual Security Act of 1954, P.L. 665, 83rd Congress.	All commodities.	Country Groups T, V, & X.	§ 371.26.

¹ Except for exportations made under the provisions of General License GTDP or GTDS, no exportation related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b), regardless of type, may be exported under the provisions of any general license.

² Foreign-registered aircraft may depart for Cuba under the provisions of this general license.

TABLE II—VALIDATED LICENSES

Type of License	Applicable to	Order Required	Consignees	Quantities to Named Consignee	Unit Price	Total Price	Presentation to Collector or Postmaster	Specific Reference in Comprehensive Export Schedule
Individual ...	All commodities requiring validated license.	Yes.....	Single ...	Yes.....	Yes....	Yes....	Yes ...	Part 372.
Blanket (BLT)	All commodities requiring validated license.	Yes.....	Multiple ..	Yes.....	Yes....	Yes ...	Yes....	Part 375.
Periodic Requirements (PRL).	Commodities designated on Commodity Control List with symbol "E".	No.....	Single or multiple.	Yes.....	Yes ...	Yes ...	Yes ...	Part 376.
Project (DL).	Special-purpose license covering exportation of all commodities (and certain technical data) requiring a validated license that are required for use in a specified foreign activity.							Part 374.
Technical Data (TD)	Technical data requiring validated license.	Yes.....	Single or multiple.	No	No	No	Yes ...	Part 385.
Time Limit (TL)	All commodities requiring a validated license for Country Group T by the information set forth on the Commodity Control List, except complete aircraft.	No.....	Single or multiple.	No	No	No	Yes ...	Part 377.

States of all commodities and all technical data as defined in § 385.1 is hereby prohibited unless and until a general license authorizing such exportation shall have been established or a validated license authorizing such exportation shall have been granted by the Office of Export Control, except:

- (1) Any exportation to Canada, except:¹
 - (i) The types of technical data described in paragraph 385.2(c) (5);
 - (ii) Unpublished technical data, as described in paragraph 385.2(c) (3) (iv) relating to maritime (civil) nuclear propulsion plants, their land prototypes, and special facilities for their construction, support, or maintenance, including any machinery, devices, components, or equipment specifically developed or designed for use in such plants or facilities; and
 - (iii) Commodities and unpublished technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b) and 385.2(c) (3) (v).

(2) Exportations for the official use of or consumption by the United States Armed Forces when shipped by or consigned to any branch thereof under a United States Government Bill of Lading or a United States Government space charter or by means of a United States Government-owned or Government-chartered carrier (see § 370.4 below); and

(3) Exportations of commodities and technical data controlled by another government agency (see § 370.5 below).

(b) Commodities on Commodity Control List

The commodities set forth on the Commodity Control List (see § 399.1) may not be exported from the United States to any destination unless and until a validated license authorizing the exportation shall have been

¹ See § 370.3 for shipments to Canada, not intended for consumption in Canada, and regarding the requirement of a Shipper's Export Declaration for certain exportations to Canada.

applied for and granted or issued by the Office of Export Control, except:

- (1) Where exportation of such commodities is authorized by the provisions of an established general license as set forth in Part 371; or
- (2) Where authorized with respect to certain commodities by the provisions of a footnote on the Commodity Control List; or
- (3) Where exportation of such commodities is authorized by paragraph 370.2(a) above.

(c) Revocation of Licenses

All export licenses are subject to revision, suspension, or revocation without notice.

§ 370.3

DIVERSION, TRANSSHIPMENT, OR REEXPORTATION FROM CANADA

(a) Requirement of Export License

No person may export any commodity or technical data from the United States to Canada with the knowledge or intention that the commodity or technical data are to be diverted, transshipped, or reexported from Canada, nor may such commodity or technical data be diverted, transshipped, or reexported from Canada unless:

(1) The commodity or technical data may be exported directly from the United States to the country of ultimate destination under the provisions of a general license; or

(2) The commodity or technical data are authorized for diversion, transshipment, or reexportation from Canada under authority of a United States validated export license or other authorization issued by the Office of Export Control.

(b) Presentation of Shipper's Export Declaration to Canadian Customs

When such an exportation to a foreign country is made in transit via Canada, the United States exporter shall submit an au-

thenticated copy of the United States Shipper's Export Declaration to the Canadian customs authorities at the Canadian port of entry. (See paragraph 379.1(d).)

§ 370.4

UNAUTHORIZED DISPOSITION OF FOREIGN EXCESS PERSONAL PROPERTY PURCHASED FROM THE UNITED STATES ARMED FORCES IN FOREIGN COUNTRIES

(a) General

In the event the United States Armed Forces shall sell in any foreign country any commodity, in used or new condition, which was exported from the United States pursuant to paragraph 370.2(a)(2), the prohibitions and sanctions provided in Parts 381 and 382 shall apply whenever such commodity is, or is attempted to be, transshipped, diverted, or reexported to any destination contrary to the provisions of the contract of sale executed by the United States Armed Forces or to the export regulations referred to therein.

(b) Applicability

The provisions of this section shall apply to any person who directly or indirectly participates or has an interest in any transaction involving commodities sold by the United States Armed Forces in any foreign country. Sanctions may include denial of participation in Armed Forces foreign excess personal property disposals, as well as United States export privileges.

(c) Enforcement

By arrangement with the Department of Defense, in enforcing the provisions of this Section, the Office of Export Control will apply the prohibitions and sanctions of Parts 381 and 382 to:

(1) Cases involving any commodity of United States origin which is or is attempted to be transshipped, diverted or reexported to Country Group Z (see paragraph 370.1

(g) for country group designations); and

(2) Cases involving, generally but not exclusively, any commodity not identified by the symbol "B" in the last column of the *Commodity Control List* which is or is attempted to be transhipped, diverted or re-exported to Country Group Y.

§ 370.5

EXPORTATIONS AUTHORIZED BY GOVERNMENT AGENCIES OTHER THAN OFFICE OF EXPORT CONTROL

• (a) Arms, Ammunition, and Implements of War¹

Regulations promulgated by the Secretary of State under the authority of Section 414 of the Mutual Security Act of 1954 (68 Stat. 848) shall govern the exportation of arms, ammunition, and implements of war.

NOTE

1. Regulations concerning the exportation of arms, ammunition, and implements of war are published in the document *International Traffic in Arms*. Copies of this publication are furnished by the Department of State upon request.

2. An application to export any of the following articles,² which are listed in the United States Munitions List (Chapter I, Title 22, CFR, Parts 121-128) should be made on the license form obtainable from the Department of State.

3. Any inquiries as to the applicability of the provisions of Parts 121-128 of Chapter I, Title 22, CFR, to certain articles or commodities, application forms and procedure, or other matters relative to arms, ammunition, and implements of war should be addressed to the Department of State, Office of Munitions Control, Washington, D.C. 20520.

Category I—Firearms

(a) Non-automatic and semi-automatic firearms, to caliber .50 inclusive, and parts therefor.

¹ Arms, ammunition and implements of war must be mangled, crushed or cut beyond the possibility of restoration to their original identity, before they can be licensed by the Office of Export Control for export as scrap metal. (See § 399.2, Interpretation 12.)

² The term "article" shall mean any of the arms, ammunition, and implements of war and technical data relating thereto enumerated in the United States Munitions List.

(b) Automatic firearms and all components and parts therefor, to caliber .50 inclusive.

(c) Insurgency-counterinsurgency type firearms or other weapons having a special military application regardless of caliber; and all components and parts therefor.

(d) Firearms silencers.

(e) Accessories: bayonets; riflescopes (except sporting type telescopic sights), and specifically designed components therefor.

Category II—Artillery and Projectors

(a) Guns over caliber .50, howitzers, mortars and recoilless rifles.

(b) Military flame throwers and projectors.

(c) Components and parts including, but not limited to mounts and carriages for the articles in paragraphs (a) and (b) of this Category.

Category III—Ammunition

(a) Ammunition for the arms in Categories I and II of this Section.

(b) The following components, parts, accessories, and attachments: cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuzes and components therefor, primers, and other detonating devices for such ammunition.

(c) Ammunition belting and linking machines.

(d) Ammunition manufacturing and loading machines.

Category IV—Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs, and Mines.

(a) Launch vehicles, guided missiles, ballistic missiles, bombs, grenades, rockets, torpedoes, rocket torpedoes, depth charges, land and naval mines, and military demolition blocks and blasting caps.

(b) Apparatus, devices, and materials for the handling, control, activation, detection, protection, discharge, or detonation of the articles in paragraph (a) of this Category.

(c) Missile and space vehicle powerplants.

(d) Military explosives, excavating devices.

(e) Filament winding machines designed for or modified for the manufacture of structural forms, for articles in this Category.

(f) All specifically designed components, parts, accessories, attachments, associated equipment, and specialized production equipment for the articles in this Category.

Category V—Propellants, Explosives, and Incendiary Agents

(a) Propellants for the articles in Categories III and IV of this Section.

(b) Military explosives.

(c) Military fuel thickeners.

(d) Military pyrotechnics.

Category VI—Vessels of War and Special Naval Equipment

(a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, service craft, floating dry docks, and experimental types of naval ships.

(b) Turrets and gun mounts, missile systems, arresting gear, special weapons systems, protective systems, submarine storage batteries, catapults and other components, parts, attachments and accessories specifically designed for combatant vessels, including but not limited to battleships, command ships, guided missile ships, cruisers, aircraft carriers, destroyers, frigates, escorts, minesweepers, and submarines.

(c) Submarine and torpedo nets, and mine sweeping equipment. Components, parts, attachments and accessories specifically designed therefor.

(d) Harbor entrance magnetic, pressure, and acoustic detection devices, controls and components thereof.

(e) Naval nuclear propulsion plants, their land prototypes and special facilities for their construction, support and maintenance, including any machinery, device, component, or equipment specifically developed or designed for use in such plants or facilities.

Category VII—Tanks and Military Vehicles

(a) Military type armed or armored vehicles, military railway trains, and vehicles fitted with, designed or modified to accommodate, mountings for arms or other specialized military equipment.

(b) Military tanks, tank recovery vehicles, half-tracks, and gun carriers.

(c) Self-propelled guns for tanks.

(d) Military trucks, trailers, hoists, and skids specifically designed for carrying and handling the articles in paragraph (a) of Categories III and IV; military mobile repair shops specifically designed to service military equipment.

(e) Military recovery vehicles.

(f) Amphibious vehicles.

(g) All specifically designed components, parts, accessories, attachments, and associated equipment, including military bridging and deep water forging kits for the articles in this Category.

Category VIII—Aircraft, Spacecraft, and Associated Equipment

(a) Aircraft including helicopters designed, modified or equipped for military purposes, including but not limited to the following: gunnery, bombing, rocket, or missile launching, electronic surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or dropping, personnel dropping, military trainers, drones, and lighter-than-air aircraft.

(b) Spacecraft including manned and unmanned, active and passive satellites.

(c) Military aircraft engines, except reciprocating engines, and spacecraft engines specifically designed or modified for the aircraft and spacecraft in paragraphs (a) and (b) of this Category.

(d) Airborne equipment, including but not limited to JATO units and airborne refueling equipment, specifically designed for use with the aircraft, spacecraft, and engines of the types in paragraphs (a), (b), and (c) of this Category.

(e) Launching, arresting, and recovery equipment for the articles in paragraphs (a) and (b) of this Category.

(f) Non-expansive balloons, except such types as are in normal sporting use, in excess of 3,000 cubic feet capacity.

(g) Power supplies and energy sources specifically designed for spacecraft.

(h) Components, parts, accessories, attachments, and associated equipment, including propellers and airfield matting, specifically designed or modified for the articles in paragraphs (a) through (g) of this Category.

(i) Experimental or developmental aircraft components known to have a significant military application.

(j) Parachutes, except such types as are in normal sporting use, and complete canopies, harnesses and platforms, and electronic release mechanisms therefor.

Category IX—Military Training Equipment

(a) Military training equipment includes but is not limited to attack trainers, radar target trainers, radar target generators, gunnery training devices, anti-submarine warfare trainers, target equipment, armament trainers, pilotless aircraft trainers, mobile training units, military type link trainers, operational flight trainers, flight simulators, radar trainers, instrument flight trainers, and navigation trainers.

(b) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraph (a) of this Category.

Category X—Protective Personnel Equipment

(a) Military body armor (including armored vests), flak suits and components and parts specifically designed therefor; and military helmets, including liners.

(b) Partial pressure suits, pressurized breathing equipment, military oxygen masks, anti-"G" suits, protective clothing for handling guided missile fuel, military crash helmets, liquid oxygen converters used for aircraft (enumerated in Category VIII (a)), missiles, catapults and cartridge-actuated devices utilized in emergency escape of personnel from aircraft (enumerated in Category VIII (a)).

(c) Components, parts, accessories, attachments, and associated equipment specifically designed for use with the articles in paragraphs (a) and (b) of this Category.

Category XI—Military and Space Electronics

(a) Electronic equipment bearing a military designation including but not limited to, the following items: radar, active and passive countermeasures, counter countermeasures, under water sound, computers, navigation, guidance, electronic fuzes, object-locating methods and means, displays that represent signals of military use, identification systems, missile and antimissile systems, telemetering and communications electronic equipment; and regardless of designation, any experimental or developmental electronic equipment known to have a significant military application.

(b) Electronic equipment specifically designed or modified for spacecraft and spaceflight.

(c) Components, parts, accessories, attachments, and associated equipment specifically designed for use or currently used with the equipment in paragraphs (a) and (b) of this Category, except such items as are in normal commercial use.

Category XII—Fire Control, Range Finder Optical and Guidance and Control Equipment

(a) Fire control; gun and missile tracking and guidance systems; military infrared, image intensifier and other night sighting and night viewing equipment; military masers and military lasers; gun laying equipment; range, position and height finders and spotting instruments; aiming devices (electronic, gyroscopic, optic, and acoustic); bomb sights, bombing computers, military television sighting and viewing units, inertial platforms; and periscopes for the articles of this section.

(b) Inertial and other weapons or space vehicle guidance and control systems; spacecraft guidance, control and stabilization systems; astro compasses; and star trackers.

(Next page is Part 370 page 8A)

(c) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (a) and (b) of this Category, except such items as are in normal commercial use.

Category XIII—Auxiliary Military Equipment

(a) Aerial cameras, space cameras, and special purpose military cameras and specialized processing equipment therefor; military photointerpretation, stereoscopic plotting, and photogrammetry equipment, and specifically designed components therefor.

(b) Cryptographic devices (encoding and decoding), and specifically designed components therefor.

(c) Self-contained diving and underwater swimming apparatus and specifically designed components therefor.

(d) Armor plate.

(e) Concealment and deception equipment, including but not limited to special paints, decoys, and simulators, components, parts and accessories specifically designed therefor.

(f) Energy conversion devices and components, except such items as are in normal commercial use.

(g) Chemiluminescent compounds and solid state materials known to have a military application.

Category XIV—Toxicological Agents and Equipment; Radiological Equipment

(a) Chemical agents, including lung irritants, vesicants, lacrimators, and tear gases, sternutators and irritant smokes, and nerve gases and incapacitating agents.

(b) Biological agents adapted for use in war to produce death or disablement in human beings or animals or to damage crops and plants.

(c) Equipment for dissemination, detection, and identification of, and defense against the articles in paragraphs (a) and (b) of this Category.

(d) Nuclear radiation detection and measuring devices, except such devices as are in normal commercial use.

(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (c) and (d) of this Category.

Category XV—Helium Gas

Contained helium and admixtures thereof.

Category XVI—Nuclear Weapons Design and Test Equipment

(a) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the design, development, or fabrication of nuclear weapons or nuclear explosive devices.

(b) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the devising, carrying out, or evaluating of nuclear weapons tests or any other nuclear explosions, except such items as are in normal commercial use for other purposes.

Category XVII—Classified Articles

All articles including technical data, not enumerated herein, containing information which is classified as requiring protection in the interests of national defense.

Category XVIII—Technical Data

Technical data relating to the articles designated in this subchapter as arms, ammunition, and implements of war.

Category XIX—Miscellaneous Articles

Any article not enumerated herein having significant military applicability, determined by the Director, Office of Munitions Control, Department of State, in consultation with appropriate agencies of the Government and having the concurrence of the Department of Defense.

(b) Gold

The gold regulations (31 C.F.R., Part 54) promulgated by the Secretary of the Treasury under the Gold Reserve Act of 1934 (48 Stat. 337) and Section 5 (b) of the Act of October 6, 1917, as amended by Section 2 of the Act of March 9, 1933 (48 Stat. 1), shall govern

(Next page is Part 370 page 9)

§ 371.1 DEFINITION

A "general license" is a license established by the U.S. Department of Commerce for which no application is required and for which no document is granted or issued, available for use by all persons, permitting exportation within the provisions thereof as prescribed in the Export Regulations.

§ 371.2 GENERAL PROVISIONS

(a) Export Declarations

No exportation may be made pursuant to any general license established in Part 371 or Part 385 unless prior to said exportation, whenever required by the Export Regulations, or by the *Foreign Trade Statistics*, a Shipper's Export Declaration describing the commodity or commodities to be exported has been filed with the Collector of Customs at the port of exit or with the Postmaster at the place of mailing; or, unless at the time of said exportation, whenever the filing of a declaration is not required, an oral export declaration describing the commodity or commodities is made to a Collector at the port of exit.

(b) Use of General License Symbol

(1) **Symbol on Shipper's Export Declaration.** A person exporting any commodity or technical data pursuant to any general license established in Part 371 or Part 385 shall enter on the Shipper's Export Declaration, when the Declaration is required, the designation or symbol of the general license authorizing the exportation. The use of such designation or symbol shall constitute a certification by the exporter that the terms, provisions, and conditions of the general license have been met.

EXAMPLE

If medicinals are to be sent to a member of the American Embassy in a foreign country, they may be exported under general license *GUS*, and the exporter will note on the Declaration the symbol *GUS* to indicate that the exportation is licensed.

(2) **Symbol on mail shipments.** (i) In the case of exportations by mail, except as provided in paragraph (ii) below, the designation or symbol of the general license shall be entered also on the address side of the wrapper of the parcel and shall be followed by the phrase "Export License Not Required." The use of such designation or symbol and the above phrase shall constitute a certification by the exporter that the terms, provisions, and conditions of the general license have been met.

(ii) The general license designation or symbol and the above phrase are not required on the wrapper if the material to be exported meets the provisions of General License *GTDP*, *GTDU*, *GTDS*, or if the material to be exported does not require a validated license for shipment to any destination (the word "none" appears on the Commodity Control List in the column headed "Validated License Required for Shipment to Country Groups Shown Below").

(c) Applicability

(1) **Prohibited shipments.** No general license set forth in Part 371 or Part 385 may be used to effect an exportation to a destination for which such general license has been suspended or revoked.

In addition, except as provided by § 370.10, no general license may be used to effect an exportation which will be unladen from a vessel or aircraft in Country Group Y or Z or which will move intransit through Country Group Y or Z enroute to another country.

(2) **Choice of general license.** When two or more types of general licenses are applicable, any one of such general licenses may be used. However, exportations of commodities under any applicable general license on a vessel or aircraft of foreign registry departing from the United States for use on board such vessel or aircraft must conform to the requirements for exportation under General License *SHIP STORES* or General License *PLANE STORES*, respectively. (See § 371.13.)

(3) **Exportations to foreign vessels or aircraft in foreign ports.** Except for exportations under General License *RCS*, paragraph 371.13(d), no commodity may be exported under the provisions of any general license to, or for use of, a foreign vessel or aircraft, whether an operating vessel or one under construction, located in any foreign port, including a Canadian port, unless the provisions of the general license would permit the shipment to be made (i) to the country in which the vessel or aircraft is located, and (ii) to the country in which the vessel or aircraft is registered or, in the case of a vessel or aircraft under construction, to the country in which the vessel or aircraft will be registered, and (iii) to the country, including a national thereof, which is currently controlling, leasing, or chartering the vessel or aircraft.

• (4) **Commodities and technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing.** Notwithstanding the provisions of any general license, no commodity related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b) may be exported under any general license. Similarly, no technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 385.2(c) (3) (v), may be exported under any general license unless the technical data may be exported under the provisions of General License *GTDP* or *GTDS*.

(d) *Record Keeping*

The Export Regulations require the keeping of records. See § 381.11.

§ 371.3

APPLICABILITY OF GENERAL LICENSES TO COUNTRY GROUPS¹

Whenever a commodity is exportable under a general license to a particular country group, it may, subject to the provisions of the Export Regulations, be exported to any country or destination in that group.

¹ See § 370.1(g) for country group designations.

Conversely, whenever a commodity is not exportable to a particular country group under a particular general license, it may not be exported to any country or destination in that group.

§ 371.4

REEXPORTATION²

(a) *Prohibited Reexportations*

Unless the reexportation of a commodity exported from the United States under a general license has been specifically authorized by the Office of Export Control or is otherwise authorized under the provisions of paragraph 371.4(b) below, no person in the United States or in a foreign country may:

(1) Reexport such commodity, directly or indirectly, in whole or in part, from the country or countries of ultimate destination shown in the destination control statement on the Shipper's Export Declaration, Bill of Lading, or commercial invoice, or from the country or countries of ultimate destination otherwise authorized.

(2) Export such commodity from the United States with the knowledge that it is to be reexported, directly or indirectly, in whole or in part, from the authorized country or countries of ultimate destination.

(b) *Permissive Reexportations*

Any commodity which has been exported from the United States may be reexported from any destination to any other destination; provided that at the time of reexportation, the commodities to be reexported may be exported directly from the United States to the new country of destination under General License *G-DEST*, or where the value of the reexportation, other than the reexportation of a commodity exported under the provisions of §§ 373.3 or 373.4, does not exceed the *GLV* dollar value limit shown on the Commodity Control List with reference to the country of destination.

² See § 372.12 for additional regulation provisions.

**(c) How to Obtain Authorization
to Reexport**

Where it is decided to reexport a commodity which was exported from the United States under a general license, and the reexportation is a prohibited reexportation as set forth in paragraph (a) above, a letter requesting authorization to reexport shall be submitted to the U. S. Department of Commerce, Office of Export Control, Washington, D. C. 20230. The letter request shall be submitted in duplicate. It shall identify the original country of destination, the general license under which shipment was made from the United States, the commodity, and the quantity proposed for distribution or resale in each country of distribution or resale. In addition, where the reexportation is prohibited under paragraph (a) above, and is to be made to any of the countries listed in paragraph 372.12(c) (2) (ii), the information and documentation required in paragraph 372.12(c) (2) (ii) shall also be submitted with the letter request.

NOTE

1. **Optional Ports of Unloading.** When an exportation is being made to Country Group T, V, or W under the provisions of General License *G-DEST* and the exporter does not know, prior to the departure of the exporting carrier, which of several countries is the country of ultimate destination, he may name optional ports of unloading on the Declaration and Bill of Lading, even when more than one foreign country is involved, as provided by paragraph 379.3(e) (4).

2. **Technical Data.** For reexportation of technical data, see § 385.6.

§ 371.5

**CONSIGNEE CONTROL UNDER
GENERAL LICENSE**

General licenses may be revoked or suspended as to any person in any destination.

Shipment under a general license may be made, subject to the provisions thereof, to any consignee in any country of destination except to any person as to whom the general license privilege has been revoked or suspended.

§ 371.6

**CONSIGNOR CONTROL UNDER
GENERAL LICENSE**

General licenses may be revoked or suspended as to any person within or without the United States by an order issued pursuant to the provisions of Part 382.

§ 371.7

**GENERAL LICENSE *G-DEST*; SHIPMENT
OF COMMODITIES TO DESTINATIONS
NOT REQUIRING A VALIDATED
LICENSE**

(a) Scope

A general license designated *G-DEST* is hereby established, subject to the other provisions of this § 371.7,¹ authorizing the exportation of any commodity listed on the Commodity Control List to any destination for which a validated license is not required by the information set forth in the column titled "Validated License Required for Country Groups Shown Below."²

(b) Footnotes to Commodity Control List

If a footnote to the Commodity Control List (§ 399.1) modifies or alters any provision of this General License *G-DEST*, the provisions specified in such footnote shall govern, notwithstanding any other provision.

**• (c) Commodities Related to Nuclear Weapons,
Nuclear Explosive Devices, or Nuclear
Testing.**

Regardless of the information set forth on the Commodity Control List, a validated license is required for an exportation of any

¹ The Export Regulations provide that commodities may not be supplied under any general license for use on a vessel or aircraft departing from the United States, unless such exportation is authorized under General License *SHIP STORES* or *PLANE STORES*. (See paragraphs 371.2(c) (2), 371.13(a), and 371.13(b).)

² See § 370.10 for regulations relating to shipments transiting Country Group Y or Z enroute to another country.

commodity related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) to any destination, including Canada.

NOTE

To determine the specific destinations to which a commodity may be exported under the provisions of General License *G-DEST*, the exporter should first determine which country group includes his proposed destination. (See paragraph 370.1(g).) The exporter should then find the commodity he proposes to export on the Commodity Control List. For each commodity entry, in the column titled "Validated License Required for Country Group Shown Below," one or more country group symbols will be entered, indicating that a validated license is required for any country in that country group. If the exporter finds that the symbol for the country group which includes the destination of his proposed exportation is listed in this column, a validated export license is required and General License *G-DEST* is inapplicable. Conversely, if the country group symbol which includes the proposed destination is not shown in this column, the exportation may be made under the provisions of General License *G-DEST*.

EXAMPLE NO. 1

An exporter who wishes to export crude rubber, Export Control Commodity No. 23110, to Venezuela, first determines from paragraph 370.1(g) that Venezuela is included in country group "T." On the Commodity Control List he finds that for crude rubber, Export Control Commodity No. 23110, the symbol "T" is not shown in the column titled "Validated License Required for Country Groups Shown Below." Therefore this commodity may be exported to Venezuela under the provisions of General License *G-DEST*.

EXAMPLE NO. 2

An exporter who wishes to export paper mill corrugating machines, Export Control Commodity No. 71811, to the USSR, determines that the USSR is included in Country Group "Y." On the Commodity Control List, he finds that for papermill corrugating machines, Export Control Commodity No. 71811, the symbol "Y" is shown in the column titled "Validated License Required for Country Groups Shown Below." Therefore this commodity may not be exported to the USSR under the provisions of General License *G-DEST*.

§ 371.8

(Reserved for future use.)

§ 371.9

GENERAL LICENSE *GIT*; INTRANSIT SHIPMENTS

(a) General Provisions

(1) A general license designated *GIT* is hereby established, authorizing, subject to the other provisions of this § 371.9, the exportation from the United States of commodities which originate in and are destined to any foreign country; provided that such commodities are moving in transit through the United States under a Transportation and Exportation (T. & E.) customs entry or an Immediate Exportation (I.E.) customs entry made at a United States customs house.

(2) Commodities which originate in a foreign country include commodities which were originally grown, produced, or manufactured in the United States but which have been so altered by further processing, manufacture, or assembly in the foreign country that such commodities have either thereby been substantially enhanced in value, or have lost their original identity with respect to form.

(3) Only those exportations of foreign origin which, if of United States origin, could be made respectively to Country Group W, X, Y, or Z (excluding Cuba), under the provisions of a general license, may be exported to Country Group W, X, Y, or Z (excluding Cuba) respectively, under General License *GIT*.

NOTE

1. A commodity is not considered as "moving in transit" within the meaning of General License *GIT* if it is covered by a warehouse entry and withdrawn from warehouse under a withdrawal-for-exportation customs entry or if its transit is broken by a warehousing or processing operation under another type of customs entry.

2. General License *GIT* is not applicable to exportations of commodities licensed by agencies of the United States Government other than the Office of Export Control.

3. See § 370.7 regarding shipments moving in transit via the United States without unloading from the carrier.

**(b) Special Provisions for Shipments
Originating in Canada**

(1) The provisions of General License *GIT* are applicable, as modified herein, to all shipments from Canada, regardless of origin of the commodities included in the shipment, moving in transit through the United States to any foreign destination. The Collector of Customs at the United States port of exit shall require for each shipment a copy of Form B-13, Canadian Customs Entry, certified or stamped by the Canadian customs authorities. However, the Form B-13 need not be presented if the shipment is made under a validated United States export license or any applicable United States general license other than this General License *GIT*. Where the commodity description, quantity, ultimate consignee, country of ultimate destination, or any other pertinent detail of such shipment is not the same on the United States Shipper's Export Declaration as that shown on the required Form B-13, Canadian Customs Entry, a corrected Form B-13 authorizing the shipment is required unless, as indicated above, the exporter chooses instead to make the shipment under a validated United States export license or an applicable United States general license other than this General License *GIT*.

(2) Any parties to the exportation shall submit any further proof which the Collector at the United States port of entry or at the port of exit may require to enable him to determine that the shipment is properly exportable under General License *GIT*, including the fact that the destination of the shipment is properly authorized by the Canadian authorities. An exportation shall not be cleared for shipment by the Collector at the United States port of exit under General License *GIT* unless all provisions of this general license have been complied with.

**(c) Types of Shipments Excepted from the
Provisions of General License *GIT***

(1) Commodities shipped to the United

States under the provisions of a Form FC-826, United States Import Certificate, may not be reexported to any destination under this general license.

(2) Commodities disposed of by United States Government agencies under foreign excess property disposal programs may not be reexported to any destination under this general license.

NOTE

1. **License Applications for In-transit Shipments.** See § 372.6 for export application requirements for in-transit shipments where General License *GIT* is not applicable.

2. **Schedule S Numbers.** All shipments, except shipments by air, of merchandise for which the Declaration for In-transit Goods (Commerce Form 7513) is required, must be shown in terms of Schedule S as well as in terms of Schedule B. Schedule S numbers, by commodity groupings, are contained in *Schedule S, Statistical Classification of Domestic and Foreign Merchandise Exported from the United States Arranged in Shipping Commodity Groups*, which is obtainable without charge from the U.S. Department of Commerce, Bureau of the Census, Washington, D.C. 20233.

3. **Other General Licenses.** The provisions of § 371.9 shall not be construed as limiting the use of any other general license specifically authorized.

§ 371.10

**GENERAL LICENSE GLV; SHIPMENTS
OF LIMITED VALUE**

• (a) Scope

A general license designated *GLV* is hereby established, subject to the other provisions of this § 371.10, authorizing the exportation in a single shipment of any commodity on the Commodity Control List to Country Group T, V, or X, provided that:

(1) The net value of the commodity included in a single entry does not exceed the *GLV* dollar-value limit specified for the appropriate Country Group T, V, or X in the column headed "GLV \$ Value Limits for Shipment to the Country Groups T, V, or X"; and

(2) The commodity is not related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b).

(b) Shipments to Canada

[Deleted by CEB 909, dated February 18, 1965.]

(c) Definitions

(1) **"Net Value."** Net value means the actual selling price less shipping charges or the current market price to the same type of purchaser in the United States, whichever is the larger.

(2) **"Single Shipment."** Single shipment means a shipment of commodities which move at the same time from one exporter to one consignee or intermediate consignee on the same exporting carrier even though such shipment is to be forwarded to one or more ultimate consignees. However not more than one shipment may be made by parcel post or mail per calendar week from one exporter to one consignee or intermediate consignee.

(d) Evasion of "Single Shipment" Provisions

Shipments designed as a device to evade the requirement of a validated export license are prohibited. Such devices include, but are not limited to, (1) the splitting of orders from a single consignee into two or more shipments the total value of which exceeds the maximum GLV dollar-value limit specified for a single shipment; (2) the solicitation from a single consignee of a number of separate orders each of which conforms to such dollar-value limits but which have a combined value in excess thereof.

NOTE

To determine the net value of a commodity which may be exported in a single shipment under the provisions of General License GLV, the exporter should first determine which country group includes the proposed country of destination. (See paragraph 370.1(g).) The exporter should then find the commodity he proposes to export on the Commodity Control List. For each commodity, in the column titled "GLV \$ Value Limits for Shipment to Country Groups Shown Below" a dollar amount or a dash (—) is shown for each of the three applicable country groups. The exporter may ship this commodity in an amount not to exceed the dollar-value limit shown for the country group which includes the proposed destination. Where a dash (—) appears, the commodity may not be shipped to that country group under General License GLV.

(e) Use of Other General Licenses Not Restricted

The provisions of this § 371.10 shall not be construed as limiting the use of any other general license specifically authorized. In particular it should be noted that the provisions of General License G-DEST (§ 371.7) permit the exportation of certain commodities in unlimited quantities to specified destinations.

§ 371.11**GENERAL LICENSES BAGGAGE AND TOOLS OF TRADE****(a) Definitions**

(1) Accompanied baggage or tools. Baggage or tools taken by a person departing from the United States on the same carrier on which he departs.

(2) Unaccompanied baggage. Baggage sent from the United States on a carrier other than that on which a person departs.

(b) General License BAGGAGE

(1) **General provisions.** A general license designated *BAGGAGE* is hereby established authorizing a person leaving the United States, but not including members of crews on vessels and aircraft,¹ to take to any destination, as personal baggage, accompanied or unaccompanied, the classes of commodities listed below. Unaccompanied shipments under this general license shall be clearly marked "*BAGGAGE*." Shipments of unaccompanied baggage may be made at the time of, or within a reasonable time prior to or after, departure of the consignee or owner from the United States. However, commodities not identified by the symbol "B" in the last column of the Commodity Control List may not be taken out of the United States to Country Group W, Y, or Z under this general license.

(i) **Personal effects.** Usual and reasonable kinds and quantities of wearing apparel, articles of personal adornment, toilet articles, medicinal supplies, food, souvenirs, games, and similar personal effects, and their containers.

¹ See General License CREW (paragraph 371.13(c).)

(a) Air Carriers

Civil aircraft operating under an Air Carrier Operating Certificate, Commercial Operating Certificate, or Air Taxi Operating Certificate issued by the Federal Aviation Agency may depart from the United States for any destination other than a destination in Country Group Y or Z (excluding Cuba); except that United States registered aircraft shall not depart for the purpose of sale, resale, lease, charter, or any other disposition to a foreign country or any national thereof, and except that the aircraft's United States registration shall not be changed while abroad.

NOTE

This provision is not intended to prevent an otherwise eligible United States registered aircraft from departing from the United States under General License *GLC* for the purpose of conducting a round trip flight to a foreign country (ies) and subsequent return to the United States.

(b) Other Carriers

Trucks, busses, trailers, railroad rolling stock, and other commercial vehicles when operated by private or common carriers between the United States and other countries may be exported from the United States to any destination except Country Group Y or Z, provided that such vehicles, except those imported into the United States from a foreign country, shall not be exported for the purpose of resale.

§ 371.16**GENERAL LICENSE *GTF*; GOODS IMPORTED FOR TRADE FAIRS**

A general license designated *GTF* is hereby established authorizing the exportation, under the conditions set forth in paragraph (a) or (b) below, of commodities which were imported into the United States for exhibition at a trade or similar fair held in the United States and which were either en-

tered under bond or permitted temporary free importation under bond providing for their exportation and which are being exported in accordance with the terms of such bond.

(a) Return to Country from Which Imported

Such commodities may be returned to the country from which imported into the United States except to Country Group Z.

(b) Exportation to Other Destinations

For exportations which are not being returned to the country from which imported, such commodities may be exported to any destination except:

(1) Where the commodities were imported into the United States pursuant to a United States Import Certificate, or

(2) Where the exportation from the United States will be made to Country Group W, X, Y, or Z.

NOTE

The provisions of this §371.16 do not prohibit the use of any other applicable general license for the exportation of commodities which were originally imported into the United States for exhibition at trade or similar fairs.

§ 371.17

(Reserved for future use.)

§371.18**GENERAL LICENSE *GLR*; RETURN OF CERTAIN COMMODITIES IMPORTED INTO THE UNITED STATES**

A general license designated *GLR* is hereby established, authorizing exportations described below. When an exportation is made under the provisions of paragraphs (a) through (e) below, the entry number (if any), the country from which the commodities were imported, and the port of entry shall be shown on the Shipper's Export Declaration.

(a) Commodities Sent to the United States for Inspection, Testing, Calibration or Repair

(1) Any commodity which has been sent to the United States for inspection, testing, calibration or repair may be exported under this general license to the country from which it was sent, except as indicated in paragraph (2) below. The commodity returned may include any replacement or rebuilt parts which are necessary to repair the commodity and may be accompanied by any spare part, tool, accessory, or other item sent to the United States for use in connection with the inspection, testing, calibration, or repair.

(2) The provisions of this paragraph 371.18(a) do not apply to:

(i) Exportations to Country Group W, X, Y, or Z.

(ii) Commodities disposed of by United States Government agencies under foreign excess property disposal programs; or

• (iii) Commodities related to nuclear weapons, nuclear explosive devices or nuclear testing, as described in paragraphs 373.7(b).

(b) Containers

Exportation may be made of metal drums, gas cylinders, bags and other containers (whether manufactured in the United States or a foreign country) which are imported into the United States for the purpose of transporting contained commodities to or from the United States to any destination other than Country Group Z, whether such container is exported (1) empty, or (2) filled with any commodity which may be exported under a general license, or (3) filled with any commodity for which a validated license has been issued by the Office of Export Control.

(c) Commodities Failing to Conform to Specifications or Shipped without the Consent of the Consignee

A commodity which does not conform to sample or other specifications, or was shipped without the consent of the consignee and is in the same condition it was in when im-

ported into the United States, may be returned under this general license to the country from which it was exported to the United States. This paragraph (c) does not apply to the return of commodities to Country Group Z.

(d) Return of Shipments Refused Entry

Shipments of commodities refused entry by the United States Bureau of Customs, by the Food and Drug Administration, or by other United States Government agencies may be returned under this general license to the country of origin, except that this paragraph (d) does not authorize the return of any shipment to Country Group Z, or any shipment to any destination where such shipment has been refused entry by the United States Bureau of Customs because of the Foreign Assets Control Regulations of the Treasury Department unless such return is licensed or otherwise authorized by the Treasury Department, Foreign Assets Control.

(e) Commodities Exported for Inspection, Testing, Calibration, Repair, Overhaul, and Return to United States

Any commodity which was manufactured in a foreign country may be exported under this general license to the country from which originally imported into the United States or to the country in which manufactured for the purpose of being inspected, tested, calibrated, repaired or overhauled and returned to the United States, except that no exportation may be made under this paragraph (e) to Country Group X, Y, or Z. Any commodity exported under this general license shall be returned to the United States as soon as the repair or overhaul is completed.

Where a commodity is returned to the country of manufacture and this is not the same country as the one from which imported into the United States, the name and address of the manufacturer shall be shown on the Shipper's Export Declara-

tion in addition to the information required by the first paragraph of this Section 371.18.

(f) Commodities Exported To Replace Defective or Unacceptable United States Origin Parts or Equipment.¹

(1) Any commodity may be exported under the provisions of this general license to replace any defective or unacceptable United States origin part or equipment subject to the following conditions:

(i) No commodity may be exported to Country Group W, X, Y, or Z;

(ii) No commodity shall be used to replace any defective part or equipment owned or controlled by, or leased or chartered to, a country included in Country Group W, Y, or Z, or a national of any of these countries;

(iii) The commodity shall not be technologically advanced over the defective parts or equipment;

(iv) The defective part or equipment which is replaced shall have been previously exported under a validated export license;

(v) The defective part or equipment which is replaced shall be either destroyed abroad or returned to the United States prior to or promptly after, the replacement is exported from the United States;

(vi) The defective part or equipment shall be replaced free of charge, except that a charge may be made for transportation and labor only; and

• (vii) No replacement of any defective part or equipment may be exported under this general license if the replacement is to be incorporated into or used in nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b).

(2) Any exportation made under the provisions of this paragraph 371.18(f) shall be cleared with the Collector of Customs in accordance with Part 379 except that the exporter or his duly authorized agent shall:

¹ The provisions of this paragraph (f) do not apply to any commodity to be used in replacing any part or equipment which is worn out from normal use or which is being replaced in order to obtain any part or equipment incorporating improved design or technology.

(i) Present to the Collector an additional copy of the Shipper's Export Declaration in accordance with the provisions of paragraph 379.3(c)(3); and

(ii) Place the following certification, substituting the appropriate parenthetical phrases if applicable, on the Shipper's Export Declaration:

"I (We) certify that the commodity(ies) described on this Declaration are being exported under the provisions of General License *GLR* to replace a defective or unacceptable United States origin part or equipment previously exported from the United States under validated export license number _____. I (We) further certify that the defective or unacceptable part or equipment has been (shall be promptly) returned to the United States (destroyed abroad)."

§ 371.19

**GENERAL LICENSES *GTDP*, *GTDU*,
AND *GTDS*; TECHNICAL DATA**

(See § 385.2 for provisions of these general licenses.)

§ 371.20

(Reserved for future use.)

§ 371.21

**GENERAL LICENSE *GIFT*; SHIPMENTS
OF GIFT PARCELS**

(a) Scope

A general license designated *GIFT* is hereby established authorizing the exportation in gift parcels of any commodity identified by the symbol "B" in the last column of the Commodity Control List, addressed to an individual or to a religious, charitable, or educational organization located in any destination except Country Group Z (excluding Cuba), provided that such exportations are made in accordance with the provisions of this § 371.21.

NOTE

Use of Other General Licenses. In the export of gifts, the donor is not restricted to the use of General License *GIFT*. If the provisions of any other general license, such as *GLV* or *G-DEST*, or if any other procedure of the Office of Export Control authorizing the export of commodities applies to the export of the gift, such other license or procedure may be used.

(b) Definition

The term "gift parcel" as used herein means a parcel containing non-Positive List commodities identified by the symbol "B" in the last column of the Commodity Control List to be sent by an individual in the United States (the donor) free of cost to an individual or a religious, charitable, or educational organization in a foreign destination (the donee) for the use of the donee or the donee's immediate family in the case of an individual, and for use by the organization in the case of a religious, charitable, or educational organization. The payment by the donee of any handling charges, or of any fees levied by the importing country (e.g. import duties, taxes, etc.) are not considered to be a cost to the donee for purposes of this definition of "gift parcel."

The term "gift parcel" does not include multiple parcels exported in a single shipment for delivery to individuals residing in a foreign country. Such multiple parcel shipments, unless authorized by one of the other general licenses set forth in Part 371, must meet validated license requirements, including the submission of a license application in accordance with all of the provisions of the Export Regulations.

(c) Commodity, Value, and Other Limitations

(1) Manner of sending. Under this general license a gift parcel must be sent directly to the donee by the individual donor, or for such donor by a commercial or other gift-forwarding service or organization. Each gift

parcel must show, on the outside wrapper, the name and address of the donor, regardless of whether sent by him or by a forwarding service.

(2) Commodity limitations. Commodities which may be included in each gift parcel under this general license are restricted to those types of commodities which are (i) identified by the symbol "B" in the last column of the Commodity Control List, and (ii) normally sent as gifts, such as food, clothing, toilet articles, and medicinals and pharmaceutical preparations in dosage form. The export of military wearing apparel to Country Groups X, Y, or Z under this general license is specifically prohibited, whether or not all distinctive United States military insignia, buttons, or other markings are removed.

(3) Dollar-value limitations. The combined total domestic retail value of all commodities included in a single parcel shall not exceed \$100.

(4) Postal, size, and weight limitations. A gift parcel sent via parcel post under this general license shall conform with applicable post office regulations as to size, weight, and permissible contents. A gift parcel sent via air express, air cargo, or air freight, is not limited as to size or weight by the provisions of this general license.

(5) Other limitations. Not more than one gift parcel may be sent by the same donor to the same donee in any one calendar week.

(d) General License Designation

In addition to bearing the name and address of both the donor and the donee, all gift parcels presented for shipment under this general license must have the notation "Gift—Export License Not Required" written on the addressee side of the package and the word "Gift" written on any required customs declaration.

test. The term "testing" as used in this § 373.6 includes the testing of the commodity being exported from the United States as well as the use of the commodity being exported in testing other commodities (e.g., instruments and/or equipment exported for testing aircraft engines).

(b) Submission of Application

An application for an export license covering an exportation described in paragraph (a) above need not be supported by an Ultimate Consignee Purchaser Statement (§ 373.65), an Import Certificate (§373.2), a Swiss Blue Import Certificate (§373.67), a Yugoslav End-Use Certificate (§373.70), or any other documentation issued by either the consignee or the country of ultimate destination. Instead, the license application shall include the following certification in the space entitled "Additional Information" or on an attachment thereto.

"The commodities described on this application are to be exported for display at (*official name of trade fair or exhibition*) or for (*demonstration or testing*) to be held at (*street address, city, and country*) and returned to the United States at the conclusion of such (*display, demonstration or testing*). If these commodities are not returned to the United States at the end of the (*trade fair*) (*exhibition*) (*demonstration*) (*test*) they will not be (*displayed, demonstrated, tested*) or otherwise disposed of without prior written authorization from the Office of Export Control."

In addition, since the applicant retains title to the commodities, he shall be shown on the license application as the ultimate consignee, in care of the person who will have custody of the commodities abroad.

(c) Return of Commodities to the United States

Where commodities are returned to the United States after display at a trade fair,

exhibition, demonstration, or test in Country Group W, Y, or Z, the applicant shall notify the Office of Export Control in writing of the case number shown on the related United States validated export license, the customs import entry number (if any) of the returned shipment, the date of return, and the port of entry at which all or any part of the commodities were returned to the United States. If only a part of the commodities are covered by the notification, a full explanation shall be included, and an additional written notification shall be sent for each partial return until the entire shipment described on the related United States validated export license is returned.

(d) Commodities Not Returned to the United States

If it is decided that the commodities are no longer intended to be returned to the United States, the required request made to the Office of Export Control for authorization to dispose of the commodities shall be made by letter, setting forth the proposed disposition, the license number, the case number, the ultimate destination, the commodity description, the Export Control Commodity number of the commodity, the quantity and value, as well as the name, address, and identity of each party to the transaction. In addition, except where the request is for permission to display the commodities at another trade fair or exhibition, or to transfer the commodities to another destination for demonstration or testing, the letter shall be accompanied by all documents required in support of an application for an export license to the proposed destination. The Office of Export Control will validate and issue Form IA-L-196, Authorization to Dispose of Commodities Exported for Exhibition, Demonstration, or Test Purposes (see Supplement S-11 for facsimile of form) for approved requests.

If it is subsequently desired to make any other use or disposition of the commodities not authorized by the validated Form IA-L-196, an amendment of the form shall be requested by means of a letter to the Office of Export Control containing the same information and documentation as that described above.

§ 373.7

COMMODITIES RELATED TO NUCLEAR WEAPONS, NUCLEAR EXPLOSIVE DEVICES, OR NUCLEAR TESTING

(a) Validated Export License Requirement

A validated export license is required for the exportation to any destination (including Canada) of the commodities described in paragraph (b) below.¹

(b) Commodities Related to Nuclear Weapons, Nuclear Explosive Devices, or Nuclear Testing

(1) Any commodity which has *not* been specifically designed or specifically modified for use in designing, developing, or fabricating nuclear weapons or nuclear explosive devices, but which the exporter knows or has reason to believe will be used for one or more of these purposes.

(2) Any commodity which has *not* been specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions, but which the exporter knows or has reason to believe will be used for one or more of these purposes.

(3) Any commodity which is in normal commercial use for other purposes but which has been specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear

explosions, if the intermediate or ultimate destination is subject to the jurisdiction of any country which, at the time of exportation is not an adherent to the "Treaty Banning Nuclear Weapons Tests in the Atmosphere, Outer Space, and Under Water" which was signed at Moscow, U.S.S.R., on August 5, 1963. (More commonly known as the "Limited Nuclear Test Ban Treaty.")² The provisions of this §373.7 do not apply to an exportation of commodities described in this paragraph (b) (3) if the exporter knows that they will not be used in the devising, carrying out, or evaluating of nuclear weapons tests or nuclear explosions.

(c) Advice of Manufacturer

An exporter who proposes to export commodities which he knows are capable of the uses described in paragraph 373.7(b) and who is not also the manufacturer of these commodities shall, if he has grounds for a reasonable doubt as to whether a validated export license is required under the provisions of this § 373.7, take the following measures before exporting: (1) request from the manufacturer of the commodities a written statement as to whether such manufacturer knows or has reason to believe that the intended export requires a validated export license under the provisions of this §373.7, and (2) if in the opinion of the manufacturer a validated export license is required under the provisions of this §373.7, above, apply for a validated export license to export such commodities, and such exportation may not be made without specific authorization by the Office of Export Control. A copy of the exporter's letter of inquiry and the manufacturer's reply, shall be retained and made available for inspection by the Department of Commerce for three years in accordance with the provisions of §381.11.

(d) Application Requirements

An application for a license to export commodities subject to the provisions of this

¹ Commodities and technical data specifically designed or specifically modified for use in designing, developing, or fabricating nuclear weapons or nuclear explosive devices are subject to export licensing or other requirements of the Department of State's Office of Munitions Control or the licensing or other restrictions specified in the Atomic Energy Commission Act of 1954, as amended. Similarly, commodities and technical data specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions (except such items as are in normal commercial use for other purposes) are subject to the same requirements.

² The list of countries adhering to the "Nuclear Test Ban Treaty" is set forth in Supplement No. 4 to Part 373.

(Next page is Part 373 page 28A)

§373.7 shall be prepared and submitted on Form FC-419, Application for Export License, with Form FC-420, Application Processing Card,¹ attached in accordance with the instructions set forth in §372.5, with the following modifications:

(1) Identification of license application. The words "NUCLEAR CONTROLS" shall be entered across the top of the Form FC-419, immediately above the printed words "United States of America."

(2) Ultimate Consignee. If the ultimate consignee is not the end-user of the commodities, in addition to the name and address of the ultimate consignee, the application shall include (in the space provided for the commodity description or on a separate attachment) the identity and address of the end-user and, if known, the specific geographic locations of any installations, establishments, or sites at which the commodities will be used.

(3) Supplier. If the applicant is not the manufacturer of the commodities to be exported, in addition to the name and address of the manufacturer, the applicant shall indicate (in the space provided for the commodity description or on a separate attachment) whether the advice of the manufacturer of the commodity has been received regarding the necessity of a validated license.

(4) Commodity description. If applicable, the commodity description shall include a description of any specific features of design or specific modifications which make the commodity capable of the uses described in paragraph 373.7 (b).

(5) End-Use. The application, or an attachment thereto, shall include in the description of the end-use the specific end-use or uses the commodities will have in designing, developing, fabricating, or testing nuclear weapons or nuclear explosive devices, as described in paragraph 373.7 (b). The basis for the applicant's knowledge or belief that the commodities are intended for the purpose or purposes described shall also be fully explained.

(e) Effect of Other Provisions

If, at the time of exportation, a validated license is otherwise required for the exportation under the provisions of the Export Regulations, the application shall be submitted in accordance with the provisions set forth in this § 373.7 as well as in accordance with all other provisions otherwise applicable. The requirements of this §373.7 are applicable in addition to, rather than in lieu of, any other validated license requirement set forth in the Export Regulations. Insofar as consistent with the provisions of this §373.7 all of the other provisions of the Export Regulations shall apply equally to applications for licenses and licenses issued under these special provisions.

NOTE

These provisions do not apply to commodities over which government agencies other than the Office of Export Control exercise export control authority, such as the State Department's Office of Munitions Control or the Atomic Energy Commission.

§§ 373.8-373.10

(Reserved for future use.)

¹ Forms FC-419 and FC-420 may be obtained at all U.S. Department of Commerce Field Offices listed on page i, and from the U.S. Department of Commerce, Office of Export Control, Washington, D.C. 20230.

(Next page is Part 373 page 29)

INDIVIDUAL COMMODITY SECTION PROVISIONS**Commodity Section 0****§ 373.11****APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 0**

All commodities within Commodity Section 0 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.12-373.13

(Reserved for future use.)

Commodity Section 1**§ 373.14****APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 1**

All commodities within Commodity Section 1 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

Applications for licenses to export agricultural commodities and manufactures thereof to Country Groups Y and Z shall conform with the special provisions as set forth in § 373.2.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§§ 373.15-373.16

(Reserved for future use.)

Commodity Section 2**§ 373.17****APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 2**

All commodities within Commodity Section 2 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.18**WALNUT LOGS, BOLTS, HEWN TIMBER, LUMBER, FURNITURE STOCK, AND HARDWOOD SMALL DIMENSION STOCK**

[Deleted by CEB 909, dated February 18, 1965.]

§ 373.19**IRON AND STEEL****(a) Export Price**

Except as modified by paragraph (b) below, the export price on applications for any iron and steel products with the processing code STEE and not identified by the symbol "B" in the last column of the Commodity Control List may be shown on the application form in terms of either the total price, including price per unit, or the supplier's price plus a specified mark up. This latter method may be used only where the supplier files or has filed with the Office of Export Control his price schedule maintained for the sale of iron and steel items for which export licenses are or may be requested and a statement that the supplier will inform the

Office of Export Control promptly (within 10 days) of any changes which may occur in his price schedule. In case the unit price varies according to size or specifications, the applicant must show unit price for each separate size or specification.

(b) Iron and Steel Scrap

A Form FC-419, Application for Export License, covering any types of iron and steel scrap, *except* scrap of magnetic material, need not include the quantity and value for each grade of scrap proposed for export. In completing such an application, the applicant shall enter on the application in the space entitled "Department of Commerce Export Control Commodity No. and Commodity Description" the Export Control Commodity No. "28200" and "Iron and steel scrap, except scrap of magnetic materials." In addition, one total quantity and one total value (see paragraph 373.19(a) above) for all the iron and steel scrap shall also be entered. No unit price need be shown on the application.

The export license will be issued in the same terms as shown on the application and shipments may be made interchangeably under such license in any grades of scrap, except scrap of magnetic material. However, when exportation is made, the Shipper's Export Declaration shall show separately the quantity and value of exports under each Schedule B number represented in the shipment, in accordance with the regulations of the Bureau of the Census.

§ 373.20

NONFERROUS COMMODITIES, INCLUDING ORES, CONCENTRATES, OR UNREFINED PRODUCTS

(a) Copper Ores, Concentrates, Unrefined Copper, Refined Copper, Copper Scrap, Copper-base Alloy Scrap, Copper-base Alloy Ingots, and Other Crude Forms

(1) General. Except as indicated in paragraph (3) below, license applications to ex-

port any of the copper commodities listed below shall disclose the foreign consumer as required by paragraph (2) below. In the case of unrefined copper, a processor may be identified as the foreign consumer.

Dept. of Commerce Export Control Commodity No.	Commodity Description
23311	Copper ores and concentrates.
28312	Matte and other unrefined copper.
28402	Copper scrap (new and old).
28402	Copper-base alloy scrap (new and old).
63221	Refined copper in cathodes, billets, ingots, wire bars, and other crude forms including copperweld rods.
68221	Copper-base alloy ingots and other crude forms.

(2) Disclosure of foreign consumer. The foreign consumer shall be identified on the license application by the use of one of the following applicable statements in the space entitled "Additional Information" or on an attachment thereto:

"The foreign consumer of the commodities covered by this application is the same as that shown in the 'ultimate consignee in foreign country' space on this license application."

or, if the foreign consumer is not the same as that shown in the ultimate consignee in foreign country space:

"The name and address of the foreign consumer is _____."

(3) Toll or conversion agreements. The provisions of paragraph 373.20(a)(2) do not apply to an application for a license to export refined copper produced in the United States under a toll or conversion agreement from materials received from foreign sources. In these cases the applicant shall make the following certification on the license application in the space entitled "Additional Information" or on an attachment thereto:

"I (We) certify that the refined copper described in this license application was produced in the United States under a toll or conversion contract from materials received from foreign sources."

(4) Validity period. Export licenses issued for the exportation of copper scrap,

or of copper-base alloy scrap, Export Control Commodity No. 28402, will be valid for a period of three months. In addition, the validity period of licenses for these commodities generally will not be extended.

§§ 373.21-373.24
(Reserved for future use.)

Commodity Section 3

§ 373.25

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 3

All commodities within commodity Section 3 which are identified by the symbol "A" on the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 372.2.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§§ 373.26-373.30
(Reserved for future use.)

Commodity Section 4

§ 373.31

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 4

All commodities within Commodity Section 4 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Cer-

(Next page is Part 373, page 33)

tificate/Delivery Verification requirements as set forth in § 373.2.

All applications for licenses to export agricultural commodities and manufactures to Country Groups Y and Z shall conform with the special provisions set forth in § 373.5.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§§ 373.32-373.33

(Reserved for future use.)

Commodity Section 5

§ 373.34

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 5

All commodities within Commodity Section 5 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements set forth in § 373.2.

All applications for licenses to export chemicals, medicinals, and pharmaceuticals shall state such facts relating to grade, form, concentration, mixtures, or ingredients as may be necessary to identify the commodity accurately.

Applications for licenses to export agricultural commodities and manufactures thereof to Country Groups Y and Z shall conform with the special provisions set forth in § 373.5.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.35

MACHINERY AND PARTS¹

Applications for licenses to export machinery, equipment, and apparatus, with the

¹ Parts, accessories, and equipment which are to be scrapped are classified as scrap (e.g., Export Control Commodity Nos. 28200, 28402, 28404, etc.). See § 399.2, Interpretation 10.

processing codes CONS, ELME, FINP, GIEQ, RARA, SATE, TOOL, and TRAN must include the following identifying information in addition to the requirements of paragraph 372.4(e):

(a) A copy of manufacturer's current catalog or bulletin or pertinent pages therefrom describing the commodity, unless previously furnished.

(b) For commodities having a rated capacity, show maximum rating.

(c) For machinery, equipment, or apparatus, if production and exportation can not be completed within six months, the Office of Export Control will consider the issuance of a license with a validity period of one year. In these instances, the exporter shall enter this request on the application in the space entitled "Additional Information," or on an attachment thereto explaining the circumstances upon which the request is based, and giving the approximate date of availability for export.

§§ 373.36-373.40

(Reserved for future use.)

Commodity Section 6

§ 373.41

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 6

All commodities within Commodity Section 6 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

Applications for licenses to export agricultural commodities and manufactures thereof to Country Groups Y and Z shall conform with the special provisions as set forth in § 373.5.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.42

IRON AND STEEL

Any iron and steel products with the processing code STEE and not identified by the symbol "B" in the last column of the Commodity Control List are subject to the provisions set forth in § 373.19.

§ 373.43

NONFERROUS COMMODITIES, INCLUDING ORES, CONCENTRATES, OR UNREFINED PRODUCTS

Copper-base alloy ingots and other crude forms and refined copper in cathodes, billets, ingots, wire bars and other crude forms including copperweld rods, Export Control Commodity No. 68221, are subject to the provisions set forth in § 373.20.

§ 373.44

(Reserved for future use.)

Commodity Section 7

§ 373.45

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 7

All commodities within Commodity Section 7 which are identified by the symbol "A" in the last column of the Commodity Control List (§ 399.1) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.46

IRON AND STEEL

Any iron and steel products with the processing code STEE and not identified by the symbol "B" in the last column of the Commodity Control List are subject to the provisions set forth in § 373.19.

§ 373.47

MACHINERY AND PARTS¹

Applications for licenses to export machinery, equipment, and apparatus, with the processing codes CONS, ELME, FINP, GIEQ, RARA, SATE, TOOL, and TRAN and identified by the symbol "B" in the last column of the Commodity Control List (§ 399.1), must include the following identifying information in addition to the requirements of paragraph 372.4(e):

(a) A copy of manufacturer's current catalog or bulletin, or pertinent pages therefrom describing the commodity, unless previously furnished.

(b) For commodities having a rated capacity, show maximum rating.

(c) For machinery, equipment, or apparatus, if production and exportation can not be completed within six months, the Office of Export Control will consider the issuance of a license with a validity period of one year. In these instances, the exporter shall enter this request on the application in the space entitled "Additional Information," or on an attachment thereto explaining the circumstances upon which the request is based, and giving the approximate date of availability for export.

(d) An application for a license to export ball or roller bearings, or balls for bearings (Export Control Commodity Nos. 71970 and 71993 to Country Groups W, Y, and Z (see paragraph 370.1(g) for country groups) shall include the following information in addition to the other information required by the provisions of this § 373.49:

(1) *For exportations of ball or roller bearings:*

(i) The name of the manufacturer;

(ii) The bearing number as listed in the manufacturer's catalog; and

¹ Parts, accessories, and equipment which are to be scrapped are classified as scrap (e.g., Export Control Commodity Nos. 28200, 28402, 28404, 67280). See § 399.2, Interpretation 10.

(iii) The inner bore diameter of the bearing.

(2) *For exportations of balls for bearings:*

(i) The type of metal;

(ii) The grade of the ball (in accordance with standards adopted by the Anti-Friction Bearing Manufacturer's Association); and

(iii) The basic size of the ball.

§ 373.48

AIRCRAFT AND EQUIPMENT, PARTS, ACCESSORIES, AND COMPONENTS THEREFOR

(a) *Spare Parts Accompanying Aircraft*

Notwithstanding the provisions of paragraphs 372.5(a), (d) and (e), where the applicant intends to export aircraft and accompanying spare parts for such aircraft to any destination except Country Group W, Y, or Z (see paragraph 370.1(g)), the applicant may (1) include both the aircraft and the accompanying spare parts on a single application even though these commodities may not have the same processing code or the same related commodity group numbers; and (2) show on the application the total value of all the accompanying spare parts without the necessity for indicating the value of each Commodity Control List entries, entry shown on the application, if at the time of submitting the application the applicant is unable to determine the value of the parts for each Export Control Commodity number.

The provisions of this § 373.48 do not relieve the applicant from classifying the commodities shown on the application in accordance with Commodity Control List entries, or from describing the commodities in accordance with the commodity description terminology shown on the Commodity Control List.

(b) *Exchange of Aircraft Equipment, Parts, Accessories, and Components by Airlines*

(1) Any airline¹ operating abroad which

¹ See paragraph 370.1(p) for definition of airline.

has received commodities from the United States for use in the maintenance, repair, or operation of its aircraft may, for the purpose of maintaining in operation aircraft of another airline, lend or sell such commodities to that airline, without written authorization from the Office of Export Control, provided that:

(i) The transaction is subject to an agreement or arrangement that the lender will not receive any monetary profit from the transaction and either that the same or like commodities will be returned to the lender or that payment for the commodities will be limited to no more than the original purchase price to the lender plus any expenses incurred in handling the commodities, e.g., transportation costs, warehousing costs, etc.;

(ii) The commodities will not be supplied for use on any aircraft registered in, or owned or controlled by, or chartered or leased to a country in Country Group W, Y, or Z, or a national of one of these countries; and

(iii) The commodities will not be supplied for use on any aircraft located in Country Group W, Y, or Z.

(2) Transactions meeting the provisions of this paragraph 373.51(b) are authorized notwithstanding any restrictions upon reexportation, diversion, or transshipment set forth on the applicable destination control statement, on the validated export license, on any supporting documentation therefor, or in the general license provisions relating to the original exportation from the United States.

(3) If the transaction does not meet the provisions of this paragraph 373.51(b), prior written authorization shall be obtained from the Office of Export Control unless the transaction is authorized elsewhere in the Export Regulations.

(4) Records shall be maintained by the airline which provides the commodities, in the detail set forth below, for a period of three years from the date of the transaction. These records shall be made available for inspection, upon demand, by the U. S. Depart-

ment of Commerce or by a United States Foreign Service post or by any other accredited representative of the United States Government. In the event the airline is prohibited by governmental regulation or statute from permitting a United States Government representative to inspect its records, the airline shall submit a report of such transactions, similar in content to its records, at the end of each calendar quarter during which one or more transactions occur. The report shall be submitted to the U. S. Department of Commerce, Office of Export Control, Operations Division (Attn: 8540) Washington, D. C. 20230.

As a minimum, the records and reports shall include the following with respect to each transaction:

- (i) Date the commodities are provided;
 - (ii) Name, business address, and nationality of the airline which received the commodities;
 - (iii) If the aircraft is leased or chartered, the name, business address, and nationality of the owner of the aircraft which received the commodities;
 - (iv) Country of the aircraft's registry and location of the aircraft at time the commodities were installed thereon; and
 - (v) Description of the commodities provided, including quantity and value thereof.
- (The Export Regulations contain further record keeping requirements. See § 381.11.)

(c) Questions and Answers—Aircraft

Supplement No. 3 to Part 373 contains questions and answers relating to export licensing of civil aircraft and related commodities.

§§ 373.49-373.53

(Reserved for future use.)

Commodity Section 8

§ 373.54

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 8

All commodities within Commodity Section 8 which are identified by the symbol "A" in the last column of the Commodity Control List (see § 399.1) are subject to the Import Certificate/Delivery Verification requirements set forth in § 373.2.

- All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.55

IRON AND STEEL

Any iron and steel products with the processing code STEE and not identified by the symbol "B" in the last column of the Commodity Control List are subject to the provisions set forth in § 373.19.

§ 373.56

MACHINERY AND PARTS¹

Applications for licenses to export machinery, equipment, and apparatus, with the processing codes CONS, ELME, FINP, GIEQ, RARA, SATE, TOOL, and TRAN must include the following identifying information in addition to the requirements of paragraph 372.4(e):

- (a) A copy of manufacturer's current catalog or bulletin, or pertinent pages therefrom describing the commodity, unless previously furnished.
- (b) For commodities having a rated capacity, show maximum rating.

¹ Parts, accessories, and equipment which are to be scrapped are classified as scrap (e.g., Export Control Nos. 28200, 28402, 28404, etc.). See § 399.2 Interpretation 10.

(c) For machinery, equipment, or apparatus, if production and exportation can not be completed within six months, the Office of Export Control will consider the issuance of a license with a validity period of one year. In these instances, the exporter shall enter this request on the application in the space entitled "Additional Information," or on an attachment thereto explaining the circumstances upon which the request is based, and giving the approximate date of availability for export.

§§ 373.57-373.61

(Reserved for future use.)

Commodity Section 9

§ 373.62

APPLICABILITY OF MULTIPLE COMMODITY SECTION PROVISIONS TO COMMODITY SECTION 9

All commodities within Commodity Section 9 which are identified by the symbol "A"

in the last column of the Commodity Control List (see § 399.1) are subject to the Import Certificate/Delivery Verification requirements set forth in § 373.2.

Applications for licenses to export agricultural commodities and manufactures thereof to Country Groups Y and Z shall conform with the special provisions as set forth in § 373.5.

• All commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b) are subject to the provisions set forth in § 373.7.

§ 373.63

IRON AND STEEL

Any iron and steel products with the processing code STEE and not identified by the symbol "B" in the last column of the Commodity Control List are subject to the provisions set forth in § 373.19.

§ 373.64

(Reserved for future use.)

DESTINATION PROVISIONS**§ 373.65****ULTIMATE CONSIGNEE AND PURCHASER STATEMENT****(a) Scope**

(1) **General.** The provisions of this § 373.65 apply to all proposed shipments of commodities for which validated export licenses are required where the country of ultimate destination is in Country Group V, W, X, Y, or Z, and to any proposed shipments under the Time Limit (TL) licensing procedure (see Part 377) to Country Group T. (See paragraph 370.1(g) for country groups.)

(2) **Exemptions.** The provisions of this § 373.65 do not apply if the license application covering the proposed shipment shows that one or more of the following conditions are present:

(i) An Import Certificate is required in support of the license application in accordance with § 373.2 (or, as applicable, a Swiss Blue Import Certificate as provided in § 373.67, or a Yugoslav End-Use Certificate as provided in § 373.70);

(ii) The total value, as shown on the export order covering the application, of the commodity (ies) classified in a single entry on the Commodity Control List is less than \$500 and the shipment is not supported by a Form FC-843, Multiple Transactions Statement by Consignee and Purchaser, submitted in accordance with paragraph 373.65(c) (3);

(iii) Shipment will be made under a Project License issued or to be issued as set forth in Part 374;

(iv) The ultimate consignee named in the license application is a foreign government or foreign government agency, and the foreign purchaser is also a foreign government or foreign government agency. However, if

one of the parties to the transaction, either purchaser or ultimate consignee, is a party other than the foreign government or government agency, then a Statement from that purchaser or ultimate consignee is required;

For the purpose of this regulation the term "government agency" is construed as follows:

(a) National governmental departments operated by government paid personnel performing governmental administrative functions; e.g., Finance Ministry, Ministry of Defense, Ministry of Health, etc. Municipal or other local government entities must submit consignee statements.

(b) National government-owned public service entities; e.g., nationally owned railway, postal, telephone, telegraph, broadcasting, and power systems, etc.

The term "government agency" does not include government corporations, quasi-government agencies, and state enterprises engaged in commercial, industrial, and manufacturing activities, such as petroleum refining, production, and distribution plants, mines, steel mills, retail stores, automobile manufacturing plants, airlines, or steamship lines which operate between two or more countries, etc.;

(v) Shipment will be made by a relief agency registered with the Advisory Committee on Voluntary Foreign Aid, Agency for International Development, to a member agency in the foreign country;

(vi) The license applicant is the same person as the ultimate consignee in the country of ultimate destination, provided that the applicant furnishes all the applicable information on the license application which is required in the consignee/purchaser statement. This exemption does not apply where the applicant and the consignee are separate

QUESTIONS AND ANSWERS REGARDING EXPORT LICENSING OF CIVIL AIRCRAFT AND RELATED COMMODITIES

EXPORT LICENSING AUTHORITY OF U. S. DEPARTMENTS OF COMMERCE AND STATE

1. Q. Since both the U.S. Department of State and the U.S. Department of Commerce license aircraft and equipment, parts, accessories, or components therefor, how can an exporter determine which agency has the licensing authority?

A. The United States Munitions List lists only aircraft and related commodities which are licensed by the Department of State (see paragraph 870.5(a)). Any aircraft or related commodity which is not listed in the United States Munitions List is licensed by the Department of Commerce. In addition, Interpretation No. 20 (§ 399.2) provides criteria for determining aircraft commodities under Commerce Department licensing authority.

As a general rule, civil aircraft and equipment, parts, accessories, or components therefor, are licensed by the Department of Commerce. Military aircraft and equipment, parts, accessories or components which are used exclusively for military aircraft are licensed by the Department of State. General purpose equipment, parts, accessories, or components which can be used for either military or civilian aircraft are licensed by the Department of Commerce.

2. Q. If an aircraft is exported to the military establishment of a foreign government, would the exportation necessarily be under the licensing authority of the Department of State?

A. No. The fact that the importer is a foreign government military establishment is not a determining factor as to whether the Department of State or the Department of Commerce has the licensing authority. (Also see Question No. 3 below.)

3. Q. If equipment, parts, accessories, or components for aircraft are certificated by the Federal Aviation Agency but are also listed in a military catalog, are they licensed by the Department of Commerce or the Department of State?

A. The listing of equipment, parts, accessories, or components for aircraft in a military catalog is not a determining factor as to which department has the licensing authority. However, equipment, parts, accessories, or components certificated by the Federal

Aviation Agency and listed in a military catalog are usually general purpose and, as such, are under the licensing authority of the Department of Commerce. Interpretation No. 20 (see § 399.2) sets forth the aircraft and equipment, parts, accessories, or components therefor under the licensing authority of the Department of Commerce, while the United States Munitions List (see § 370.5) lists those commodities under licensing authority of the Department of State.

4. Q. Is flight training equipment licensed by the Department of Commerce?

A. Only non-military types of flight training equipment are licensed by the Department of Commerce. These include non-military types of link trainers, operational flight trainers, flight simulators, radar trainers, instrument flight trainers, and navigation trainers.

Military types of these trainers are under the licensing authority of the Department of State. Other military flight training equipment licensed by the Department of State includes such equipment as attack trainers, radar target trainers, radar target generators, gunnery training devices, anti-submarine warfare trainers, target equipment, armament trainers, pilotless aircraft trainers, and mobile training units.

5. Q. Does the Department of Commerce license for export an aircraft which bears a military designation?

A. No.

IMPORT LICENSES

6. Q. Does the Department of State maintain import control on civil aircraft and equipment, parts, accessories, or components therefor?

A. No. (Also see Question No. 7.)

7. Q. Is an import license required from the Department of Commerce to import civil aircraft into the United States?

A. No. An import license is not required for any commodities under Department of Commerce export licensing authority, unless the commodity was acquired abroad pursuant to the Foreign Excess Property Disposal Program. In such cases an import per-

mit must be obtained from the Business and Defense Services Administration. (Also see Questions Nos. 26 and 27.)

CATEGORIES OF DEPARTMENT OF COMMERCE LICENSES

8. Q. How does the Department of Commerce license exports?

A. The Department of Commerce has two categories of licenses: the general license and the validated license.

A *general license* is a general authorization which permits exporters to make shipments under certain specified conditions without the need for submitting an application or receiving a license document from the Department of Commerce.

A *validated license* is a license document issued only after an application for license has been submitted to the Department of Commerce. Commodities which are for consumption in Canada may be shipped to that country without a general or validated license.

VALIDATED LICENSES

9. Q. What types of validated licenses are available?

A. An "individual license" and bulk types of licenses known as "Project License" (see Part 374), "Blanket License" (see Part 375), "Periodic Requirements License" (see Part 376), "Time Limit License" (see Part 377), and "Technical Data License" (see Part 385).

10. Q. Is an exporter or an importer of civil aircraft or equipment, parts, accessories, or components therefor, required to register with the Department of Commerce before or at the time of filing a license application?

A. No. However, an exporter or an importer who intends to file applications with the Department of State covering military aircraft, or any other commodities under licensing authority of the Department of State, may need to retain his registration with the Department of State.

11. Q. Does the Department of Commerce charge any fee for issuing an export license?

A. No.

12. Q. What is the usual time for processing a license application in the Department of Commerce?

A. Currently the Department of Commerce processes approximately 95% of applications within five days after receipt, and approximately 99% within ten days. An application which involves a new foreign policy or security question which the Office of Export Control has not previously resolved may require a longer period of time for processing.

13. Q. How may an exporter obtain information as to the status of his license application?

A. A status inquiry should be made on Form FC-743-A and addressed to the U.S. Department of Commerce, Office of Export Control, Operations Division Exporter's Service Section (Attn: 8540) Washington, D. C. 20230, or to any United States Department of Commerce field office (see page i). Item 2 of Form FC-743-A need not be completed. Generally, an applicant should allow a period of two weeks after submitting a license application before making a status inquiry.

14. Q. In case of an emergency, may an exporter request special processing of a license application?

A. Yes. In an emergency situation properly justified by the exporter—for example, a shipment of repair parts to a grounded aircraft—the exporter may request emergency clearance from the Department of Commerce. The request may be made direct to the Office of Export Control in Washington, or through a United States Department of Commerce field office or a Collector of Customs. Where no license application has been filed, the exporter may submit the application to the field office or Collector of Customs at the time emergency clearance is requested. If the exportation is approved, the Collector of Customs will be notified by telephone or telegraph to permit clearance of the shipment (see paragraph 372.5(i)).

15. Q. What is the usual validity period of a license issued by the Department of Commerce?

A. Generally, an individual license or a Blanket License has a validity period of six months and consideration will be given to the extension of the license upon request of the licensee. However, the Department of Commerce will consider issuing a license with a validity period of more than six months for long-cycle production commodities. A Time Limit License or a Periodic Requirements License has a validity period of one year but will not be extended. A Project License is also valid for one year but may be extended.

16. Q. How does the licensee apply for extension or other amendment of his license?

A. Except for an extension of a Project License, the licensee makes application on Form IA-763. A request for extension of a Project License should be made on Form FC-957.

17. Q. Must the application for export license be made by the firm receiving the export order from the foreign customer?

A. Generally, yes. However, if the firm receiving the order is not the same as the applicant for the license, the firm receiving the order must also sign

• COUNTRIES ADHERING TO THE LIMITED NUCLEAR TEST BAN TREATY

For purposes of the Export Regulations a country will be treated as an adherent to the Limited Nuclear Test Ban Treaty if it has deposited with the U.S. Department of State in Washington, D. C. an instrument of ratification or accession to that Treaty (or an

unrestricted notification that it considers itself bound by the ratification or accession of a predecessor government). The following countries are adherents to the Limited Nuclear Test Ban Treaty:

Afghanistan	Indonesia	Peru
Australia	Iran	Poland
Austria	Iraq	Rumania
Brazil	Ireland	Rwanda
Bulgaria	Italy	San Marino
Burma	Israel	Senegal
Canada	Ivory Coast	Sierra Leone
Central African Republic	Japan	South Africa
Ceylon	Jordan	Spain
Chad	Kenya	Sweden
China (Republic of)	Korea (Republic of)	Switzerland
Cyprus	Kuwait	Syrian Arab Republic
Czechoslovakia	Laos	Thailand
Dahomey	Lebanon	Togo
Denmark	Liberia	Trinidad and Tobago
Dominican Republic	Luxembourg	Tunisia
Ecuador	Malagasy Republic	Turkey
El Salvador	Malasia	Uganda
Federal Republic of Germany	Malaya	Union of Soviet
Finland	Malta	Socialist Republics
Gambia	Mauritania	United Arab Republic
Gabon	Mexico	United Kingdom
Ghana	Nepal	United States
Greece	Netherlands (including Surinam	Venezuela
Guatemala	& Netherlands Antilles)	Western Samoa
Honduras	New Zealand	Yugoslavia
Hungary	Nicaragua	Zambia
Iceland	Niger	
India	Norway	

§ 374.1

PROJECT LICENSE

This Part establishes a procedure for obtaining a Project License which, if issued, authorizes exportations of commodities (and technical data related to the project when specifically authorized), as set forth in § 374.2 below, for use in specified activities abroad for a period of approximately one year from issuance of the license.

• § 374.2

**COMMODITIES AND TECHNICAL DATA
SUBJECT TO PROJECT LICENSE**

The project licensing procedure is applicable to all commodities and technical data which require a validated license for export as well as commodities which may be exported under General License *GLV* except:

- (a) Complete aircraft, either assembled or knocked down;¹
- (b) Commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b); and
- (c) Unpublished technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 385.2(c) (3) (v).

§ 374.3

**BASIS FOR CONSIDERATION OF
LICENSE APPLICATIONS**

An application for a Project License will be considered for approval only where all of the conditions described in paragraph (a) below are met and where it is shown that the commodities are to be used in an activity abroad as described in paragraph (b) below.

(a) Volume of Validated License Shipments

The expected volume of validated license shipments to be made annually meets the following minimum limitations:

- (1) The total value of the validated license

¹ Applicants who propose to export a complete aircraft, either assembled or knocked down, must apply for an individual validated license for the aircraft. However, a project license may be used, where applicable, to export related parts, accessories, or components for the aircraft.

shipments is expected to be \$100,000 or more.

(2) The commodities to be exported are covered by entries in the Commodity Control List (§ 399.1) representing four or more Commodity Processing Codes, e.g., STEE, NONF, ELME, RUBR, CONS, etc.

(3) At least 40 individual validated licenses would be required to export the proposed commodities.

**(b) Activities Eligible for the Project
Licensing Procedure**

An application for a Project License will be considered for approval where it is shown that the license, if granted, will be used for one of the following activities:

- (1) A substantial project representing a capital expansion, either a new facility or expansion of an existing facility;
- (2) A program for supplying maintenance, repair and operating supplies to serve an existing facility; or
- (3) A program for supplying materials to be used in the production of other commodities for sale.

**(c) Activities Which Are Ineligible for the
Project Licensing Procedure**

A Project License will not be issued to cover exportations of commodities for resale in the form in which exported from the United States.

§ 374.4

APPLICATION PROCEDURE**(a) Documents Required**

Each initial application for a Project License shall include the following documents:

- (1) Form FC-420, Application Processing Card.²
- (2) Form FC-419, Application for Export License.²

² Forms FC-419 and FC-420 may be obtained at all United States Department of Commerce field offices (listed on page 1) and from the U. S. Department of Commerce, Office of Export Control, Washington, D. C. 20230.

Late revisions of Forms FC-419 and FC-420 refer to the "Export Control Commodity No." instead of the "Schedule B No." Late revisions of Form FC-419 refer also to the "Commodity Control List" instead of the "Positive List" in the commodity description space. If earlier issuances of Forms FC-419 or FC-420 are used, these terms shall be changed and the forms completed accordingly.

- (3) Form FC-988, Statement by Ultimate Consignee in Support of Project License Application.¹
- (4) Statement of estimated requirements.
- (5) Comprehensive narrative statement by the exporter.

NOTE

The preparation of an initial application for a Project License entails a substantial amount of work on the part of the exporter. Therefore, a prospective applicant for a Project License is advised to consult with the Office of Export Control in advance of preparation of his application in order that a preliminary determination can be made as to the applicability of the project licensing procedure and to obtain advice as to any special information which may be required in support of the application.

(b) Preparation of Documents

(1) **Form FC-420.** Form FC-420, Application Processing Card, shall be prepared in accordance with the provisions of paragraph 372.5 (a) (5) with the following exceptions:

(i) In the Export Control Commodity Number space, the applicant shall enter "Project License."

(ii) The processing code space shall not be completed.

(iii) In the commodity description space, the name or description of the project shall be entered.

(2) **Form FC-419.** Form FC-419, Application for Export License, shall be prepared and submitted in accordance with instructions contained in § 372.5, with the following specific modifications:

¹ Form FC-988 may be obtained at all United States Department of Commerce field offices (listed on page 1) and from the U. S. Department of Commerce, Office of Export Control, Washington, D. C. 20230.

(i) Where there is more than one ultimate consignee, insert "see attached list," on the application in the space entitled "Ultimate Consignee In Foreign Country," and submit the list in duplicate. In listing the ultimate consignees, the country of ultimate destination (alphabetically arranged) shall be listed first with the name(s) of the ultimate consignee(s) (alphabetically arranged) following. The example below illustrates the manner in which ultimate consignees shall be listed:

France: Central Corp; Development Corp.

Mexico: Consolidated Copper; Fairway Limited.

(ii) Insert on the application in the space entitled "Commodity Description" the following statement:

"Articles and materials set forth on the attached statement of estimated requirements constitute the known requirements of commodities (and technical data if applicable) requiring validated licenses for the (insert name of program or project).

I (We) hereby certify that if a license is granted in response to this application, (a) no commodities (or technical data if applicable) will be exported under the license unless specifically required for the (program) (project); and (b) after exportation, the commodities (and technical data if applicable) will not be disposed of or used for any purpose other than that stated in this application."

(3) **Statement by Ultimate Consignee in Support of Project License Application.**

(i) **General.** The applicant shall furnish Form FC-988,^{1 2} Statement by Ultimate Consignee in Support of Project License Application, from each ultimate consignee named in the license application. (See Supplement S-22 for facsimile of form.)

² Late revisions of Form FC-988 make provision for indicating whether commodities and/or technical data are proposed for export. On earlier versions of the form, if technical data related to the project is proposed for export, the words "and technical data" shall be inserted on Form FC-988 in items 3 and 5 following the word "commodities."

§ 376.1

**PERIODIC REQUIREMENTS (PRL)
LICENSE**

This Part establishes a procedure for obtaining a Periodic Requirements (PRL) License which authorizes the exportation of the licensed commodity or commodities to one or more ultimate consignees in a single country of destination for a period of one year from issuance of the license. The PRL licensing procedure is applicable to all destinations *except* Country Groups W, X, Y, or Z. An application may cover as much as six-months estimated requirements of the named consignee for the commodities included in the application.

§ 376.2

**COMMODITIES SUBJECT TO PRL
LICENSE****• (a) Identification of Commodities Subject
to PRL License**

The commodities for which the issuance of a PRL License will be considered are identified by the symbol "E" in the last column of the Commodity Control List. However, a PRL license is not applicable to any exportation of commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b). For purposes of qualification for a PRL License (see paragraph 376.4(a)(4)), these commodities are considered by PRL Commodity Groups. A PRL Commodity Group is defined as all commodities identified by the same Commodity Group symbol. This symbol consists of the letter "E" followed by a number; e.g. "E-1," "E-2," "E-3," etc., as shown in the last column of the Commodity Control List.

(b) Commodity Groups

The following are the PRL Commodity Groups:

- GROUP E-1—RUBBER PRODUCTS
- GROUP E-2—AIRCRAFT
- GROUP E-3—PLASTICS

GROUP E-4—PETROLEUM PRODUCTS

GROUP E-5—REFRACTORIES

GROUP E-6—ELECTRICAL MACHINERY AND APPARATUS

GROUP E-7—METALS AND MINERALS, CRUDE AND SEMIFINISHED

GROUP E-8—METALS AND MINERALS, MILL PRODUCTS AND MANUFACTURED PRODUCTS

GROUP E-9—GENERAL INDUSTRIAL EQUIPMENT

GROUP E-10—POWER GENERATING MACHINERY

GROUP E-11—CONSTRUCTION EQUIPMENT

GROUP E-12—PETROLEUM EQUIPMENT

GROUP E-13—INDUSTRIAL INORGANIC CHEMICALS

GROUP E-14—ORGANIC CHEMICALS

§ 376.3

CONSIDERATION OF APPLICATIONS**(a) Qualification for PRL License**

(1) **Applicant-consignee relationship.** The applicant shall have had the following business and export relationship with the consignee:

(i) He shall have had a business relationship with each ultimate consignee named on the application for a period of two years immediately preceding the date of filing the application. For example, if the application is filed on April 1, 1965, this relationship must have existed during the years April 1, 1964 through March 31, 1965, and April 1, 1963 through March 31, 1964.

(ii) During the two-year period he shall have exported a minimum of \$2,000 in value of commodities included in each PRL Commodity Group covered by the application, to each consignee named thereon.

(2) **Records and record keeping.** An applicant for a PRL License shall have in his possession, at the time the application is filed, documentary evidence of the existence of the relationship with each ultimate consignee, as described in paragraphs (a) (1) (i) and (ii) above. The documents and records shall be kept and made available for inspection in accordance with the provisions of § 381.11.

(The Export Regulations contain further record keeping requirements. See § 381.11.)

(b) Quantity Applied For

An application in a total value of less than \$2,000 generally will not be considered under the PRL licensing procedure. Where shipments are expected to be less than \$2,000 in value, the applicant should apply for one of the other types of export licenses.

(c) Waiver of Order Requirements

An applicant for a PRL License is not required to hold an export order from the foreign consignee or purchaser for the commodities subject to this procedure. The provisions of paragraph 372.4(f) relating to export orders are, therefore, waived with respect to an application for PRL License.

§ 376.4

APPLICATION REQUIREMENTS

(a) How to Prepare a PRL License Application

An application for a PRL License shall be prepared and submitted on Form FC-419, Application for Export License (Revised on or after 1956), with Form FC-420, Appli-

cation Processing Card,¹ attached, in accordance with instructions contained in § 372.5, and with the following specific modifications:

(1) **General.** An application for a PRL License shall include only one country of ultimate destination. More than one commodity may be included on a single application, provided the commodities are listed on the Commodity Control List (§ 399.1) with the same processing code and the same related commodity group number (see paragraph 372.5(e)). Exportations to more than one consignee within the same country of destination may also be included on a single application. If more than one consignee is included on the application, the applicant shall attach a list, in duplicate, of the names and addresses of the proposed consignees, and insert "See attached list of consignees," on the application in the space entitled "Ultimate Consignee In Foreign Country;"

(2) **Identification of PRL application.** Enter the words "Periodic Requirements License" across the top of the Form FC-419, immediately above the printed words "United States of America;"

(3) Quantity and value.

(i) The quantity applied for shall not exceed the estimated six-months' requirements of the named consignee(s) for the commodities included in the application.

(ii) The total quantity and value for each commodity shall be shown, but a breakdown of quantity and value among consignees is not required. If no unit of quantity is indicated in the Commodity Control List for the particular Export Control Commodity number(s), then only the value need be given on the application; and

¹ Forms FC-419 and FC-420 may be obtained at all United States Department of Commerce Field Offices listed on page 1, and from the U. S. Department of Commerce, Office of Export Control, Washington, D. C. 20230.

Late revisions of Forms FC-419 and FC-420 refer to the "Export Control Commodity No." instead of the "Schedule B No." Late revisions of Form FC-419 refer also to the "Commodity Control List" instead of the "Positive List" in the commodity description space. If earlier issuances of Forms FC-419 or FC-420 are used, these terms shall be changed, and the forms completed, accordingly.

§ 377.1**TIME LIMIT (TL) LICENSE**

This Part establishes a procedure for obtaining a Time Limit (TL) License which, when issued, authorizes the exportation in unlimited quantities of the licensed commodity or commodities to one or more named ultimate consignees in a Country Group T destination for a period of one year from issuance of the license. (See § 370.1(g) for list of Country Group T destinations.) Reexportation by the foreign consignee(s) to importers in other Country Group T destinations may also be made in accordance with the provisions of § 377.4.

• § 377.2**COMMODITIES SUBJECT TO TL LICENSE**

The commodities which may be exported under the time limit licensing procedure are all commodities listed on the Commodity Control List (§ 399.1) for which a validated license is required for exportations to Country Group T by the information set forth in the column headed "Validated License Required for Country Groups Shown Below," except:

(a) Complete aircraft, either assembled or knocked down¹; and

(b) Commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b).

§ 377.3**CONSIDERATION OF APPLICATIONS****(a) General**

An application for a TL License will be considered for approval when the commodities proposed for export are intended for consumption or resale within the particular country of ultimate destination or for reexportation by the foreign consignee to another Group T country. However, reexportation may not be effected until such time as

¹ Applicants who propose to export a complete aircraft, either assembled or knocked down, must apply for an individual validated license for the aircraft. However, a Time Limit (TL) License may be used, where applicable, to export related parts, accessories, or components for the aircraft.

approval is received from the Office of Export Control in accordance with § 377.4.

(b) Applicant-Consignee Relationship

An applicant for a TL License must have an established business relationship with each ultimate consignee named on the application for a period of two years immediately preceding the date of filing the application, and must have exported the commodities covered by the application to each ultimate consignee in an amount totaling at least \$2,000 during these two years, part of which was exported during each of the two years. For example, if the application is filed on April 10, 1965, this relationship must have existed during the years April 10, 1964, through April 9, 1965, and April 10, 1963 through April 9, 1964. In addition, an applicant for a TL License shall have in his possession, at the time the application is filed, documentary evidence of the existence of the prescribed relationship with each ultimate consignee. The documents and records shall be kept and made available for inspection in accordance with the provisions of § 381.11.

(The Export Regulations contain further record keeping requirements. See § 381.11.)

(c) Waiver of Order Requirements

An applicant for a TL License is not required to hold an export order from the foreign consignee or purchaser for the commodities subject to this procedure. The provisions of paragraph 372.4(f) relating to export orders are, therefore, waived with respect, to an application for a TL License.

§ 377.4**REEXPORTATION**

Reexportation may be made between ultimate consignees named on outstanding TL Licenses, issued to the same licensee, without the necessity of obtaining specific approval from the Office of Export Control. Approval for reexportation to other im-

porters in Country Group T may be obtained in accordance with the procedure described below.

Requests for reexportation approval may be made either with the license application or subsequent to the issuance of the TL License. In order to obtain such approval, Form IT- or FC-917, Request for and Notice of Approval for Reexportation, (see Supplement S-20 for facsimile of form), shall be submitted, in triplicate, to the Office of Export Control.¹ Items 1 through 9 of the form may be completed by the United States exporter who shall then transmit Form IT- or FC-917 to his foreign consignee for completion of the space entitled "Signature of official of consignee firm", and for any other information on the form not completed by the United States exporter. The Office of Export Control will approve or deny the request by completing the bottom portion of one copy of the form and returning it to the United States exporter. Reexportation requests, if approved, will be continuing until rescinded by the Office of Export Control.

§ 377.5

APPLICATION REQUIREMENTS

(a) Application Form

An application for a Time Limit License shall be prepared and submitted on Form FC-419, Application for Export License (Revised on or after 1956), with Form FC-420, Application Processing Card¹, attached, in accordance with instructions contained in § 372.5, with the following specific modifications.

¹ Forms FC-419, FC-420, FC-917, or FC-843 may be obtained from all United States Department of Commerce field offices listed on page 1, from the U. S. Department of Commerce, Office of Export Control, Washington, D. C. 20230, and from United States consulates, embassies and other posts in Country Group "T" countries.

Late revisions of Forms FC-419, FC-420, and FC-917 refer to the "Export Control Commodity No." instead of the "Schedule B No.". Late revisions of Form FC-419 refer also to the "Commodity Control List" instead of the "Positive List" in the commodity description space. If earlier issuances of Forms FC-419, FC-420, or FC-917 are used, these terms shall be changed, and the forms completed, accordingly.

(b) Preparation of Application and Consignee List

In preparing a license application (Form FC-419), the applicant shall:

(1) Enter the words "Time Limit License" across the top of the Form FC-419; immediately above the printed words "United States of America."

(2) Where there is more than one ultimate consignee insert "See attached list of consignees" on the application in the space entitled "Ultimate Consignee In Foreign Country". This list showing the names and addresses of the proposed consignees must be submitted in duplicate, plus an additional copy for each added license required under the provisions of § 377.7; and

(3) Leave blank the "Quantity to be Shipped," "Unit Price," and "Total Price" spaces of Form FC-419.

(c) Certification of Applicant-Consignee Business Relationship

The following certification shall be inserted on each application for a TL License in the space entitled "Additional Information" or on an attachment thereto:

"This is to certify that (I) (we) have had a business relationship with (Name(s) of ultimate consignee(s)) extending over a period of two years preceding the date of submission of this application and have exported to the named consignee(s) the commodities applied for under this application in an amount totaling at least \$2,000 during these two years, part of which was exported during each of the two years."

(d) Multiple Transactions Statement

Each application for a TL License shall be supported by a Form FC-843¹, Multiple

(ii) Correction of certain types of obvious errors due to mistakes in typing licenses, such as misspelled words, errors in price extension or computation, and errors in unit of quantity (provided the correction does not change the total quantity).

(iii) Change of quantity or dollar value required as a result of factors beyond the control of the licensee, such as unforeseen overruns of the mill. Field offices of the U. S. Department of Commerce are limited in their approvals of such amendment requests, however, to specified small percentage increases in the licensed quantity or dollar value.

(iv) Change of licensee's address.

(v) Change in intermediate consignee or addition of intermediate consignee (see paragraphs 379.10(h) (2) (i)(c) and 380.2(d) (3)).

(3) Amendment requests on which field offices may not take action. The Department of Commerce field offices are not authorized to take action on requests for amendments to licenses under the conditions described below. All such requests shall be filed with the U. S. Department of Commerce, Office of Export Control, Operations Division (Attn: 8540) Washington, D. C. 20230.

(i) Request for amendment or extension of a license covering an exportation to Country Group Y or Z, unless the amendment involves no more than a correction of obvious error(s) in the license, such as a mistake in typing.

(ii) Request for amendment of a license where the intended port of exit is not known to the licensee.

(iii) Request for amendment or extension of a license for a shipment which has already been laden aboard the exporting carrier or exported (see paragraph 380.2(i) (2)).

(iv) Request for amendment or extension of a Project License.

(v) Request for amendment or extension of a license for exportation of copper or copper-base alloy scrap, Export Control Commodity No. 28402.

(vi) Request for amendment or extension of a Technical Data License.

• (vii) Request for amendment or extension of a license for exportation of commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b).

(4) Duplicate request covering same license. A request for amendment shall not be submitted to or acted upon by any field office of the U. S. Department of Commerce if an amendment request covering the same license is currently pending action or has been previously denied by the Office of Export Control, or by any other field office.

(g) Procedure for Submitting Requests for Amendments

(1) Number of copies. A request for amendment shall be submitted on Form IA-763, Request for and Notice of Amendment Action, in triplicate (see Supplement S-4 for facsimile of form).¹ However, when such request is filed with one of the above-named field offices, a fourth copy shall be submitted; this fourth copy may be made on plain, thin, white paper. Request for amendment by letter will not be accepted. (See paragraphs (g) (4) and (5) below with regard to the submission of an amendment request where an emergency condition exists.)

(2) Information required. All numbered spaces shown on Form IA-763 must be completely filled in on all copies.

(i) The reasons for the requested amendment must be clearly stated in the space entitled "Facts Necessitating Amendment." (For amendments to an export license covered by an Import Certificate, a Swiss Blue Import Certificate, a Yugoslav End-Use Certificate, or a consignee/purchaser statement, see paragraphs 380.2(k) and (l)).

(ii) The licensee shall not retain the license when submitting a request for amendment,

¹ Form IA-763 is printed in quadruplicate copies so as to provide a copy for the applicant's file. Sets of these forms may be obtained at all United States Department of Commerce field offices listed on page 1 and from the U. S. Department of Commerce, Office of Export Control, Washington, D. C. 20230.

except where the request covers an amendment to a Project License. (See paragraph 374.9(b)). Where shipments are to be made through customs, the address of the Collector with whom the license has been deposited shall be entered on the Form IA-763 in the space entitled "License Has Been or Will Be Deposited With." If the exporter does not know the intended port of exit, he shall enter the word "Unknown" in this space and return his license to the Office of Export Control with his request for amendment on Form IA-763. A Postmaster or post office address, from which a shipment will be made by mail, is not an acceptable entry for this space. When shipment is to be made by mail the license shall accompany the request for amendment.

(iii) In completing the space entitled "Amend License To Read As Follows" the applicant shall identify that portion of the license upon which amendment is requested and insert the proposed change.

(3) **Signature.** The signature of the licensee, or an officer or duly authorized agent of the licensee, shall be placed on the original of Form IA-763, in the space entitled "Signature". When such request is submitted by an officer or an agent authorized by the licensee, who may be a freight forwarder, attorney, or any other individual so authorized, he shall sign the request by entering the licensee's name underneath his own signature prefixed by the word "BY" and followed by his own title.

For example: Joseph Aloysius Jones
BY: Hamilton Newbold,
Agent.

(4) **Telegraphic requests.** Under emergency conditions, a request for amendment may be made by telegram, and the licensee may include therein a request that the

amendment, if approved, be forwarded to the Collector of Customs by telegram or telephone, the cost of the telegraphic or telephonic message being charged to the licensee. In such instances, the telegram shall include the same information required to complete Form IA-763, and, in addition, full information as to the necessity for such type of service, including deadline dates. If the request is submitted by mail on Form IA-763, but emergency clearance is requested, a letter setting forth full details as to the necessity for such service, including deadline dates, shall accompany the request for amendment.

(5) **Telephone requests.** Under emergency conditions, a request for amendment may be made by telephone and the licensee may include therein a request that the amendment, if approved, be transmitted to the Collector of Customs by telegram or telephone, the cost of the telegraphic or telephonic message being charged to the licensee. In such instances, the applicant shall supply the Office of Export Control with sufficient justification for the request and detailed information necessary for the completion of Form IA-763. If the amendment is approved, the Office of Export Control will so advise the applicant and the Collector. However, before the Collector will release the shipment under the amended license, the applicant must file a completed and signed Form IA-763 with the Collector.

(h) Action by Office of Export Control and U. S. Department of Commerce Field Offices On Amendment Request

(1) Action by Office of Export Control.

(i) **Approval.** When a request for an amendment of export license held by a Collector of Customs is approved, the Office of Export Control will validate all copies of Form IA-763 by imprinting in the space headed "Validation" a facsimile of the U. S. Depart-

§ 385.1

DEFINITIONS

(a) *Technical Data*

"Technical Data" means any professional, scientific or technical information, including any model, design, photograph, photographic film, document or other article or material, containing a plan, specification, or descriptive or technical information of any kind which can be used or adapted for use in connection with any process, synthesis, or operation in the production, manufacture, utilization, or reconstruction of articles or materials. The provisions of this Part 385 do not apply to "classified" technical data, i.e., technical data which have been officially assigned a security classification, i.e.: "top secret," "secret," or "confidential," by an officer or agency of the United States Government. The exportation of classified technical data is controlled by the Office of Munitions Control, U.S. Department of State, Washington, D.C. 20520. (See § 370.5.)

(b) *Exportation of Technical Data*^{1 2}

"Exportation of Technical Data" is defined as any release of unclassified technical data for use outside the United States. It includes the actual shipment out of the United States as well as the furnishing of data in the United States to persons with the knowledge or intention that the persons to whom it is furnished will take such data out of the United States.

¹ License applications for, or questions as to, the exportation of unclassified technical data relating to commodities which are licensed by government agencies other than the U.S. Department of Commerce shall be referred to the appropriate government agency for consideration.

² In addition to the regulations issued by the U. S. Patent Office, technical data contained in or related to inventions made in foreign countries or in the United States, are subject to the U.S. Department of Commerce regulations covering the exportation of technical data, in the same manner as the exportation of other types of technical data. Patent attorneys and others are advised to consult with the U. S. Patent Office, Washington, D. C. 20231, relative to the U. S. Patent Office Regulations concerning the filing of patent applications or amendments in foreign countries.

§ 385.2

GENERAL LICENSES

(a) *Which General License May Be Used*

(1) **Scientific and educational technical data.** Unclassified scientific or educational technical data, as described in paragraph (d) below, may be exported under the provisions of General License *GTDS* in either published or unpublished form. At the discretion of the exporter, scientific or educational technical data may be exported under General License *GTDP* or *GTDU* if the specified provisions of either of these general licenses are met (see paragraphs (b) and (c) below).

(2) **Other types of technical data.** Unclassified technical data which do not fall within the definition of "scientific" or "educational" as defined in paragraph (d) below, may be exported as follows:

(i) Under the provisions of General License *GTDP* if it is generally available in published form (see paragraph (b) below).

(ii) Under the provisions of General License *GTDU* if it is not generally available in published form (see paragraph (c) below).

A validated export license is required if the technical data are not exportable under the provisions of General License *GTDS*, *GTDP* or *GTDU*.

(b) *General License GTDP; Published Technical Data*

A general license designated *GTDP* is hereby established authorizing the exportation to all destinations of unclassified technical data generally available in *published* form. Technical data are considered as generally available in published form if they are:

- (1) Sold at newsstands or bookstores;
- (2) Available by subscription or purchase without restrictions to any person or available without cost to any person; or
- (3) Freely available at public libraries.

NOTE

Technical data which has not actually been printed but would be freely disclosed to the general public,

upon request, and which would be printed for public distribution if demand warranted, are also considered as "generally available in published form."

(c) General License GTDU; Unpublished Technical Data

(1) Applicability. A general license designated *GTDU* is hereby established authorizing the exportation of unclassified technical data, which are either unpublished or not generally available in published form (that is, technical data not exportable under the provisions of General License *GTDP*), subject to the other provisions and limitations set forth in this paragraph (c).

(2) Destination restrictions. This general license shall not be applicable to any exportation of technical data directly or indirectly to Country Group W, Y, or Z; except that technical data such as manuals, instruction sheets, or blueprints may be exported to any destination other than in Country Group Z, (including Cuba), provided that the technical data are:

(i) Sent as part of the transaction involving, and directly related to, a commodity licensed for export from the United States to the same consignee and destination to which the commodity was or will be exported;

(ii) Sent no later than one year following the shipment of the commodity to which the technical data are related;

(iii) Of a type normally delivered with the commodity;

(iv) Necessary to the assembly, installation, maintenance, repair, or operation of the commodity; and

(v) Not related to the production, manufacture, or construction of the commodity.

• **(3) Restrictions relating to particular types of technical data.** This general license shall not be applicable to technical data relating to the commodities described below in this paragraph (3). A validated license is

required for the export of the types of technical data described in (i), (ii), and (iii) of this paragraph (3) to all destinations except Canada. A validated license is required for the exportation of the type of technical data described in (iv) and (v) of this paragraph (3) to all destinations including Canada.

Except for the type of technical data described in (iv) and (v) of this paragraph, the limitations set forth in this paragraph (3) do not apply to the exportation of operating and maintenance instructional material. In addition, the limitations set forth in this paragraph (3) do not apply to the exportation of any technical data included in an application for the foreign filing of a patent, provided such foreign filing of a patent application is in accordance with the regulations of the United States Patent Office.

(i) Civil aircraft, civil aircraft equipment, parts, accessories, or components.

(ii) The following electronic commodities:

(a) Electrical and electronic instruments. Export Control Commodity No. 72952, specially designed for testing or calibrating the airborne direction finding, navigational and radar equipment described in Export Control Commodity No. 72499;

(b) Airborne transmitters, receivers, and transceivers, Export Control Commodity No. 72499;

(c) Airborne direction finding equipment, Export Control Commodity No. 72499; or

(d) Airborne electronic navigation apparatus and airborne radar equipment, Export Control Commodity No. 72952.

(iii) Neutron generators, employing the electrostatic acceleration of ions and specially designed parts and accessories for such neutron generators, Export Control Commodity No. 72970.

(iv) Maritime (civil) nuclear propulsion plants, their land prototypes, and special facilities for their construction, support, or maintenance, including any machinery, de-

vices, components, or equipment specifically developed or designed for use in such plants or facilities.

• (v) Technical data to be used for the purposes related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7 (b). All of the provisions set forth in §373.7 with respect to the exportation of commodities to be used in (a) designing, developing, fabricating, or testing nuclear weapons or nuclear explosive devices; or (b) devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions are hereby made equally applicable to technical data exported for these uses. An exportation of technical data to be used for these purposes, as well as an exportation of technical data which has been specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions as described in paragraph 373.7 (b) (3) requires a validated export license. In addition, the exporter shall request the advice of the originator of the technical data regarding the requirement of a validated export license,

if the exporter did not originate the data and if he has grounds for a reasonable doubt regarding the requirement of a validated export license. (See paragraph 373.7 (c).)

(4) Requirement of written assurance for certain data, services, and materials. No exportation of technical data of the kind described in paragraphs (i), (ii), and (iii) below may be made under the provisions of this General License *GTDU* until the exporter has received written assurance from the importer that neither the technical data nor the direct product¹ thereof is intended to be shipped, either directly or indirectly, to Country Group W, Y, or Z, except as provided in para-

¹ The term "direct product" used in this sentence and in this context only is defined to mean the immediate product (including processes and services) produced directly by use of the technical data, except that petroleum or chemical products other than molecular sieves or catalysts are not included in this definition. The coverage of the term does not extend to the results of the use of such "direct product." An example of the direct product of technical data is reforming process equipment designed and constructed by use of the technical data exported, but the aromatics produced by the reforming process equipment are not immediate or direct products of these technical data. However, if the technical data are a formula for producing aromatics, the aromatics, although they are immediate products of the data, are not included in this definition of direct product, since they are petroleum products. Conversely, if the technical data are a formula for producing either molecular sieves or catalysts, the foreign-produced molecular sieves and catalysts are included in the definition of direct product.

(Next page is Part 385, page 3)

the applicant will submit to the Department of Commerce detailing the technical data discussed or disclosed during the period of the license.

(v) The following certification:

"I (We) certify that if this application is approved, I (we) and any consultants, subcontractors, or other persons employed or retained by us in connection with the project thereby licensed will not discuss with or disclose to others, directly or indirectly, any technical data relating to United States naval nuclear propulsion plants. I (We) further certify that I (we) will furnish to the Department of Commerce all reports and information which it may require concerning specific transmittals or disclosures of technical data pursuant to any license granted as a result of this application."

(vi) A statement of the steps which the applicant will take to assure that personnel of the applicant, his consultant(s), and his subcontractor(s) will not discuss with or disclose to others technical data relating to United States naval nuclear propulsion plants.

(3) Special provisions for certain commodities. These special provisions are applicable to technical data relating to the following commodities:

(i) Civil aircraft, civil aircraft equipment, parts, accessories, or components not identified by the symbol "B" in the last column of the Commodity Control List (§ 399.1).

(ii) The following electronic commodities not identified by the symbol "B" in the last column of the Commodity Control List (§ 399.1):

(a) Electrical and electronic instruments, Export Control Commodity No. 72952, specially designed for testing or calibrating the airborne direction finding, navigational and radar equipment described in Export Control Commodity No. 72499;

(b) Airborne transmitters, receivers, and transceivers, Export Control Commodity No. 72499;

(c) Airborne direction finding equipment, Export Control Commodity No. 72499; or

(d) Airborne electronic navigation apparatus and airborne radar equipment, Export Control Commodity No. 72499.

(iii) Neutron generators employing the electrostatic acceleration of ions and designed for operation without an external vacuum system, and specially designed parts and accessories for such neutron generators, Export Control Commodity No. 72970.

(iv) For all license applications covering technical data relating to any of the commodities in (i), (ii), or (iii) above for export to any destination other than Country Group W, Y, or Z, an applicant shall attach to the license application a written statement of assurance from his foreign consignee that the technical data will not be reexported directly or indirectly to any country without prior authorization from the Office of Export Control. The statement shall also show that the direct product¹ produced by use of the technical data will not be exported directly or indirectly to Country Group W, Y, or Z without prior authorization from the Office of Export Control. However, if the United States exporter is not able to obtain the required statement, or the consignee is unwilling to furnish assurances with respect to all of the requirements, the exporter may attach an explanatory statement to his license application setting forth the reasons therefor.

• (4) Special provisions for the exportation of technical data for the purposes related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraphs 373.7.(b). These special provisions are applicable to technical data to be used in (a) designing, developing, or fabricating nuclear

¹ The term "direct product" used in this sentence and in this context only, is defined to mean the immediate product (including processes and services) produced directly by use of the technical data. The coverage of the term does not extend to the results of the use of such "direct product." For example, if the technical data relate to the design of a new or improved airborne transmitter, the airborne transmitter produced from such data is a direct product of the data. However, if the technical data relate to the design of equipment which will be used for the production of airborne transmitters, then the equipment rather than the transmitter is the direct product of the technical data.

weapons or nuclear explosive devices, or (b) devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions. These special provisions are also applicable to technical data which has been specifically designed or specifically modified for use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions. (See § 373.7.) Each application for a license to export such technical data shall be completed in accordance with the instructions set forth in part 372 and paragraph 373.7 (d) with the following modifications:

(i) Reference to the "supplier" or "manufacturer" in paragraph 373.7 (c) (3) means, for purposes of the provisions relating to the exportation of technical data, the originator of the technical data whenever the exporter is not the originator thereof.

(ii) The applicant shall supply, if applicable, in the space for the commodity description, any specific modifications or adaptations of the technical data which make the data capable of use in devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions, as described in paragraph 373.7 (b).

(5) **Completion of Application Processing Card Form, FC-420.** The Application Processing Card, Form FC-420, shall be completed as provided in § 372.5 except that the Export Control Commodity number, processing code, related commodity group number, and commodity description shall be omitted and the symbol "TD" shall be entered in the space provided for the processing code.

(d) Letter of Explanation

Each application shall be supported by a comprehensive letter of explanation in duplicate, setting forth all the necessary facts required to present to the Office of Export Control a complete disclosure of the relationship existing between the applicant and the consignee and to describe adequately the type of technical data to be exported. The letter of explanation should present a com-

posite picture of the kind and types of technical data, the uses for which such data will be employed, identification of all parties to the transaction, and specification of the conditions or agreements relative thereto.

(e) Issuance and Use of Validated Licenses

When an application for a license to export technical data is approved by the Office of Export Control, an export license will be issued on Form FC-628, authorizing, subject to the provisions of the Export Regulations and to the terms and provisions of such license, the exportation of the types of technical data described therein.

(f) Export Clearance

The Technical Data license shall be deposited with the Collector of Customs at the port of exit before placing the data on a pier, or dock or other place of loading, for the purpose of exporting by water or air. Similarly, the technical data license shall be deposited with the Postmaster before exporting the technical data by mail, including surface and air parcel post.

(g) Amendments

Requests for amendments shall be made in accordance with the provisions of § 380.2.

(h) Other Applicable Provisions

Insofar as consistent with the provisions of this § 385.4, all of the provisions of the Export Regulations shall apply equally to applications for licenses and licenses issued under this section.

§ 385.5

PRESENTATION OF SHIPPER'S EXPORT DECLARATION

Prior to the exportation or release of technical data for foreign use a Shipper's Export Declaration, in the number of copies set forth in paragraph 379.3 (c), shall be presented to

the Collector of Customs at the port of exit. Technical data exported by mail, including surface or air parcel post, or by telegram, wireless, cable, or telephone do not require the presentation of a Declaration. However, where a partial shipment is made by mail under authority of a validated license deposited with the Collector of Customs, a duplicate Declaration, authenticated by the Collector of Customs, as set forth in paragraph 379.1(b) (1) (ii), shall be presented to the Postmaster.

§ 385.6

REEXPORTATIONS

(a) *Prohibited Reexportations*

(1) **General license.** Unless the reexportation of technical data exported from the United States under a general license has been specifically authorized by the Office of Export Control or is otherwise authorized under the provisions of paragraph 385.6(b) below, no person in the United States or in a foreign country may:

(i) Reexport such technical data, directly or indirectly, in whole or in part, from the authorized country or countries of ultimate destination;

(ii) Export such technical data from the United States with the knowledge that it is to be reexported, directly, or indirectly, in whole or in part, from the authorized country or countries of ultimate destination.

(2) **Validated license.** Unless the reexportation of technical data exported from the United States under a validated license or the direct product or products of such technical data manufactured abroad as are covered by paragraph 385.2(c) (4) have been specifically

authorized by the Office of Export Control or are otherwise authorized under the provisions of paragraph 385.6(b) below, no person in the United States or in a foreign country may:

(i) Reexport such technical data or such direct products thereof, directly or indirectly, in whole or in part, from the country or countries of ultimate destination shown on the export license or in the destination control statement on the Shipper's Export Declaration, Bill of Lading, commercial invoice; or

(ii) Export such technical data from the United States with the knowledge that it or such direct products thereof are to be reexported, directly or indirectly, in whole or in part, from the country or countries of ultimate destination shown in the destination control statement shown on the export license or in the Shipper's Export Declaration, Bill of Lading, or commercial invoice.

(iii) Export or reexport, directly or indirectly, in whole or in part, from the authorized country or countries of ultimate destination, the direct product or products manufactured abroad by use of such technical data as are covered by paragraph 385.2(c) (4).

(b) *Permissive Reexportations*

Any technical data which have been exported from the United States may be reexported from any destination to any other destination provided that, at the time of reexportation, the technical data to be reexported may be exported directly from the United States to the new country of destination under General License *GTDP*, *GTDU* or *GTDS*.

**GENERAL NOTES TO COMMODITY
CONTROL LIST****(a) Export Control Commodity Number**

Commodities are listed in numerical order by Export Control Commodity numbers, which appear in the first column of the Commodity Control List. These numbers have either three or five digits and correspond with the first three or five digit numbers shown in the Department of Commerce publication, *Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States*, and must be shown on all export license applications.

(b) Commodity Description

(1) Partial coverage of Export Control Commodity Number. Where the commodity description of an entry on the Commodity Control List mentions only a part of the commodities covered by an Export Control Commodity number, only the commodity or commodities specifically mentioned are included in that entry.

EXAMPLE

The Commodity Control List shows two entries under Export Control Commodity No. 25150. One entry covers the commodity description "Cotton pulp" and requires a validated license for shipments to Country Groups Y and Z; while the other entry covers the commodity description "Pulp other than cotton pulp" and requires a validated license for shipments to Country Group Z only. Therefore, cotton pulp may be exported to Country Groups T, V, W, and X without a validated export license; however, other types of pulp may be exported to Country Groups T, V, W, X, and Y without a validated export license.

(2) Unnumbered captions. The unnumbered captions set forth in the "Commodity Description" column serve only to identify the broad categories of commodities within which the numbered commodities are to be found in the Commodity Control List.

(c) Quantity Classifications

The quantity classification given for each commodity in the "Unit" column must be

shown on the export license application. If dots (. . .) are set forth in the unit column, the application should show the unit of quantity commonly used in the trade.

(d) Commodity Processing Codes

The commodity processing codes, referred to in the "Processing Code and Related Commodity Group No." column, are used to facilitate the routing and processing of export license applications within the Office of Export Control. Related commodities are commodities which have the same processing code symbol and the same number following such symbol.

For each entry there is a four-letter symbol (e.g., GIEQ, STEE, TRAN), known as the processing code, which must be shown on the application for export license. In most cases this symbol is followed by a number, which is known as the related commodity group number. This number, which also must be shown on the application, indicates that all entries having the same processing code and number may be entered on a single application for export license. (For complete information on the inclusion of related commodities on a single application, see paragraph 372.5(e).)

Commodity processing codes, arranged in three groups corresponding to the three product divisions in the Office of Export Control that license the commodities, are shown in § 399.4.

• (e) Validated License Required

A validated license is required for exportation of a commodity to any destination included in a country group, the symbol of which appears in the column headed "Validated License Required for Country Groups Shown Below." In a few cases a footnote in this column will indicate that a validated license is required for exportation of a commodity to a specified destination in addition to a country group. A validated license is also required for the exportation of any com-

modity relating to nuclear weapons, nuclear explosive devices, or nuclear testing to any destination, including Canada, as described in paragraph 373.7(b).

A validated license is not required if the exportation may be made under one of the general licenses, as set forth in Part 371, or under other provisions permitting the exportation without a license. Any exportation for which a validated license is not required by the information set forth in this column may be made under the provisions of General License *G-DEST*. (See § 371.7.)

• (f) *GLV Dollar Value Limits*

The column headed "GLV \$ Value Limits for Shipment to Country Groups T, V, and X" has reference to the dollar-value limits of commodities which may be exported to Country Group T, V, or X, under the pro-

visions of General License *GLV*. (See § 371.10.) However, no exportation may be made under the provisions of General License *GLV*, regardless of the entry in this column of any commodity relating to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b). A dash (–) indicates that the commodity may *not* be exported under General License *GLV* to the Country Group heading the column; however, in some of these instances an unlimited quantity of the commodities may be exported under General License *G-DEST* (see § 371.7)

(g) *Definitions*

(1) **Abbreviation "n.e.c."** The abbreviation "n.e.c." appearing in various entries on the Commodity Control List means "not elsewhere classified."

References on the Commodity Control List to Special Provisions

Under each commodity section heading on the Commodity Control List, there are references to the sections of the Comprehensive Export Schedule which contain special provisions for any commodity in that commodity section. The sections referred to are arranged in Part 373, Licensing Policies and Related Special Provisions, under commodity section headings which correspond with those on the Com-

modity Control List. (See "How to Use Part 373" preceding Part 373.)

Individual entries subject to some of these special provisions, as well as commodities subject to special types of licenses, are identified by a letter symbol in the last column on the Commodity Control List (see page 3 of General Notes).

EXPLANATION OF SYMBOLS AND DESIGNATIONS ON THE COMMODITY CONTROL LIST

A validated license is required for a commodity exported to a country group listed in this column unless the shipment may be made to the indicated country group under the provisions of a general license, e.g., General License GLV. Regardless of the country group listing in this column a validated license is required for an exportation to any destination, including Canada, of any commodity relating to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in paragraph 373.7(b). A validated license is not required for shipments to Canada intended for consumption in Canada except as indicated above.

These columns show the dollar-value limits of shipments which may be made under General License GLV to the country group heading the column (see § 371.10). No shipments may be made under General License GLV however, regardless of the entry in this column of any commodity related to nuclear weapons, nuclear explosive devices, or nuclear testing as described in paragraph 373.7(b).

A dash (—) indicates that the commodity may not be exported under General License GLV to the country group heading the column (see § 371.10). In some instances an unlimited quantity of the commodity may be exported under the provisions of General License G-DEST (§ 371.7).

\$500 value of carboxyl terminated polybutadiene may be exported to Group T countries under the provisions of General License GLV (see § 371.10).

A—Subject to import certificate/delivery verification procedure (see § 373.2).

E—Periodic Requirements licensing procedure is applicable (see § 376.2 for PRL commodity groups).

B—Identifies commodities subject to certain provisions of the export regulations. For example, see §§ 370.4(c)(2), 371.11(b)(1), 371.21(a), 373.4(a)(2).

Export Control Commodity Numbers contain either three or five digits and correspond with the initial digits of Schedule B Numbers.

"Specify by name" means that the license application must name each item of manufacture proposed for shipment.

Licensed in terms of total dollar value (see § 372.11(b)).

Commodity processing code (see Part 399.1, page 1).

Related commodity group number (see Part 399.1, page 1).

Where the commodity description of an entry mentions only a part of the commodities covered by an Export Control Commodity Number, only the commodity or commodities specifically mentioned in that entry are subject to the export controls for that entry.

Since only the symbol "Z" appears in this entry, unlimited quantities of this commodity may be exported to Country Groups T, V, W, X, and Y without the need for obtaining a validated license (see General License G-DEST, § 371.7).

The foreign countries of the world are divided into Canada and six country groups (Country Groups T, V, W, X, Y and Z). § 370.1(g) lists the countries in each of the country groups.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipments to Country Groups			Special Pro- visions Lists
				T	V	X	
23120 Carboxyl terminated polybutadiene.	Lb.	RUBR 1	TVWXYZ	500	—	—	A
23120 Copolymers of methyl vinyl-pyridine and butadiene.	Lb.	RUBR 2	VWXYZ	—	25	—	E-1
23120 Synthetic rubbers, cis-types (for example, cis-polyisoprene and cis-polybutadiene).	Lb.	RUBR 8	WXYZ	—	—	100	B
23120 Other synthetic rubbers.	Lb.	RUBR 8	XYZ	—	—	100	B
23130 Reclaimed rubber (natural and synthetic).	Lb.	RUBR 8	YZ	—	—	—	B
26622 Continuous filament tow wholly made of fluorocarbon polymers or copolymers. (Specify by name).	Lb.	RESN 1	TVWXYZ	500	500	—	AE-3
63272 Household utensils of wood.	.....	AGRI 8	Z	—	—	—	B

COMMODITY SECTIONS AND SUB-SECTIONS

Export Control Commodity classifications are divided into major Sections which in turn are subdivided into Sub-Sections of related commodities. Below are the titles of the Sections and Sub-Sections appearing on the Commodity Control List, and initial page number of each Section and Sub-Section.

Section Number	Commodity Section and Sub-Section	Commodity Control List Page No.
0	Food and Live Animals	CCL-1
	Live animals	CCL-1
	Meat and meat preparations.....	CCL-1
	Dairy products and eggs.....	CCL-1
	Fish and fish preparations.....	CCL-1
	Cereals and cereal preparations.....	CCL-1
	Fruit and vegetables.....	CCL-2
	Sugar, sugar preparations, and honey.....	CCL-3
	Coffee, tea, cocoa, spices, and manufactures thereof.....	CCL-3
	Feeding-stuff for animals, excluding unmilled cereals.....	CCL-3
	Miscellaneous food preparations.....	CCL-4
1	Beverages and Tobacco	CCL-4
	Beverages	CCL-4
	Tobacco and tobacco manufactures.....	CCL-4
2	Crude Materials, Inedible, Except Fuels	CCL-5
	Hides, skins, and fur skins, undressed.....	CCL-5
	Oil-seeds, oil nuts, and oil kernels, and flour and meal of oil seeds, nuts, and kernels...	CCL-5
	Crude rubber, including synthetic and reclaimed rubber.....	CCL-5
	Wood, lumber, and cork.....	CCL-6
	Pulp and waste paper.....	CCL-7
	Textile fibers, not manufactured into yarn, thread, or fabrics, and their waste.....	CCL-7
	Crude fertilizers and crude minerals, excluding coal, petroleum, and precious stones..	CCL-9
	Metalliferous ores and metal scrap.....	CCL-10
	Crude animal and vegetable materials, n.e.c.....	CCL-12
3	Mineral Fuels, Lubricants, and Related Products	CCL-13
	Coal, coke, and briquets.....	CCL-13
	Petroleum and petroleum products.....	CCL-13
	Gas, natural and manufactured.....	CCL-17
4	Animal and Vegetable Oils and Fats	CCL-17
	Animal oils and fats.....	CCL-17
	Vegetable oils and fats, except hydrogenated.....	CCL-17
	Fatty acids, waxes, and specially treated fats and oils, excluding petroleum products..	CCL-18
	Animal and vegetable oils and fats, n.e.c., for relief or charity.....	CCL-18
5	Chemicals	CCL-18
	Chemical elements and compounds.....	CCL-18
	Mineral tar, tar oils, and crude chemicals from coal, petroleum, and natural gas....	CCL-31
	Dyeing, tanning, and coloring materials, natural and synthetic.....	CCL-31
	Medicinal and pharmaceutical products.....	CCL-33
	Essential oils and perfume materials; toilet, polishing, and cleansing preparations...	CCL-35
	Fertilizers, manufactured	CCL-35
	Explosives and pyrotechnic products.....	CCL-35
	Plastic materials, regenerated cellulose, and artificial resins.....	CCL-37
	Chemical materials and products, n.e.c.....	CCL-39

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
51205 Esters of dibasic saturated aliphatic acids combined with polyglycols, where one or both of the two constituents contain six or more carbon atoms.	Lb.	ORGN 2	TVWXYZ	500	100	—	E-14
51205 Polyphenyl ethers containing more than three phenyl groups.	Lb.	ORGN 1	TVWXYZ	500	250	—	A E-14
51205 Triethylene glycol di 2-ethyl-butyrate	Lb.	ORGN 2	TVWXYZ	500	100	—	E-14
51205 Methyl stearate; and triethyl phosphate. . .	Lb.	ORGN 8	YZ	—	—	—	B
51205 All other plasticizers.	Lb.	ORGN 8	XYZ	—	—	100	B
51206 Fungicides; herbicides; dichlorodiphenyl trichloroethane (DDT); polychlor insecticides; organic phosphate insecticides; copper (cupric) acetoarsenite (Paris green); sulphoxide N-Octyl sulphoxide of isosafrole; fumigants (soil, grain, industrial); and soil conditioners. (Specify by chemical name.)	Lb.	AGSU 8	XYZ	—	—	100	B
51206 Other insecticides; rodenticides and fumigants <i>the following only</i> : phenyl mercury acetate; benzene hexachloride, technical; paradichlorobenzene; sodium fluoroacetate; Dowfume 75®; and Dowfume MC-2®.	Lb.	AGSU 8	YZ	—	—	—	B
51206 Other pesticides and synthetic agricultural chemicals (technical, not formulations). ¹	Lb.	SALT 8	YZ	—	—	—	B
51207 Anti-knock agents	Lb.	ORGN 8	WXYZ	—	—	100	B
51207 Nerol and phenyl nerol.	Lb.	ORGN 8	XYZ	—	—	100	B
51207 Other chemicals for flavor and perfumery use, natural origin. (Specify by chemical name.)	Lb.	ORGN 8	YZ	—	—	—	B
51207 Other chemicals for flavor and perfumery use, synthetic origin; compounds containing natural and/or synthetic essential oils.	Lb.	ORGN 8	Z	—	—	—	B
51207 Diastefor; rennet, dry or liquid; rennin; and thromboplastin.	Lb.	DRUG 8	Z	—	—	—	B
51207 Other enzymes	Lb.	DRUG 8	XYZ	—	—	100	B
51208 Diorthotolylurethane; diphenylurethane; ethyl phenyl urethane; methyl NN-diphenylurea (methyl unsymmetrical diphenylurea); 2-nitrodiphenylamine; and NN-diphenylurea (unsymmetrical diphenylurea).	Lb.	ORGN 3	TVWXYZ	500	—	—	A E-14
51208 Ethyl centralite; ethyl NN-diphenylurea (ethyl unsymmetrical diphenylurea); and methyl centralite.	Lb.	ORGN 3	TVWXYZ	500	100	—	A E-14
51208 Polyphenyl ethers containing more than three phenyl groups.	Lb.	ORGN 3	TVWXYZ	500	250	—	A E-14
51208 Alphatrioxymethylene (for example, Trioxane®).	Lb.	ORGN 8	WXYZ	—	—	100	B
51208 Cadmium salicylate	Lb.	ORGN 8	YZ	—	—	—	B
51208 Xanthophyll feed supplement	Lb.	DRUG 8	Z	—	—	—	B
51208 Photographic chemicals, films developers only.	Lb.	ORGN 8	Z	—	—	—	B

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¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
51208 Other cyclic chemical products, n.e.c. ¹	Lb.	ORGN 8	XYZ	—	—	100	B
51209 Guanidine nitrate	Lb.	SALT 1	TVWXYZ	500	100	—	A E-13
51209 3 nitraza-1,5 pentane diisocyanates [di (2-isocyano ethyl) nitramine].	Lb.	SALT 1	TVWXYZ	500	—	—	A
51209 Tetrazene [1-guanyl (5' tetrazolyl) 4 guanyltetrazine hydrate].	Lb.	SALT 1	TVWXYZ	500	—	—	A E-13
51209 Chloropentafluorobutadiene	Lb.	SALT 1	TVWXYZ	500	500	—	A E-14
51209 Copolymers of bromotrifluoroethylene and chlorotrifluoroethylene.	Lb.	SALT 1	TVWXYZ	500	500	—	A E-14
51209 Dibromotetrafluoroethane	Lb.	SALT 1	TVWXYZ	500	25	—	A E-14
51209 Difluoroethane; monochlorodifluoroethane; and monochlorodifluoromethane. (Specify by name.)	Lb.	SALT 2	TVWXYZ	500	100	—	E-14
51209 Fluoroalcohol esters	Lb.	ORGN 1	TVWXYZ	500	250	—	A E-14
51209 Hexafluoropropylene	Lb.	SALT 1	TVWXYZ	500	500	—	A E-14
51209 Polybromotrifluoroethylene	Lb.	SALT 1	TVWXYZ	500	25	—	A E-14
51209 Tetrafluoroethylene	Lb.	SALT 1	TVWXYZ	500	25	—	A E-14
51209 Tetrafluoromethane	Lb.	SALT 2	TVWXYZ	1,000	1,000	—	E-14
51209 Trichlorotrifluoroethane; and dichlorotetrafluoroethane. (Specify by name.)	Lb.	SALT 1	TVWXYZ	500	500	—	A E-14
51209 Trifluoromonoethoxyethylene	Lb.	SALT 1	TVWXYZ	500	25	—	A E-14
51209 Vinylidene fluoride	Lb.	SALT 1	TVWXYZ	500	100	—	A E-14
51209 Trichloroethylene specially purified and/or neutrally stabilized for precision type metal cleaning or degreasing.	Lb.	ORGN 2	TVWXYZ	500	—	—	
51209 Bromomonoethoxydifluoromethane; dibromodifluoromethane; dibromomonoethoxytrifluoroethane; monobromotrifluoromethane; monochloropentafluoroethane; monochlorotrifluoromethane; octafluorocyclobutane; and tetrachlorodifluoroethane.	Lb.	ORGN 8	WXYZ	—	—	100	B
51209 Other organo-fluorine compounds, n.e.c. ¹	Lb.	SALT 8	XYZ	—	—	100	B
51209 Organic flocculating agents.....	Lb.	ORGN 8	WXYZ	—	—	100	B
51209 Barium styphnate	Lb.	SALT 2	TVWXYZ	500	100	—	E-13
51209 Bis 2 (2, 2' dinitropropyl) formal and acetal	Lb.	ORGN 1	TVWXYZ	500	250	—	A
51209 2-cyanoacetamide	Lb.	ORGN 2	TVWXYZ	500	100	—	
51209 Diethylaminoethanol	Lb.	ORGN 2	TVWXYZ	500	100	—	
51209 Diethylene triamine	Lb.	ORGN 1	TVWXYZ	500	500	—	A E-14
51209 Di-ethyl methyl phosphonite	Lb.	ORGN 2	TVWXYZ	500	25	—	
51209 Di-isopropyl amino ethyl chloride hydrochloride.	Lb.	ORGN 2	TVWXYZ	500	25	—	
51209 Di-isopropyl carbodiimide	Lb.	ORGN 2	TVWXYZ	500	100	—	
51209 2-di-isopropyl aminoethanol	Lb.	ORGN 2	TVWXYZ	500	100	—	
51209 Di-methyl hydrogen phosphite.....	Lb.	ORGN 2	TVWXYZ	500	25	—	
51209 2, 2' dinitropropanol.....	Lb.	ORGN 1	TVWXYZ	500	—	—	A

¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
ESSENTIAL OILS AND PERFUME MATERIALS; TOILET, POLISHING, AND CLEANSING PREPARATIONS							
55110 Essential oils and resinoids.....	Lb.	DRUG 8	Z	—	—	—	B
55120 Flavor and perfume materials, other than chemical; flavor oil and perfume oil mixtures and blends.	Lb.	AGRI 8	Z	—	—	—	B
55300 Deodorants, non-personal .....	.....	AGSU 8	YZ	—	—	—	B
55300 Shaving preparations; perfumes; toilet water; colognes; hair preparations; dental creams; tooth pastes; mouth washes; cosmetic creams; lotions; balms; rouges; lipstick; eye make up; deodorants, personal; depilatories; and manicuring preparations.	.....¹	DRUG 8	Z	—	—	—	B
55410 Soaps.	Lb.	AGRI 8	Z	—	—	—	B
55420 Surface-active detergents, <i>the following only</i> : Areskap 50 and 100; Arelacel®; Avitex®; Igepal® CO-403, CO-530, and CO-850; Mopelwet Z®; Neu- tronyx 300 and 834; Sapamine MS and WL®; Sequestrene®A, AA, and NA-2; Spans; and Tweens®.	Lb.	SALT 8	Z	—	—	—	B
55420 Other surface-active agents.....	Lb.	SALT 8	XYZ	—	—	100	B
55420 Detergents, <i>the following only</i> : Ethomid HT® 15; Intramin® WK and Y; and Permalene® A-100, A-120, and A-180.	Lb.	SALT 8	XYZ	—	—	100	B
55420 Other detergents and washing preparations, n.e.c.	Lb.	SALT 8	Z	—	—	—	B
55430 Rifle cleaning compounds; and abrasive pastes, compounds, and cake, except chemical.	Lb.	FINP 8	XYZ	—	—	100	B
55430 Steel burnishing mixture.....	Lb.	FINP 8	YZ	—	—	—	B
55430 Other cleansers and polishes; and leather dressings and finishes.	Lb.	FINP 8	Z	—	—	—	B
FERTILIZERS, MANUFACTURED							
56100 Natural animal or vegetable fertilizers chemically treated; and mixed fertilizers, <i>exclud- ing ammonium phosphates</i> .	S. ton	AGSU 8	YZ	—	—	—	B
56100 Superphosphate; and potassic fertilizer, <i>ex- cluding potassium chloride</i> .	S. ton	AGSU 8	Z	—	—	—	B
56100 Other chemical fertilizers.....	S. ton	AGSU 8	XYZ	—	—	100	B
EXPLOSIVES AND PYROTECHNIC PRODUCTS ²							
57112 Oil well bullets; and jet perforators ³	Lb.	CONS 2	VWXYZ	—	500	—	E-12

² Trademark registered in the Patent Office of the United States.

¹ Report dental creams, tooth pastes, and other dental preparations in "pound."

² See paragraph 370.5(a) for explosives which require export authorization from the U. S. Department of State.

³ All oil well bullets, jet perforators, shaped charges or pellets used in oil well operations are under the jurisdiction of the U. S. Department of Commerce whether or not they contain explosive compounds mentioned on the Munitions List, paragraph 370.5(a).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
57112 Prepared explosives and priming compositions containing one or more of the following chemicals: mercury fulminate; lead azide; lead styphnate; lead thiocyanate; tetrazine; or diazo-dinitrophenol.	Lb.	ORGN 3	TVWXYZ	500	25	—	A E-14
57112 Prepared explosives and priming compositions containing either or both of the following chemicals: barium styphnate, or lead dinitroresorcinate.	Lb.	SALT 2	TVWXYZ	500	25	—	E-14
57112 Other explosives. ¹	Lb.	SALT 8	XYZ	—	—	100	B
57121 Mining, blasting and safety fuses. [Report ordnance fuses in Export Control Commodity No. 95106.]	Lin. ft.	ORGN 8	XYZ	—	—	100	B
57122 Electric squibs; Nos. 6 and 8 blasting caps, electric and nonelectric; delay electric blasting caps, including Nos. 6 and 8 and millisecond; seismograph electric blasting caps, including SSS, Static-Master, Vibrocap SR, and SEISMO SR. ²	M	ORGN 8	XYZ	—	—	100	B
57130 Caps for cap (toy) pistols; firecrackers; pyrotechnic fountains, Roman candles, salutes, skyrockets and other commercial fireworks and pyrotechnics for entertainment only.	.....	FINP 8	YZ	—	—	—	B
57130 Other nonmilitary pyrotechnical articles. ³	.....	FINP 8	XYZ	—	—	100	B
57140 Shotgun shells, and parts; and cartridges for powder-actuated industrial devices.	.....⁴	FINP 8	XYZ ⁵	—	—	100	B
57140 BB shot	.....	FINP 8	Z	—	—	—	B
57140 Parts for other hunting and sporting ammunition, any caliber, except cartridge cases, powder bags, bullets, jackets, cores, cartridge shells projectiles, boosters, fuses and components therefor, primers, and other detonating devices. (Specify by name.) ⁶	.....	FINP 5	TVWXYZ	500	100	—	A

¹ See paragraph 370.5(a) for explosives which require export authorization from the U. S. Department of State.² Other blasting caps, igniters and detonators require authorization from the U. S. Department of State. See paragraph 370.5(a).³ Military pyrotechnical articles require export authorization from the U. S. Department of State. See paragraph 370.5(a).⁴ Report shotgun shells and cartridges in "thousand."⁵ A validated export license is also required for shipments to the Republic of South Africa of shotgun shells and parts. In addition, a GLV dollar-value limit of \$50 is established for the shipment of shotgun shells, and \$100 for the shipment of parts for shotgun shells, to the Republic of South Africa.⁶ Export authorization from the U. S. Department of State is required for cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuses and components therefor, primers and other detonating devices. See paragraph 370.5(a).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
69899 Liquefied gas containers of nonferrous base metals, n.e.c., jacketed only, (a) 250 to 500 gallon capacity, designed for liquid fluorine, or (b) 500 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon, or fluorine, <i>except 2-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.</i> ^{1, 2}	.....	FINP 1	TVWXYZ	500	100	—	A E-8
69899 Other liquefied gas containers of nonferrous base metals, n.e.c., jacketed only, (a) designed to maintain temperatures below minus 130° C. (minus 202° F.), or (b) 500 gallon capacity or over. ¹	.....	FINP 4	TVWXYZ	500	500	—	E-3
69899 Other gas shipping and storage containers...	.....	STEE 8	WXYZ	—	—	100	B
69899 Castings and forgings of aluminum alloy which have (a) an average copper content of 1 percent or more irrespective of other elements, or (b) an average copper content of less than 1 percent and (i) a zinc content of 4 percent or more, (ii) a silicon content of 3.5 percent or more, or (iii) a magnesium content of 9.5 percent or more.	Lb.	NONF 8	WXYZ	—	—	100	B
69899 Castings and forgings of other aluminum and aluminum alloy.	Lb.	NONF 8	XYZ	—	—	100	B
69899 Castings and forgings of antimony and antimony alloy.	Lb.	MINL 8	Z	—	—	—	B
69899 Beryllium and beryllium alloy castings and forgings containing more than 50 percent beryllium. (Specify by name.)	Lb.	MINL 1	TVWXYZ	500	500	—	A
69899 Other beryllium alloy castings and forgings.	Lb.	MINL 8	XYZ	—	—	100	B
69899 Bismuth and bismuth alloy castings and forgings.	Lb.	MINL 8	XYZ	—	—	100	B
69899 Boron metal and boron alloy castings and forgings containing 5 percent or more boron.	Lb.	MINL 1	TVWXYZ	500	100	—	A E-7
69899 Cadmium and cadmium alloy castings and forgings.	Lb.	NONF 8	YZ	—	—	—	B
69899 Calcium metal castings and forgings containing less than one hundredth (0.01) percent by weight of impurities other than magnesium and less than 10 parts per million of boron.	Lb.	MINL 1	TVWXYZ	500	—	—	A E-7
69899 Chromium and chromium alloy castings and forgings.	Lb.	MINL 8	Z	—	—	—	B
69899 Cobalt metal castings and forgings; and cobalt alloy castings and forgings containing any of the following: (a) 50 percent or more cobalt, (b) 19 percent or more cobalt and 14 percent or more chromium or less than 1 percent carbon, or (c) 19 percent or more cobalt and 14 percent or more chromium and 3 percent or more molybdenum. (Specify by name.)	Lb.	MINL 6	TVWXYZ	500	100	—	

¹ A jacketed container is a thermos type container that has more than one wall and is insulated by a vacuum or by insulation material.² Average evaporation loss is to be calculated as a percentage of the total liquid capacity of the container under ambient temperature conditions of plus 75° F. (plus 24° C.) or higher and without exposure to direct sunlight.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
69899 Other cobalt alloy castings and forgings. . .	Lb.	MINL 8	WXYZ	—	—	100	B
69899 Columbium and columbium alloy castings and forgings. (Specify by name.)	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
69899 Gallium and gallium alloy castings and forgings, <i>except of electronic grades containing less than 1 percent gallium.</i>	Lb.	MINL 2	TVWXYZ	500	—	—	E-7
69899 Germanium metal castings and forgings having a resistivity of 50 ohms centimeter or greater.	Lb.	MINL 2	TVWXYZ	500	—	—	E-7
69899 Other germanium metal castings and forgings.	Lb.	MINL 8	WXYZ	—	—	100	B
69899 Hafnium metal and hafnium alloy castings and forgings containing more than 15 percent hafnium by weight. (Specify hafnium content.)	Lb.	MINL 1	TVWXYZ	500	—	—	A E-7
69899 Lead and lead alloy castings and forgings..	Lb.	NONF 8	Z	—	—	—	B
69899 Lithium and lithium alloy castings and forgings.	Lb.	MINL 1	TVWXYZ	500	—	—	A E-7
69899 Magnesium alloy castings and forgings containing 0.4 percent or more zirconium, or 1 percent or more of rare earth metals (cerium misch metal). (Specify by name.)	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
69899 Manganese and manganese alloy castings and forgings.	Lb.	MINL 8	Z	—	—	—	B
69899 Molybdenum and molybdenum alloy castings and forgings. (Specify by name.)	Lb.	MINL 3	TVWXYZ	500	100	—	A E-8
69899 Nickel alloy castings and forgings containing 32 percent or more nickel, <i>except nickel-copper alloys containing not more than 6 percent of other alloying elements.</i> (Specify by name with complete metal analysis.)	Lb.	NONF 6	TVWXYZ	500	100	—	E-8
69899 Other nickel and nickel alloy castings and forgings.	Lb.	NONF 8	WXYZ	—	—	100	B
69899 Polonium metal castings and forgings.....	Lb.	MINL 2	TVWXYZ	500	—	—	E-7
69899 Rhenium and rhenium alloy castings and forgings.	Lb.	MINL 2	TVWXYZ	500	—	—	E-7
69899 Tin and tin alloy castings and forgings. . .	Lb.	NONF 8	Z	—	—	—	B
69899 Tantalum and tantalum alloy castings and forgings. (Specify by name.)	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
69899 Titanium and titanium alloy castings and forgings. (Specify by name.)	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
69899 Tungsten and tungsten alloy castings and forgings, <i>except pressed-sintered forms weighing less than 20 pounds.</i>	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
69899 Vanadium and vanadium alloy castings and forgings.	Lb.	MINL 8	XYZ	—	—	100	B
69899 Yttrium and yttrium alloy castings and forgings.	Lb.	MINL 2	TVWXYZ	500	—	—	E-7
69899 Zinc and zinc alloy castings and forgings..	Lb.	NONF 8	Z	—	—	—	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71492 Parts and accessories for the following machines: multitype typewriters (for example, Variotypers®); automatic typing devices with punched tape mechanisms (for example, Justowriters®); listing-adding machines; and photo composing machines (for example, Coxheadliners®, Headliners®, and Typros®).	.....	FINP 8	YZ	—	—	—	B
71492 Other parts and accessories for other office machines.	.....	FINP 8	Z	—	—	—	B
Machine tools for working metals [Report parts in Export Control Commodity No. 71954]:							
71510 Machine tools designed for or equipped with electronic closed loop control systems in which a continuous feedback of information from the actual operation results in continuous correction of control commands, <i>excluding those control systems designed solely for positioning operations.</i> (See § 399.2, Interpretation 7.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machine tools designed for or equipped with electronic closed loop control systems designed solely for positioning operations. (See § 399.2, Interpretation 7.)	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Jig boring machines with longitudinal, transverse or vertical table travel exceeding 44 inches.	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Armor plate drilling machines.....	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Hollow drill deep-hole drilling machines.....	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Gear-hobbing machines capable of producing gears of diametral pitch finer than 48. (See § 399.2, Interpretation 3.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Gear-tooth finishing machines, n.e.c., all types designed for work on gears of finer than 48 diametral pitch. (See § 399.2, Interpretation 3.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Gear-tooth grinding machines, capable of grinding gears finer than 48 diametral pitch. (See § 399.2, Interpretation 3.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Gear-tooth grinding machines, generating types, with work capacity of 36 inches diameter and over. (See § 399.2, Interpretation 3.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Gear cutting machines, n.e.c., capable of producing gears of diametral pitch finer than 48. (See § 399.2, Interpretation 3.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Other gear tooth grinding machines and gear cutting machines.	No.	TOOL 8	WXYZ	—	—	100	B
71510 Jet engine rotor grinders.....	No.	TOOL 1	TVWXYZ	500	500	—	A

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Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71510 External cylindrical grinding machines, equipped to grind gas turbine blades or rotors.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Internal grinding machines incorporating one or more spindle heads capable of speeds in excess of 120,000 r.p.m.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Internal grinding machines incorporating one or more spindle heads capable of speeds from 80,000 r.p.m. up to and including 120,000 r.p.m.	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Grinding machines for broaching tools, automatic cycle, automatic sizing.	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Honing machines, vertical or horizontal, of 6 ft. stroke or more.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Jig grinding machines with longitudinal, transverse or vertical travel exceeding 44 inches.	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Tank turret bearing grinding machines....	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Gun barrel trepanning lathes.....	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Gun-boring lathes	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Gun jump screw lathes.....	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Other artillery lathes, n.e.c. ¹	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Combination lathe, drilling and milling machines, specially designed for mobile military workshops or for naval craft.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Jet engine compressor case boring lathes...	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Jet engine compressor and turbine disc turning lathes.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Right angle (T) lathes (in which the bed is at right angles to the spindle).	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Automatic vertical boring and turning mills (including vertical turret lathes), cycle type.	No.	TOOL 2	VWXYZ	—	500	—	
71510 Aircraft skin milling machines.....	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Spar millers	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Turbine blade profiling and duplicating milling machines.	No.	TOOL 2	TVWXYZ	500	—	—	
71510 Turbine blade milling machines, n.e.c.....	No.	TOOL 2	TVWXYZ	500	—	—	
71510 Accelerated lead rifle broaching machines and other rifling and rifle-working machines.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machines specially designed for making gas turbine blades.	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Armor plate planers.....	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Contour band sawing and band filing machines designed to permit operator to select rate of cutting speed and to vary such speed while in operation, and to maintain at all times the desired rate of speed with a variation of less than 2 per cent.	No.	TOOL 2	VWXYZ	—	500	—	

¹ Export authorization is required from the U.S. Department of State for projectile and ammunition production equipment. See paragraph 870.5(a).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71510 Portable pneumatic drill machines capable of tapping steel line pipe of a size greater than 19 inches o.d., without interruption of flow.	No.	TOOL 2	VWXYZ	—	—	—	
71510 Metal-cutting machine tools, n.e.c., specially designed for the manufacture of arms, munitions, and implements of war. ¹	No.	TOOL 1	TVWXYZ	500	—	—	A
71510 Metal-polishing and buffing machines, manually operated bench and floor types.	No.	TOOL 8	Z	—	—	—	B
71510 Single-spindle automatic chucking lathes and single spindle between-center lathes.	No.	TOOL 8	XYZ	—	—	100	B
71510 Other metal-cutting machines, n.e.c.....	No.	TOOL 8	WXYZ	—	—	100	B
71510 Machine tools specially designed for the manufacture of arms, munitions, and implements of war. ¹ (Specify type of machine.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machine tools specially designed for the working or forming of aircraft sheet, plate, or extrusion. (Specify type of machine.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machine tools designed for or equipped with electronic closed loop control systems in which a continuous feedback of information from the actual operation results in continuous correction of control commands, <i>excluding those control systems designed solely for positioning operations.</i> (See § 399.2, Interpretation 7.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Other machine tools designed for or equipped with electronic closed loop control systems designed solely for positioning operations. (See § 399.2, Interpretation 7.)	No.	TOOL 2	TVWXYZ	500	100	—	
71510 Gear roll forming machines capable of forming gears of finer than 48 diametral pitch. (See § 399.2, Interpretation 3.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Spin-forming machines with drive motors of 50 horsepower capacity or over. ²	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Spin-forming machines with drive motors of over 25 horsepower up to but not including 50 horsepower capacity. ²	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Spin-forming machines with drive motors of 15 up to and including 25 horsepower capacity. ²	No.	TOOL 2	VWXYZ	—	500	—	
71510 Roll forming machines with drive motors over 25 horsepower, as follows: (a) rotary (spin) forming machines, or (b) extrusion machines, roll type. ²	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Spin forging machines, with drive motors over 25 horsepower.	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Armor plate quenching presses.....	No.	TOOL 1	TVWXYZ	500	500	—	A

¹ Arms, munitions, and implements of war are all items designated in paragraph 370.5(a), Categories I through XVI.² Export authorization is required from the U.S. Department of State for projectile and ammunition production equipment. See paragraph 370.5(a).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71510 Presses, as follows: (a) stabilized equipment using rams, for applying high impact energy work forces through use of explosives or compressed gases including air, (b) presses specially designed or re-designed for the working or forming of metals, alloys, or other materials with a melting point exceeding 1900° C., and (c) mechanical and hydraulic presses with total rated capacity over 10,000 tons. (Specify model and rated tonnage capacity.)	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Other hydraulic or mechanical presses with rated capacity over 5,000 tons up to and including 10,000 tons. (Specify model and rated tonnage capacity.)	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Other presses specially designed for the manufacture of steel pipe of a size greater than 19 inches o.d., as follows: (a) O-ing presses, (b) U-ing presses, and (c) straightener-expander presses.	No.	TOOL 2	VWXYZ	—	500	—	
71510 Other hydraulic or mechanical presses with rated capacities of 2,000 tons up to and including 5,000 tons.	No.	TOOL 2	VWXYZ	—	500	—	
71510 Forging hammers as follows: (a) counter-blow hammers having rated sizes of 25,000 kilogram meters (181,250 foot-pounds) or more, (b) rotary impact forging hammers of rated sizes of 10,000 foot-pounds or more, (c) horizontal impact hammers, (d) forging hammers having falling weight exceeding 10 tons; and (e) other steam, air, or mechanical hammers of rated size exceeding 10 tons. (Specify type, falling weight, or rated size.)	No.	TOOL 2	TVWXYZ	500	500	—	
71510 Electron beam machines, <i>excluding equipment using the "sparking" technique</i> . [Report electron beam furnaces and electron beam welders in Export Control Commodity No. 72992; and electron beam coating machines in No. 71980.]	No.	ELME 1	TVWXYZ	500	—	—	A
71510 Portable pipe bending machines capable of bending pipe of 16 inch diameter and over.	No.	TOOL 2	TVWXYZ	500	—	—	
71510 Portable drilling machines capable of tapping steel line pipe of a size greater than 19 inches o.d. without interruption of flow.	No.	TOOL 2	VWXYZ	—	—	—	
71510 Other machine tools for metal, excluding metal-cutting. ¹	No.	TOOL 8	WXYZ	—	—	100	B
71521 Centrifugal casting machines for casting tubes 6 feet long or over with wall thickness of 2 inches or over; and specially designed parts and accessories.	.....	TOOL 1	TVWXYZ	500	500	—	A

¹ Export authorization is required from the U.S. Department of State for projectile and ammunition production equipment. See paragraph 370.5(a).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71711 Machines for extruding man-made fibers, and other machines for preparing and processing natural or man-made fibers into yarns, and for winding.	No.	GIEQ 8	YZ	—	—	—	B
71712 Looms other than cotton looms.....	No.	GIEQ 8	YZ	—	—	—	B
71712 Other weaving machines, knitting machines, and machines for producing trimmings, braids, net, and similar fabrics; and machines for preparing yarn for use on such machines.	No.	GIEQ 8	Z	—	—	—	B
71713 Parts and attachments for cotton gins.....	.....	GIEQ 8	XYZ	—	—	100	B
71713 Gold spinnerette blanks. ¹.....	.....	FINP 8	XYZ	—	—	100	B
71713 Parts, accessories and attachments for looms other than cotton looms, and for machines for extruding man-made fibers, and other machines for preparing and processing natural or man-made fibers into yarns, and for winding, <i>except textile machine needles, and except for machines for carding, combing, spinning or twisting cotton or wool.</i>	.....	GIEQ 8	YZ	—	—	—	B
71713 Textile machines needles; parts, accessories and attachments for cotton looms, for other weaving machines, knitting machines, machines for producing trimmings, braids, net, and similar fabrics, for machines for preparing yarn for use on such machines, and for wool carding, combing, and spinning machines for cotton or wool.	.....²	GIEQ 8	Z	—	—	100	B
71714 Millinery dies (hat blocks), nonferrous metal.	.....	FINP 8	XYZ	—	—	100	B
71714 Other machinery for the manufacture or finishing of felt, and parts.	.....	GIEQ 8	Z	—	—	—	B
71715 Cord treating laboratory units (for example, Computreators®), and specially designed parts, n.e.c.	.....³	GIEQ 8	XYZ	—	—	100	B
71715 Silk screen printing equipment, and parts and attachments, n.e.c.	.....³	FINP 8	YZ	—	—	—	B
71715 Wallpaper printing machines, and parts and attachments.	.....³	FINP 8	Z	—	—	—	B
71715 Other industrial machines for washing, cleaning, drying, bleaching, dyeing, dressing or finishing textile yarns, fabrics, or made-up textile articles; and machines for printing on textiles, leather, linoleum, or other materials; and parts and attachments therefor.	.....³	GEIQ 8	Z	—	—	—	B
71715 Dryset vacuum systems®, and parts and attachments.	GIEQ 8	XYZ	—	—	100	B
71715 Pleating (folding) machines, and parts and attachments.	GIEQ 8	YZ	—	—	—	B

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¹ Export authorization is required from U. S. Treasury Department for items of which 90 percent of the total value is attributable to gold content. See paragraph 370.5(b).

² Report needles in "thousand."

³ Report complete machines (assembled or unassembled) in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71715 Laundry and drycleaning machines designed for coin-operated and self-service use; and household laundry equipment; and parts therefor.	.....¹	FINP 8	Z	—	—	—	B
71720 Shoe making and repairing machines, and machines for preparing, tanning or working hides, skins or leather (excluding sewing machines), n.e.c., and parts.	.....	GIEQ 8	Z	—	—	—	B
71730 Sewing machine cabinets, wood.....	.....	FINP 8	Z	—	—	—	B
71730 Industrial sewing machines (including complete head assemblies), specially designed for the production of parachutes or other military equipment; and parts.	.....¹	GIEQ 8	YZ	—	—	—	B
71730 Other industrial sewing machines, and parts.	.....¹	GIEQ 8	Z	—	—	—	B
71730 Domestic sewing machines, and parts.	.....¹	FINP 8	Z	—	—	—	B
71730 Needles, sewing machine.....	M.	FINP 8	Z	—	—	—	B
71811 Laminators, electric, for restoring manuscripts and documents; and parts and attachments.	.....¹	ELME 8	XYZ	—	—	100	B
71811 Other machinery for making or finishing cellulosic pulp, paper or paperboard; and parts and attachments.	.....¹	GIEQ 8	YZ	—	—	—	B
71812 Machinery for cutting paper or for manufacturing products of paper pulp, paper, or paperboard; and parts and attachments.	.....¹	GIEQ 8	YZ	—	—	—	B
71812 Paper bag-making machines; and parts and attachments.	.....¹	GIEQ 8	Z	—	—	—	B
71821 Bookbinding machines, and parts.....	.....	FINP 8	XYZ	—	—	100	B
71822 Electroplating, stereotyping, and photoengraving machines; printing plates and cuts (electrotype, stereotype, halftone, lithographic, or engraved); and parts and accessories.	.....¹	FINP 8	XYZ	—	—	100	B
71822 Fonts, handsaws, and Linotype® matrices..	.....	FINP 8	YZ	—	—	—	B
71822 Typesetting and type making machines; and parts and accessories.	.....¹	FINP 8	Z	—	—	—	B
71829 Price marking machines and plane-o-plate rotary shavers, and parts.	.....¹	FINP 8	XYZ	—	—	100	B
71829 Printing machines, n.e.c., and parts.....	.....¹	FINP 8	Z	—	—	—	B
71831 Grain cleaning machines and corn husking machines, and parts.	.....	AGRI 8	YZ	—	—	—	B
71831 Other machines used in the grain milling industry, and parts.	.....	GIEQ 8	Z	—	—	—	B
71839 Chocolate homogenizers, and parts.....	.....	GIEQ 8	XYZ	—	—	100	B
71839 Sugar-plant machinery and equipment, n.e.c., and parts.	.....	GIEQ 8	YZ	—	—	—	B
71839 Other food processing machinery and equipment, n.e.c., and parts.	.....	GIEQ 8	Z	—	—	—	B
71841 Road rollers, self-propelled.....	No.	CONS 8	XYZ	—	—	100	B
71842 Construction equipment built to military specifications, specially designed for airborne transport.	No.	CONS 1	TVWXYZ	500	—	—	A

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¹ Report complete machines (assembled or unassembled) in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71922 Other compressors and blowers capable of receiving a power input of 500 horsepower or greater and specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions; and specially designed parts and attachments.	.....¹	CONS 8	WXYZ	—	—	100	B
71922 Other reciprocating compressors over 125 horsepower and all other centrifugal, axial flow and mixed flow compressors and blowers having all flow-contact surfaces made of or lined with any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium either separately or combined, (b) 50 percent or more cobalt, molybdenum, nickel or tungsten either separately or combined, (c) 13 percent or more silicon, (d) steel alloys containing more than 3 percent of (i) chromium and molybdenum combined, (ii) chromium and tungsten combined, or (iii) chromium, molybdenum, and tungsten combined; (e) 2.5 percent or more nickel, (f) fluoro and/or silico resins, (g) glass (acid-, heat-, or shock-resistant), (h) ceramics, (i) carbon, (j) graphite, or (k) acid/heat resistant cement; and specially designed parts and attachments.	.....¹	CONS 8	WXYZ	—	—	100	B
71922 Compressors, refrigeration and air-conditioning type, $\frac{1}{2}$ horsepower and under; and parts, n.e.c.	.....¹	FINP 8	XYZ	—	—	100	B
71922 Compressors, refrigeration and air-conditioning type, over $\frac{1}{2}$ horsepower; and parts, n.e.c.	.....¹	GIEQ 8	XYZ	—	—	100	B
71922 Other blowers, compressors and fans; and parts and attachments.	.....¹	CONS 8	XYZ	—	—	100	B
71923 Counter-current solvent extractors specially designed for the extraction of radioactive substances (for example, pulsed columns and mixer-settlers made of stainless steel); and specially designed parts.	.....	GIEQ 1	TVWXYZ	500	100	—	A
71923 Gas centrifuges capable of the enrichment or separation of isotopes; and specially designed parts.	.....	GIEQ 1	TVWXYZ	500	100	—	A
71923 Centrifugal counter-current solvent extractors; and specially designed parts.	.....	GIEQ 2	TVWXYZ	500	500	—	
71923 Other centrifuges, power-driven, bowl type, with all product contact surfaces of aluminum, nickel, or alloy containing 60 percent or more nickel; and parts. (Specify by name; and specify kind of metal and, if nickel alloy, state percentage of nickel content.)	.....	GIEQ 2	TVWXYZ	500	100	—	

¹ Report complete compressors and blowers (assembled or unassembled) in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71923 Centrifuge bowls, wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and parts. (Specify by name and specify kind of metal and, if nickel alloy, state percentage of nickel content.)	.....	GIEQ 2	TVWXYZ	500	100	—	
71923 Separators and collectors specially designed for use at temperatures below minus 130° C. (minus 202° F.); and specially designed parts.	.....	GIEQ 2	TVWXYZ	500	100	—	
71923 Oil and gas separators other than field production units; and specially designed parts. [Report separators, for oil and gas field production units in Export Control Commodity No. 71931.]	.....	GIEQ 2	TVWXYZ	500	100	—	
71923 Petroleum dehydrators, and petroleum desalters; and specially designed parts.	.....	GIEQ 2	VWXYZ	—	100	—	
71923 Water purifiers, water softeners, water filters, and other filtering, purifying, and separating machines for water treatment and sewage disposal; and specially designed parts.	.....	CONS 8	XYZ	—	—	100	B
71923 Laundry dryers, coin operated, centrifugal type, designed for commercial laundries; and parts.	.....¹	FINP 8	Z	—	—	—	B
71923 Other laundry dryers designed for commercial laundries, and parts.	.....¹	GIEQ 8	Z	—	—	—	B
71923 Centrifix type RW line purifiers®.....	.....	GIEQ 8	Z	—	—	—	B
71923 Laboratory centrifuges, n.e.c., and parts, n.e.c.	.....	SATE 8	XYZ	—	—	100	B
71923 Other centrifuges, excluding cream separators, and filtering, and purifying machines for liquids, air, and gases; and parts.	.....	GIEQ 8	XYZ	—	—	100	B
71931 Military type integral tractor-shovel loaders. ²	No.	CONS 1	TVWXYZ	500	—	—	A
71931 Non-military type integral tractor-shovel loader, 135 horsepower and over. (Specify as non-military whether wheel or tracklaying type, and horsepower.) ³	No.	CONS 2	VWXYZ	—	—	—	E-11
71931 Non-military type integral tractor-shovel loader, under 135 horsepower. (Specify as non-military whether wheel or tracklaying type, and horsepower.) ³	No.	CONS 8	XYZ	—	—	100	B
71931 Parts and attachments specially designed for military type integral tractor-shovel loaders. ² (Specify as military.)	.....	CONS 1	TVWXYZ	500	—	—	A
71931 Parts and attachments specially designed for nonmilitary type integral tractor-shovel loaders of under 135 horsepower. (Specify as nonmilitary, whether wheel or tracklaying type, and horsepower.) ³	CONS 8	XYZ	—	—	100	B

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¹ Report dryers in "number."

² Possessing or built to current military specifications differing materially from normal commercial specifications.

³ For export control purpose, the horsepower to be used is the horsepower at the flywheel that the basic engine (with fan, water pump and oil pump) is capable of producing at governed speed, corrected to standard conditions of 60° F. and barometer (dry) of 29.92 inches of mercury.

August 13, 1965

CEB 919

Comprehensive Export Schedule

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71970 Ball bearings and cylindrical roller bearings, excluding separable ball bearings and thrust ball bearings, with inner bore diameter exceeding 10 millimeters, having tolerances of BEC 7 or closer and having either of the following characteristics: (a) rings, balls or rollers made from any material excluding SAE 52100 steel, SAE 4615 steel, or low carbon steel containing 0.06 up to and including 0.18 percent carbon, or (b) designed for use at normal operating temperatures over 302°F. (150°C) (specify tolerance); and specially designed parts. ¹	GIEQ 1	TVWXYZ	500	100	—	A
71970 Other ball and cylindrical roller bearings having tolerances of BEC 5 or closer (specify tolerance); and specially designed parts. ¹	GIEQ 2	TVWXYZ	500	500	—	E-9
71970 Tapered, spherical or thrust roller bearings with inner bore diameter above 400 millimeters (specify type and inner bore diameter); and specially designed parts.	GIEQ 2	TVWXYZ	500	100	—	E-9
71970 Other ball and roller bearings, aircraft type; and specially designed parts.	GIEQ 2	TVWXYZ	1,000	1,000	—	E-2
71970 Other ball and roller bearings with inner bore diameter 10 mm. and under or 200 mm. and over; and specially designed parts.	GIEQ 8	WXYZ	—	—	100	B
71970 Other ball and roller bearings; and parts.	GIEQ 8	XYZ	—	—	100	B
71980 Concrete floor finishing machines; buggies; concrete vibrators; and rotary finishers; and parts.	CONS 8	YZ	—	—	—	B
71980 Other concrete and bituminous pavers, finishers, and spreaders; and parts.	CONS 8	XYZ	—	—	100	B
71980 Electron beam equipment for the deposition of thin film, the coating of thin film, or the working thereof, excluding equipment using the "spark-ing" technique; or continuous vacuum roll coating machines having a voltage not in excess of 20 kilo-volts, having a fixed electron beam gun and no accurate control of the thickness of the deposited layer; and specially designed parts.	GIEQ 1	TVWXYZ	500	—	—	A
71980 Metal finishing, cleaning, and coating machines, n.e.c.; and parts.....	TOOL 8	WXYZ	—	—	100	B
71980 Machines for applying insulating separators to the inner conductor of air spaced coaxial electric cable; and specially designed parts and accessories, n.e.c.	TOOL 1	TVWXYZ	500	500	—	A
71980 Machines for applying metal strip or sheet to form the outer conductor of coaxial electric cable; and specially designed parts and accessories, n.e.c.	TOOL 1	TVWXYZ	500	500	—	A

¹ Tolerance based on standards as adopted by the Anti-Friction Bearing Manufacturers' Association. If the exporter does not know whether a shipment of bearings has these tolerances, the manufacturer of the bearings will be able to provide the information.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
71980 Machines for forming, stranding, or assembling coaxial cable, with or without conductors other than coaxial tubes; and specially designed parts and accessories, n.e.c.	TOOL 1	TVWXYZ	500	500	—	A
71980 Machines for applying insulating material to conductors over 0.9 mm. in diameter of multipair electric telecommunication cables; and specially designed parts and accessories, n.e.c.	TOOL 1	TVWXYZ	500	500	—	A
71980 Machines for applying insulating material to conductors 0.9 mm. or less in diameter of multipair electric telecommunication cables; and specially designed parts and accessories, n.e.c.	TOOL 2	TVWXYZ	500	500	—	
71980 Machines for laying together conductors over 0.9 mm. in diameter for multipair telecommunication cables and/or applying insulating, separating, binding, or identifying material thereto; and specially designed parts and accessories, n.e.c.	TOOL 1	TVWXYZ	500	500	—	A
71980 Machines for laying together conductors 0.9 mm. or less in diameter for multipair telecommunication cables and/or applying insulating, separating, binding, or identifying material thereto; and specially designed parts and accessories, n.e.c.	TOOL 2	TVWXYZ	500	500	—	
71980 Machines for laying together conductors over 0.9 mm. in diameter (pairs, quads, etc.) to form complete cable core or a part thereof; and specially designed parts and accessories, n.e.c.	TOOL 1	TVWXYZ	500	500	—	A
71980 Machines for laying together conductors 0.9 mm. or less in diameter (pairs, quads, etc.) to form complete cable core or a part thereof; and specially designed parts and accessories, n.e.c.	TOOL 2	TVWXYZ	500	500	—	
71980 Assembling jigs and fixtures for military equipment; and specially designed parts and accessories, n.e.c.	GIEQ 1	TVWXYZ	500	—	—	A
71980 Automatic or semi-automatic manufacturing and assembling machines (specify by name), for the production of transistors and crystal diodes (including parts and sub-assemblies); and specially designed parts and accessories, n.e.c.	GIEQ 1	TVWXYZ	500	100	—	A
71980 Equipment, n.e.c., for the production of military explosives or solid propellants (specify by name); and specially designed parts and accessories, n.e.c.	GIEQ 1	TVWXYZ	500	100	—	A

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
72620 X-ray diffraction tubes and valves, X-ray diffraction units, X-ray goniometers, and X-ray powder cameras; and specially designed parts. (Specify by name.)	.....	SATE 8	WXYZ	—	—	100	B
72620 X-ray tubes and valves, medical and dental types only.	.....	SATE 8	Z	—	—	—	B
72620 Industrial X-ray equipment capable of controlling the dimensions of a rolled product during its production (specify by name); and specially fabricated parts and accessories, n.e.c.	.....	GIEQ 2	TVWXYZ	500	100	—	
72620 Other X-ray apparatus, medical and industrial; and parts.	.....	SATE 8	XYZ	—	—	100	B
72911 Electro-chemical and radioactive devices for the conversion of chemical energy to electrical energy, having any of the following characteristics: (a) fuel cells (including regenerative cells) i.e., cells for generating electric power, to which all the consumable components are supplied from outside the cells, (b) electrically rechargeable cells, hermetically sealed, designed to have a leakage rate of 10 ⁻³ cc. per second of gas or less when tested under pressure differential of 2 atmospheres, (c) primary cells possessing a means of activation and having an open circuit storage life in the unactivated condition, at a temperature of 70° F. (21° C), of 10 years or more, or (d) primary cells capable of operating at temperatures from below minus 25° C. to above plus 55° C., including cells and cell assemblies (other than dry cells) possessing self-contained heaters, (e) power sources other than nuclear reactors based on radioactive materials systems, excluding those having a power output of less than 0.5 watts in which the ratio of output (in watts) to weight (in pounds) is less than 1 to 2; and specialized parts, components, and subassemblies therefor. (Specify by name and type.) ¹	.....¹	ELME 1	TVWXYZ	500	100	—	A
72911 Flashlight batteries; and parts.....	.....¹	FINP 8	Z	—	—	—	B
72911 Other primary batteries and cells.....	.....¹	FINP 8	YZ	—	—	—	B
72911 Parts for other primary batteries and cells.	.....	FINP 8	XYZ	—	—	100	B

¹ Report complete batteries (assembled or unassembled) in "number."² See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
72912 Electro-chemical devices for the conversion of chemical energy to electrical energy, having either of the following characteristics: (a) fuel cells (including regenerative cells), i.e., cells for generating electric power, to which all the consumable components are supplied from outside the cell, or (b) electrically rechargeable cells, hermetically sealed, designed to have a leakage rate of 10 ⁻⁴ cc. per second of gas or less when tested under pressure differential of 2 atmospheres; and specially designed parts therefor. ¹	.....²	ELME 1	TVWXYZ	500	100	—	A
72912 Storage batteries, 6 and 12 volt, lead acid type.	No.	TRAN 8	XYZ	—	—	100	B
72912 Other storage batteries, n.e.c.....	No.	ELME 8	XYZ	—	—	100	B
72912 Battery separators and blanks, wood.....	M	FINP 8	XYZ	—	—	100	B
72912 Battery parts made of rubber.....	.....	RUBR 8	XYZ	—	—	100	B
72912 Battery parts made of lead or zinc.....	.....	NONF 8	Z	—	—	—	B
72912 Battery parts made of glass.....	.....	FINP 8	Z	—	—	—	B
72912 Other storage battery parts, n.e.c.....	.....	ELME 8	XYZ	—	—	100	B
72920 Flash discharge tubes specially designed for equipment providing amplification or oscillation by means of stimulated electromagnetic radiation, such as Masers, Lasers, or Irasers.	No.	FINP 5	TVWXYZ	500	—	—	A
72920 Filament bulbs (lamps), over ½ inch base, the following only: floodlight, heat, pilot light, reflector, spotlight, and street light; fluorescent bulbs and tubes (lamps); and vapor and other non-filament bulbs and tubes (lamps), the following only: miniature neon, neon glow, photo flash, and sun lamp.	No.	FINP 8	YZ	—	—	—	B
72920 Other filament lamps (bulbs) up to and including ½ inch base; and filament bulbs over ½ inch base, the following only: carbon filament; clear; frosted; incandescent; metal filament; photoflood; and projection. [Report sealed beam headlamps in Export Control Commodity No. 72942.]	No.	FINP 8	Z	—	—	—	B
72920 Other electric lamps (bulbs); and parts, except carbons and glass envelopes. [Report carbons in Export Control Commodity No. 72996; and glass envelopes in No. 66492.]	.....³	FINP 8	XYZ	—	—	100	B
72920 Single coil tungsten filaments.....	.....	FINP 4	TVWXYZ	1,000	1,000	—	E-6
72920 Photomicrographic arc lamps specially fabricated for high speed cameras capable of recording	No.	FINP 5	TVWXYZ	500	25	—	A

¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.² Report complete batteries (assembled or unassembled) in "number."³ Report lamps (bulbs) in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV \$ Value Limits for Shipments to Country Groups			Special Provisions List
				T	V	X	
in excess of 64 frames per second, or streak cameras having writing speed of 8mm/microsecond and above and/or to be used with photographic micro-flash equipment capable of giving a flash of 1/100,000 second or shorter duration, at a minimum recurrence frequency of 200 flashes per second.							
72920 Photomicrographic arc lamps specially fabricated for high speed cameras capable of recording at rates in excess of 2,000 frames per second. Electron tubes, except X-ray, and parts, and solid state semi-conductor devices, and parts [Report X-ray tubes in Export Control Commodity No. 72620.] ¹	No.	FINP 8	WXYZ	—	—	100	B
72930 Cathode ray tubes as follows: (a) with a resolving power of 500 lines or more per inch (20 lines per millimeter) using the shrinking raster method of measurement, (b) with writing speeds of more than 3000 kilometers per second, (c) with 3 or more electron guns, <i>excluding 3-gun color television tubes designed for entertainment use</i> , or (d) alpha-numeric and similar data or information display tubes, <i>excluding those in which the displayed position of each character is fixed</i> . (Specify by name and type number.)	No.	RARA 1	TVWXYZ	500	50	—	A
72930 Image intensifiers, image converters and electronic storage tubes, including memory transformers of radar pictures and ruggedized vidicon tubes, <i>excluding commercial standard television broadcasting camera tubes</i> . (Specify by name and type number.)	No.	RARA 1	TVWXYZ	500	50	—	A
72930 Photomultiplier tubes of all types for which the maximum sensitivity occurs at wavelengths longer than 7,500 angstrom units or shorter than 3,000 angstrom units. (Specify by name and type number.)	No.	RARA 1	TVWXYZ	500	50	—	A
72930 Cold cathode tubes and switches as follows: (a) Triggered spark-gaps, having an anode delay time of 15 microseconds or less and rated for a peak current of 3,000 Amps or more; (b) Cold cathode, gas-filled, arc-discharge tubes, containing three or more electrodes and having all of the following characteristics: (i) Rated for an anode peak voltage of 2,500 volts or more, (ii) rated for peak currents of 300 amperes or more, (iii) an anode delay time of 10 microseconds or less, and (iv) an envelope diameter of less than 1 inch (25.4 mm). (Specify by name and type number.)	No.	RARA 1	TVWXYZ	500	50	—	A

¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
72930 Thyatron and modulator gas-discharge tubes as follows: (a) rated for continuous operation with peak current and peak voltage exceeding 100 amperes and 9000 volts at a pulse repetition frequency of 200 or more pulses per second, or (b) hydrogen thyatrons of any rating, excluding types 4C35 and 3C45. (Specify by name and type number.)	No.	RARA 1	TVWXYZ	500	100	—	A
72930 TR and Anti-TR tubes, excluding those designed for use in wave guides operating at a peak power not exceeding 100 kilowatts and at frequencies between 1,300 and 1,660 megacycles, 2,700 and 3,900 megacycles, or 8,500 and 10,000 megacycles, provided such tubes do not include a control electrode permitting the control of the ionization by means of an external voltage. (Specify by name and type number.)	No.	RARA 1	TVWXYZ	500	100	—	A
72930 Electron tubes, as follows: (a) tubes rated for continuous wave operation over the frequency range of 300 to 1,000 megacycles for which (at any part of this frequency range and under any condition of cooling) the product of frequency of operation in megacycles squared and the power output in watts from the anode(s) of a single envelope at this frequency exceeds 10^6 when the tube is operating in Class C telegraphy key down conditions or in Class C FM telephony conditions or, if performance under these conditions is not known, the product of declared maximum frequency of full ratings in megacycles squared and the maximum rated anode dissipation per tube in watts exceeds 5 times 10^6 (when applying the above criteria to external anode tubes rated without a radiator, multiply the power rating by 20, and for external anode tubes rated with radiators and optimum cooling procedures, as recommended by the manufacturer, multiply the power rating by 2), (b) tubes rated for operation above 1,000 megacycles, (c) tubes rated for pulse operation above 300 megacycles, (d) tubes constructed with ceramic envelopes and rated for operation above 300 megacycles, (e) tubes, excluding conventional types, such as diodes, triodes, pentodes, etc., in	No.	RARA 1	TVWXYZ	500	100	—	A

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
72930 Parts specially designed for the solid state semiconductor devices under Export Control Commodity No. 72930 subject to the Import Certificate/Delivery Verification procedure. (Specify by name.)	.....	RARA 1	TVWXYZ	500	250	—	A
72930 Parts specially designed for the solid state semiconductor devices under Export Control Commodity No. 72930 which require a validated license to all countries except Canada but are not subject to the Import Certificate/Delivery Verification procedure. (Specify by name.)	.....	RARA 2	TVWXYZ	500	500	—	
72930 Other parts for solid state semiconductor devices under Export Control Commodity No. 72930. (Specify by name.)	.....	RARA 8	WXYZ	—	—	100	B
72941 Twenty-four volt electrical systems with circuits shielded against radio interference, fungus decay, and water; and specially designed parts.	.....	TRAN 1	TVWXYZ	500	—	—	A
72941 Spark plugs (aircraft and automotive types) and parts, except insulators. [Report insulators in Export Control Commodity No. 72320.]	.....	TRAN 8	XYZ	—	—	100	B
72941 Electrical starting and ignition equipment, n.e.c., aircraft type, and specially designed parts. ¹	.....	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
72941 Electrical starting and ignition equipment, automotive type, and specially designed parts.	.....	TRAN 8	WXYZ	—	—	100	B
72941 Other electrical starting and ignition equipment for internal combustion engines other than aircraft and automotive types.	.....²	TRAN 8	XYZ	—	—	100	B
72942 Motor vehicle sealed beam lights; and other motor vehicle lighting equipment, signalling equipment, electrical windshield wipers and defrosters; and parts therefor.	.....³	TRAN 8	XYZ	—	—	100	B
72942 Sirens and hooters for motor vehicles; and parts.	.....	ELME 8	XYZ	—	—	100	B
72942 Lighting equipment and signalling equipment for motorcycles; and parts.	.....³	TRAN 8	YZ	—	—	—	B
72951 Watt-hour meters, non-recording. [Report parts in Export Control Commodity No. 86199.]	No.	ELME 8	Z	—	—	—	B
72951 Other electricity supply meters. [Report parts in Export Control Commodity No. 86199.]	No.	ELME 8	YZ	—	—	—	B
Instruments or apparatus for measuring, checking, or testing electrical or electronic quantities or characteristics, and nuclear radiations. [Report parts in Export Control Commodity No. 86199]:							
72952 Electronic measuring, testing, or calibrating instruments having one or more of the following characteristics: (a) designed for use at frequencies in excess of 1,000 megacycles, or (b) testing in-	No.	ELME 1	TVWXYZ	500	500	—	A

¹ See paragraph 370.5(a) for commodities which require export authorization from the U. S. Department of State.² Report complete cranking motors and spark plugs in "number."³ Report sealed beam lamps in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
struments rated to maintain their specified operating data when operating over a range of ambient temperatures extending from below minus 25° C. to above plus 55° C. (Specify by name and model number.) ¹							
72952 Apparatus for automatically sorting electronic components in respect to their electrical characteristics. (Specify by name and model number.) ¹	No.	ELME 1	TVWXYZ	500	100	—	A
72952 Instruments specially designed for use in the production of electronic valves, transistors, or crystal diodes. (Specify by name and model number.)	No.	ELME 1	TVWXYZ	500	500	—	A
72952 Recording oscillographs used as readout units for telemetering and telecontrol equipment suitable for use with space vehicles or aircraft (piloted or pilotless).	No.	ELME 1	TVWXYZ	500	500	—	A
72952 Cathode ray oscilloscopes (oscillographs) possessing any of the following characteristics: (a) an amplifier bandwidth greater than 20 megacycles per second for DC-coupled scopes or greater than 30 megacycles per second for AC-coupled scopes (defined as the band of frequencies over which the deflection on the cathode ray tube does not fall below 70.7 percent of that at the maximum point measured with a constant input voltage to the amplifier); (b) a time base shorter than 40 nanoseconds per centimeter, including calibrated magnified sweep factor; (c) employing accelerating potentials in excess of 5,000 volts; (d) containing or designed for the use of a cathode ray tube with three or more electron guns; (e) containing or designed for use of (i) cathode ray memory tubes, or (ii) cathode ray tubes with travelling wave or distributed deflection structure or incorporating other techniques to minimize mismatch of fast phenomena signals to the deflection structure; (f) rated for operation over a range of ambient temperatures from below minus 25° C. to above plus 55° C.; (g) incorporating a calibrated variable sweep delay with an incremental accuracy (measured at the 90 percent delay point) of better than 3 percent; or (h) including any device which increases the capabilities of the oscilloscope to enable it to meet specifications (a) or (b) of this entry; or (i) having a rise-time of less than 12 nanoseconds. (Specify by name and model number.) ¹	No.	ELME 1	TVWXYZ	500	500	—	A

¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
ozone, helium, argon, or fluorine, <i>excluding 2-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.</i> ^{1, 2}							
73300 Other liquefied gas jacketed containers of 500 gallon capacity or over, mounted on, or designed to be mounted on, nonmilitary or military trailers.	.....	TRAN 2	TVWXYZ	500	—	—	
73300 Other parts designed for, or intended for use on, military trailers.	.....	TRAN 8	WXYZ	—	—	100	B
73300 Other parts for commercial trailers.....	.....	TRAN 8	XYZ	—	—	100	B
73410 Nonmilitary aircraft, heavier-than-air, new, used, rebuilt, modified, or converted, 90,000 lbs. and over empty weight, of types and models which have been in normal civil use for two years or less. (Specify name of manufacturer and manufacturer's model designation.) ^{3, 4}	No.	TRAN 1	TVWXYZ	500	—	—	A
73410 Other nonmilitary aircraft, heavier-than-air. ³	No.	TRAN 2	TVWXYZ	500	—	—	
73491 Nonmilitary airships; nonexpansive balloons of less than 3,000 cubic feet capacity; and nonexpansive balloons in normal sporting use of 3,000 cubic feet capacity or over. ^{3, 5}	No.	TRAN 2	TVWXYZ	500	—	—	
73491 Pilot balloons, wholly made of fluorocarbon polymers or copolymers. ⁶	No.	RUBR 1	TVWXYZ	500	—	—	A
73491 Meteorological and other pilot balloons.....	No.	FINP 8	XYZ	—	—	100	B
73492 Parts and accessories for aircraft, airships, helicopters, and balloons, wholly made of fluorocarbon polymers or copolymers. ⁶	.....	TRAN 1	TVWXYZ	500	25	—	A E-2
73492 Parts specially designed for types and models of aircraft of 90,000 pounds and over empty weight which have been in normal civil use for two years or less, <i>the following only:</i> (a) fuselages or hulls, (b) wings, wing panels and sections, or (c) rudders and fins. ^{3, 4}	.....	TRAN 1	TVWXYZ	500	—	—	A E-2
73492 Propellers, <i>except those designed or modified for use with military aircraft.</i> ³	No.	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
73492 Parts and accessories specially designed for propellers for aircraft and airships and wholly made of fluorocarbon polymers or copolymers. ⁶	.....	TRAN 1	TVWXYZ	500	25	—	A
73492 Other parts and accessories, n.e.c., specially designed for propellers for aircraft and airships. ³	.....	TRAN 2	TVWXYZ	1,000	1,000	—	E-2

¹ A jacketed container is a thermos type container that has more than one wall and is insulated by a vacuum or by insulation material.

² Average evaporation loss is to be calculated as a percentage of the total liquid capacity of the container under ambient temperature conditions of plus 75° F. (plus 24° C.) or higher and without exposure to direct sunlight.

³ Helicopters designed, modified, or equipped for military purposes, including reconnaissance, and all other military heavier-than-air aircraft and specially designed parts therefor require export authorization from the U.S. Department of State. See paragraph 370.5(a) and § 399.2, Interpretation 20.

⁴ Empty weight of aircraft includes the structure, engines, fixed equipment and all furnishings, but does not include fuel or payload.

⁵ Export authorization is required from the U.S. Department of State for nonexpansive balloons of 3,000 cubic feet capacity or over, except types in normal sporting use.

⁶ See § 399.2, Interpretation 22.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
73492 Aircraft landing gear assemblies and parts, specially designed for aircraft of 90,000 pounds and over empty weight, which have been in normal civil use for two years or less.	.....	TRAN 1	TVWXYZ	500	500	—	A E-2
73492 Parts and accessories specially designed for aircraft landing gear and wholly made of fluoro-carbon polymers or copolymers. ¹	.....	TRAN 1	TVWXYZ	500	25	—	A
73492 Other landing gear and parts, n.e.c., for aircraft, airships and balloons. ²	.....	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
73492 Other parts and accessories, n.e.c., for aircraft, airships and balloons. ²	.....	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
73580 Ships, boats and other vessels, for breaking up (for scrapping). ³	S. ton	STEE 8	WXYZ	—	—	100	B
73593 Pontoons, metal, for supporting temporary bridges.	.....	STEE 8	WXYZ	—	—	100	B
73593 Buoys, iron or steel.....	.....	FINP 8	YZ	—	—	—	B
73593 Buoys of other metals.....	.....	FINP 8	XYZ	—	—	100	B
73593 Portable docks and floats, wood only.....	.....	FINP 8	XYZ	—	—	100	B
73593 Pontoons for pipe lines, iron and steel only.	.....	FINP 8	YZ	—	—	—	B
73593 Fiber glass swimming pools.....	.....	FINP 8	XYZ	—	—	100	B
SECTION 8—MISCELLANEOUS MANUFACTURED ARTICLES							
SANITARY, PLUMBING, HEATING, AND LIGHTING FIXTURES AND FITTINGS							
81210 Warm air furnaces; cast iron heating boilers, radiators and convertors; steel boilers for central heating; rotary furnaces; floor gas furnaces; hot water supply boilers; water boilers; and carts and covers for fin tube radiation; and parts, n.e.c.	.....⁴	FINP 8	YZ	—	—	—	B
81210 Other central heating apparatus, n.e.c., and parts, n.e.c.	.....	FINP 8	XYZ	—	—	100	B
81220 Water closet sets, and sanitary and plumbing fixtures and fittings, ceramic materials, n.e.c.	.....⁴	FINP 8	Z	—	—	—	B
81230 Lavatories, sinks, and other sanitary and plumbing fixtures, specially designed for aircraft; and parts.	.....⁵	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
81230 Bathtubs, lavatories, sinks and other plumbing fixtures and fittings, and sanitary fittings, n.e.c., of iron or steel (whether or not enameled).	.....⁵	FINP 8	Z	—	—	—	B

¹ See § 399.2, Interpretation 22.² Helicopters designed, modified or equipped for military purposes, including reconnaissance, and all other military heavier-than-air aircraft and specially designed parts therefor require export authorization from the U.S. Department of State. See paragraph 370.5(a) and § 399.2, Interpretation 20.³ See paragraph 370.5(e) for information concerning export requirements for ships and boats requiring export authorization from the U. S. Maritime Administration.⁴ Report warm air furnaces, steel boilers, water closet sets, bathtubs, lavatories, sinks, and plumbing fixtures in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
84149 Other non-apparel articles, knit or crocheted, not elastic or rubberized.	Lb.	TEXT 8	Z	—	—	—	B
84149 Housefurnishings and articles, n.e.c., knit or crocheted, not elastic or rubberized, wholly or in chief weight textile fibers, n.e.c. such as but not limited to: cover sets, food; crib sheets, coated; dress shields; and hospital sheets, pyroxylin-coated; and pot holder sets, oilcloth.	Lb.	TEXT 8	YZ	—	—	—	B
84154 Hat and cap materials, except hat bodies, wholly or in chief weight cotton, jute, wool or textile manufactures, n.e.c. [Report hat bodies in Export Control Commodity No. 65570.]	Lb.	TEXT 8	YZ	—	—	—	B
84154 Other hat and cap materials.....	Lb.	TEXT 8	Z	—	—	—	B
84155 Firemen hats, miners' helmets and other safety helmets. ¹	Doz.	TEXT 8	XYZ	—	—	100	B
84155 Millinery, hats, and caps, of feathers, fur felt, wool felt, fur, leather (including bathing caps), rubber or rubberized fabric.	Doz.	TEXT 8	Z	—	—	—	B
84155 Other millinery, hats and caps, including helmets and those of rubber or rubberized cloth, other than bathing caps.	Doz.	TEXT 8	YZ	—	—	—	B
84160 Apparel and clothing accessories, rubber or rubberized, as follows: gloves, <i>excluding surgeons'</i> ; aprons; bandeaux, ladies'; bathing suits; bust supporters; capes; dress shields; infants' bibs, bloomers, diapers, and pants; reducing clothing; sanitary belts; and waterproof sleeves.	Lb. ²	TEXT 8	Z	—	—	—	B
84160 Other apparel and clothing accessories (including surgeons' gloves), rubber or rubberized.	Lb. ²	TEXT 8	YZ	—	—	—	B
84201 Sheep-lined clothing, fur clothing, and other articles of furskins, except headwear.	Lb.	TEXT 8	Z	—	—	—	B
84202 Artificial fur and articles thereof, wholly or in chief weight cotton or wool.	Lb.	TEXT 8	YZ	—	—	—	B
84202 Other artificial furs and articles thereof...	Lb.	TEXT 8	Z	—	—	—	B

¹ Military helmets require export authorization from the U. S. Department of State. See paragraph 870.5(a).² Report household and surgical gloves in "dozen pair" instead of "pound."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
84999 Clothing donated for relief or charity by individuals or private agencies.	.....					
FOOTWEAR							
85100 Nonmilitary spats, leggings, and gaiters wholly or in chief weight cotton or wool.	Pr.	TEXT 8	YZ	—	—	—	B
85100 Other nonmilitary spats, leggings, gaiters and other footwear except orthopedic. [Report military footwear in Export Control Commodity No. 95200, and orthopedic in No. 89962.]	Pr.	TEXT 8	Z	—	—	—	B
PROFESSIONAL, SCIENTIFIC, AND CONTROLLING INSTRUMENTS; PHOTOGRAPHIC AND OPTICAL GOODS, WATCHES, AND CLOCKS							
Optical elements, unmounted:							
86111 Optical elements specially designed for infrared or ultraviolet communications or detection equipment. (Specify by name and type.) ¹	No.	RARA 1	TVWXYZ	500	50	—	A
86111 Optical elements specially designed for equipment providing amplification or oscillation by means of stimulated electromagnetic radiation, such as Masers, Lasers, or Irasers. (Specify by name and type.) ¹	No.	RARA 1	TVWXYZ	500	50	—	A
86111 Quartz crystals, radio grade only.....	No.	RARA 1	TVWXYZ	500	100	—	A
86111 Optical elements of monocrystalline silicon or of silicon with a purity of 99.99 percent or more.	No.	RARA 1	TVWXYZ	500	50	—	A
86111 Optical elements containing 99.9 to 99.99 percent silicon.	No.	RARA 2	TVWXYZ	500	50	—	
86111 Ophthalmic glass, lens blanks, and focus lenses (including contact lenses), unmounted.	No. ²	SATE 8	Z	—	—	—	B
86111 Other optical elements, unmounted, n.e.c. . .	No.	SATE 8	XYZ	—	—	100	B
Optical elements, mounted:							
86112 Lenses for high-speed cameras and streak cameras which are subject to the Import Certificate/Delivery Verification procedure under Export Control Commodity No. 86140. ¹	No.	FINP 5	TVWXYZ	500	—	—	A

¹ See paragraph 370.5(a) for commodities which require export authorization from the Department of State.² Report ophthalmic focus lenses in "pair."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
86112 Lenses and other optical elements for other highspeed cameras capable of recording at rates in excess of 2,000 frames per second; and lenses and other optical elements for X-ray powder cameras.	No.	FINP 8	WXYZ	—	—	100	B
86112 Other photographic and projection lenses...	No.	FINP 8	XYZ	—	—	100	B
86112 Optical elements specially designed for in- frared or ultraviolet communications or detection equipment. (Specify by name and type.) ¹	No.	RARA 1	TVWXYZ	500	50	—	A
86112 Optical elements specially designed for equipment providing amplification or oscillation by means of stimulated electromagnetic radiation, such as Masers, Lasers, or Irasers. (Specify by name and type.) ¹	No.	RARA 1	TVWXYZ	500	50	—	A
86112 Mounted prisms specially designed for high speed cameras and streak cameras which are sub- ject to the Import Certificate/Delivery Verification procedure under Export Control Commodity No. 86140. ¹	No.	FINP 5	TVWXYZ	500	25	—	A
86112 Electro-optical devices designed to monitor relative rotation of remote surfaces.	No.	SATE 1	TVWXYZ	500	100	—	A
86112 Optical elements specially designed for spec- trum measuring instruments or microphotometers.	No.	SATE 8	WXYZ	—	—	100	B
86112 Halftone glass screens.....	No.	FINP 8	Z	—	—	—	B
86112 Other mounted optical elements.....	No.	SATE 8	XYZ	—	—	100	B
86120 Protective spectacles and goggles (safety equipment).	No.	SATE 8	XYZ	—	—	100	B
86120 Other spectacles and goggles; and parts.	.....²	SATE 8	Z	—	—	—	B
86133 Ion microscopes having a resolving power better than 10 angstrom units and specialized parts and accessories, n.e.c.	.....³	SATE 1	TVWXYZ	500	100	—	A
86133 Other electron and proton microscopes and diffraction apparatus, and parts and accessories.	.....³	SATE 8	XYZ	—	—	100	B
86134 Trichinoscopes and parts; malaria survey sets containing microscopes; and microscope illuminators.	.....³	SATE 8	Z	—	—	—	B
86134 Other microscopes (excluding electron and proton), microprojectors and photomicrographic equipment, and parts and accessories.	.....³	SATE 8	XYZ	—	—	100	B

¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.² Report goggles, eye glasses, and other spectacles, and frames and mountings in "number."³ Report microscopes and diffraction apparatus in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
86135 Binoculars, binocular loupes, and monoculars.	.....	SATE 8	Z	—	—	—	B
86135 Telescopes, including astronomical telescopes.	.....	SATE 8	XYZ	—	—	100	B
86139 Power-controlled searchlights designed for military use. (Specify by name.)	No.	ELME 1	TVWXYZ	500	—	—	A
86139 Parts and accessories, n.e.c., specially fabricated for power-controlled searchlights designed for military use.	.....	ELME 1	TVWXYZ	500	—	—	A
86139 Folding magnifiers and other magnifying glasses; stereoscopes; and View-Masters.®	.....	SATE 8	Z	—	—	—	B
86139 Other optical appliances, n.e.c., and parts and accessories, n.e.c. ¹	.....	SATE 8	XYZ	—	—	100	B
86140 Streak cameras having writing speeds of 8 mm./microsecond and above, capable of recording events which are not initiated by the camera mechanism. ²	No.	FINP 5	TVWXYZ	500	—	—	A
86140 High speed streak cameras having writing speeds of less than 8 mm./microsecond, capable of recording events which are not initiated by the camera mechanism. ²	No.	FINP 4	TVWXYZ	500	—	—	
86140 High speed cameras having any of the following characteristics: (a) using film widths 35 mm. or narrower and capable of recording at rates in excess of 3,000 frames per second when using a steady light flow as the lighting source and 10,000 frames per second when using flash equipment connected to the unwinding system as the lighting source, (b) using film widths greater than 35 mm. and capable of recording in excess of 64 frames per second, or (c) capable of recording in excess of 250,000 frames per second.	No.	FINP 5	TVWXYZ	500	—	—	A
86140 Other high speed cameras capable of recording at rates in excess of 2,000 frames per second; and X-ray powder cameras.	No.	FINP 8	WXYZ	—	—	100	B
86140 Cameras specially designed for the production of electronic printed circuits; and specially designed parts and accessories.	.....³	FINP 5	TVWXYZ	500	—	—	A
86140 Hand type still cameras, variable focus, and parts and accessories, n.e.c.	.....³	FINP 8	YZ	—	—	—	B
86140 Hand type still cameras, fixed focus, and parts and accessories, n.e.c.	.....³	FINP 8	Z	—	—	—	B

® Trademark registered in the Patent Office of the United States.

¹ See paragraph 370.5(a) for commodities which require export authorization from the U. S. Department of State.

² Streak cameras are cameras designed to record the intensity of a light source as a function of time and of a single spatial dimension, by moving the image of the source along the film in a single direction.

³ Report cameras in "number."

August 13, 1965

CEB 919

Comprehensive Export Schedule

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
86140 Other still cameras, including photocopying, microfilming, vandyke, blueprinting, and white printing. ¹	No.	FINP 8	XYZ	—	—	100	B
86140 Parts and accessories, n.e.c., specially designed for high-speed cameras and streak cameras under Export Control Commodity No. 86140 which are subject to the Import Certificate/Delivery Verification procedure.	.....	FINP 5	TVWXYZ	500	25	—	A
86140 Photographic micro-flash equipment capable of giving a flash of 1/100,000 second or shorter duration at a minimum recurrence frequency of 200 flashes per second.	.....	FINP 5	TVWXYZ	500	25	—	A
86140 Parts and accessories, n.e.c., for high speed streak cameras having writing speeds of less than 8 mm./microsecond, capable of recording events which are not initiated by the camera mechanism.	.....	FINP 4	TVWXYZ	500	—	—	
86140 Parts and accessories, n.e.c., specially designed for the following: (a) other high speed cameras capable of recording at rates in excess of 2,000 frames per second, and (b) X-ray powder cameras.	.....	FINP 8	WXYZ	—	—	100	B
86140 Still camera stands and tripods.....	.....	FINP 8	Z	—	—	—	B
86140 Flash synchronizers.....	.....	FINP 8	Z	—	—	—	B
86140 Other photographic flashlight apparatus; and other parts and accessories, n.e.c., for photographic cameras, except motion picture cameras. ¹	.....	FINP 8	XYZ	—	—	100	B
86150 Motion picture cameras, 16 mm. or under, except aerial cameras, and parts therefor; motion picture projectors, silent only, 16 mm. or under, and parts therefor; and motion picture camera tripods and stands, excluding dollies. ¹	.....²	FINP 8	Z	—	—	—	B
86150 Other motion picture cameras and motion picture projectors; and motion picture sound recording and reproducing equipment; and parts. ¹	.....²	FINP 8	XYZ	—	—	100	B

¹ Export authorization is required from the U.S. Department of State for cameras designed for use in space vehicles, all aerial cameras and military cameras, and specifically designed components.

² Report cameras and projectors in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
86161 16 mm. miniature still picture projectors; magic lantern parts, and other still picture projector parts; and photo scales (enlarger parts).	.....¹	FINP 8	Z	—	—	—	B
86161 Other photographic projectors, enlargers and reducers (other than motion picture), and parts.	.....¹	FINP 8	XYZ	—	—	100	B
86169 Motion picture equipment, the following only: editing machines; preview machines; splicing kits; screen fabric cut to size; and motion picture screens, except screens for background projection.	.....²	FINP 8	YZ	—	—	—	B

¹ Report photographic projectors in "number."² Report motion picture screens in "number."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
86169 Developing, printing, fixing, or washing tanks or machines for motion picture film; reels for motion picture film; and still picture equipment as follows: analyzers; cutting boards; developing equipment; dry mounting presses, photographic; hangers; photo baths, glass; print rollers; printing frames; printing masks; and shading machines.	FINP 8	Z	—	—	—	B
86169 Other still picture, motion picture, photographic, and photocopying equipment, n.e.c., including parts.	FINP 8	XYZ	—	—	100	B
86171 Surgical and medical apparatus, n.e.c., wholly made of polytetrafluoroethylene.	SATE 1	TVWXYZ	500	25	—	A
86171 Dental hand instruments and tools for use with hand pieces, and parts.	FINP 8	XYZ	—	—	100	B
86171 Other medical, dental, surgical, ophthalmic and veterinary instruments and apparatus, <i>excluding electro-medical</i>	SATE 8	Z	—	—	—	B
86172 Aircraft oxygen systems, apparatus, equipment and components, n.e.c. and specially fabricated parts, n.e.c.	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
86172 Whirlpool baths	SATE 8	XYZ	—	—	100	B
86172 Other mechanical physical therapy appliances and respiratory appliances. [Report military gas masks in Export Control Commodity No. 95200.]	SATE 8	Z	—	—	—	B
86181 Gas or liquid supply meters. [Report parts in Export Control Commodity No. 86199.]	No.	GIEQ 8	XYZ	—	—	100	B
86182 Mechanical tachometers for aircraft engines. [Report parts in Export Control Commodity No. 86199.]	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
86182 Speedometers, tachometers, and other counting devices for motor vehicles. [Report parts in Export Control Commodity No. 86199.]	TRAN 8	XYZ	—	—	100	B
86182 Stroboscopes containing one or more electronic components. [Report parts in Export Control Commodity No. 86199.]	No.	GIEQ 2	TVWXYZ	500	500	—	E-9
86182 Other stroboscopes. [Report parts in Export Control Commodity No. 86199.]	No.	GIEQ 8	XYZ	—	—	100	B
86182 Other industrial counting devices, <i>excluding those for which measurement is based on an electrical phenomenon</i> . [Report parts in Export Control Commodity No. 86199.]	GIEQ 8	XYZ	—	—	100	B
86191 Cryogenic equipment, as follows: (a) equipment designed for maintaining an ambient temperature below minus 130° C. (minus 202° F.), designed for use in marine, airborne, or space applications, ruggedized for mobile ground use, or designed to maintain operating temperatures for electrical, magnetic or electronic equipment or com-	SATE 1	TVWXYZ	500	250	—	A

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
ponents, and (b) electrical, magnetic or electronic equipment or components and electrical conductors specially designed for operation continuously or discontinuously at ambient temperatures below minus 130° C. (minus 202° F.); and specially fabricated accessories, sub-assemblies, parts, or components. ¹							
86191 Other instruments specially designed to operate at temperatures below 130° C.; and specially designed parts and accessories. ¹	SATE 2	TVWXYZ	500	100	—	
86191 Compasses and gyroscopic equipment as follows: (a) gyro compasses, North-seeking only, possessing one or more of the following characteristics: (i) automatic correction for the effects on compass accuracy of changes in ship's speed, acceleration, or latitude, (ii) provision for accepting ship's data as an electrical input, (iii) provision for setting in corrections for current set and drift, (iv) utilization of accelerometer, rate gyro, rate integrating gyros, or electrolytic levels as sensing devices; (v) provision for determining and electrically transmitting ship's level reference data (roll, pitch) in addition to own ship's course data; (b) integrated flight instrument systems for aircraft which include gyro-stabilizers and/or automatic pilots, (c) gyro-magnetic compasses, (d) gyro-stabilizers used for other purposes than aircraft control, <i>excluding those for stabilizing an entire surface vessel</i> ; (e) automatic pilots used for other purposes than aircraft control <i>excluding marine type for surface vessels</i> ; (f) gyros and gyro compasses with a minimum rated free directional drift rate (minimum rate free precision) of 1 degree per hour or less; (g) and specially designed parts and accessories, n.e.c. (Specify by name and model number.) ¹	SATE 1	TVWXYZ	500	100	—	A
86191 Precision gyroscopes, including rate and integrating gyros; and specially designed parts and accessories, n.e.c. (Specify by name and model or type number.) ¹	SATE 2	TVWXYZ	500	100	—	

¹ Export authorization is required from the U.S. Department of State for cryogenic equipment for airborne or space application. See paragraph 370.5(a) for other commodities which require export authorization from the U.S. Department of State.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
89300 Manufactured plastic products, <i>excluding items wholly or partially made of polypyromellitimide, polybenzimidazole, polytetrafluoroethylene, or polytrifluorochloroethylene; or items wholly made of other fluorocarbon polymers or copolymers,</i> ¹ the following only: cellophane tape, gummed; cigar ribbons; containers for household use (soap dishes, etc.); display equipment (forms, display boxes, stands, frames); draperies (not firm, woven); garment bags (not requiring cutting or further manufacture for use); mats; sausage casings; table cloths (cut to size); venetian blinds, including separate slats and tapes; aprons, baby pants, bibs, and other indoor type wearing apparel; and waterproof outer garments, including raincoats.	.....²	FINP 8	YZ	—	—	—	B
89300 Manufactured plastic products, <i>excluding items wholly or partially made of polypyromellitimide, polybenzimidazole, polytetrafluoroethylene, polytrifluorochloroethylene, or items wholly made of other fluorocarbon polymers or copolymers,</i> ¹ the following only: ash trays; bathroom fixtures; bottle and container closures; boxes, empty; calendar pad holders; casein plastic slides; dinnerware; fly swatters; frames, <i>except display frames</i> ; handles; job trays; kitchenware used in preparation, serving, and storing of food and drink; knobs; mailing cases; nursing bottles; shower curtains; stoppers for basins and bathtubs; synthetic sponges; tableware; other tape, pressure sensitive or gummed; toilet seats; flexible film specialty bags; and vials.	.....³	FINP 8	Z	—	—	—	B
89300 Other articles of artificial plastic materials.	.....⁴	FINP 8	XYZ	—	—	100	B
89410 Baby and invalid carriages (not motorized nor otherwise mechanically propelled), and parts.	.....	FINP 8	Z	—	—	—	B
89421 Wheeled toys designed to be ridden, and dolls' carriages.	.....	FINP 8	Z	—	—	—	B
89422 Dolls, and specially fabricated parts and accessories, including clothing.	.....	FINP 8	Z	—	—	—	B
89423 Rubber and stuffed toys, and toys n.e.c.....	.....	FINP 8	Z	—	—	—	B
89424 Playing cards; coin-operated amusement machines (excludes phonographs), and parts; and other equipment for indoor games (includes children's and adults' games and equipment for table tennis, billiards, etc.).	.....⁵	FINP 8	Z	—	—	—	B
89425 Artificial Christmas trees, metal; and tinsel of metal.	.....	FINP 8	XYZ	—	—	100	B

¹ See § 399.2, Interpretation 22.² Report sausage casings in "pounds".³ Report pressure sensitive or gummed tape and flexible film specialty bags in "pound."⁴ Report plastic garden hose in "linear feet."⁵ Report playing cards in "pack."

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
89425 Other Christmas articles, decorative or traditional (<i>excluding artificial flowers, foliage or fruit or articles thereof</i>); and carnival and entertainment articles (masks, confetti, tricks and novelties). Non-military arms and parts, <i>excluding revolvers and pistols</i> . [Report military arms and parts in Export Control Commodity Nos. 95101-95104; revolvers and pistols in No. 95105; parts for revolvers and pistols in No. 95103.]	FINP 8	Z	—	—	—	B
89430 Non-military shotguns and whaling guns, and parts therefor; and wooden gun stock blanks.	.....¹	FINP 8	XYZ ²	—	— ³	100	B
89430 Aqua guns, police billies, blackjacks, air pistols, air rifles, and compressed air and gas-charged rifles; and parts. ³	FINP 8	Z	—	—	—	B
89441 Fishing and hunting equipment. [Report sporting rifles in Export Control Commodity No. 89430.] (Specify by name.)	FINP 8	Z	—	—	—	B
89442 Appliances, apparatus, accessories and requisites for gymnastics or athletics or for sports and outdoor games <i>except recreational water craft, base metal wire wickets and safety apparel and equipment</i> . ⁴ (Specify by name.)	FINP 8	Z	—	—	—	D
89442 Base metal wire wickets and safety apparel and equipment for recreational purposes, <i>except</i>	FINP 8	XYZ	—	—	100	B

¹ Report shotguns in "number."² A validated export license is also required for exportation to the Republic of South Africa of non-military shotguns and parts therefor. In addition a GLV dollar-value limit of \$100 is established for the shipment of non-military shotguns; and \$50 for the shipment of parts for these shotguns to the Republic of South Africa.³ Export authorization is required from the U.S. Department of State for (a) firearms of any caliber (including combination rifle-shotguns), and parts and components therefor, and (b) tear gas guns, signal and Very pistols. (See paragraph 370.5(a).)⁴ Export authorization from the U.S. Maritime Administration is required for recreational watercraft. See paragraph 370.5(e).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
89935 Smoking pipes, cigar and cigarette holders; and parts therefor.	FINP 8	Z	—	—	—	B
89940 Umbrellas, sunshades, walking sticks, canes, and similar items; and parts thereof.	FINP 8	Z	—	—	—	B
89951 Powder-puffs and pads for applying cosmetics or toilet preparations.	FINP 8	Z	—	—	—	B
89952 Leatherette buttons	TEXT 8	YZ	—	—	—	B
89952 Other buttons and parts, n.e.c., snap fasteners, studs and similar articles, n.e.c., used for fastening or decorating articles of apparel, not of precious metals or incorporating pearls or precious stones.	FINP 8	Z	—	—	—	B
89953 Slide fasteners and parts thereof. [Report zipper wire not cut to length in appropriate Export Control number according to type metal.]	FINP 8	Z	—	—	—	B
89954 Combs, barrettes, and similar hair ornaments and holders, not of precious metal or incorporating pearls or precious stones.	FINP 8	Z	—	—	—	B
89955 Corset stays, and similar supports for apparel.	FINP 8	XYZ	—	—	100	B
89956 Scent and similar sprayers of a kind used for toilet purposes.	No.	FINP 8	Z	—	—	—	B
89957 Tailors' dummies and animated displays for window dressing.	FINP 8	Z	—	—	—	B
89961 Hearing aids	SATE 8	Z	—	—	—	B
89962 Orthopedic appliances and articles, artificial parts of body, and fracture appliances.	SATE 8	Z	—	—	—	B
89991 Articles made from gut, goldbusters skin, bladders, or tendons.	AGRI 8	Z	—	—	—	B
89992 Prepared feathers and down and articles thereof, other than millinery.	AGRI 8	Z	—	—	—	B
89993 Artificial flowers, foliage, and fruit, and articles made thereof.	TEXT 8	Z	—	—	—	B
89994 Wool prepared for making wigs and similar articles.	TEXT 8	YZ	—	—	—	B
89994 Other prepared animal hair, and human hair, dressed or otherwise worked, for making wigs and similar articles.	TEXT 8	Z	—	—	—	B
89995 Wigs, false beards, switches, and other articles of human or animal hair.	TEXT 8	Z	—	—	—	B
89996 Fans and hand screens, non-mechanical, and frames and handles therefor.	TEXT 8	Z	—	—	—	B
89997 Closures for vacuum bottles and jugs. [Report cork closures in Export Control Commodity No. 633.]	AGSU 8	Z	—	—	—	B
89997 Vacuum bottles, jugs, and chests, complete (assembled or unassembled), usable only for hot or cold food or drinks.	FINP 8	YZ	—	—	—	B
89997 Other vacuum bottles, jugs and chests.....	FINP 8	XYZ	—	—	100	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
89998 Parachutes in normal sporting use, and complete canopies, harnesses, and platforms therefor. ¹	TEXT 2	TVWXYZ	1,000	1,000	—	
89998 Other parachute parts and accessories. ¹	TEXT 8	XYZ	—	—	100	B
89999 Ground installed aircraft catapult systems, and specially designed parts, n.e.c. ²	TRAN 1	TVWXYZ	500	500	—	A
89999 Equipment specially designed to facilitate operations of military aircraft in confined areas; and specially designed parts and accessories, n.e.c. ²	TRAN 1	TVWXYZ	500	—	—	A
89999 Other nonmilitary aircraft ground handling equipment, n.e.c., and specially designed parts; ground installed arresting systems and components, n.e.c.	TRAN 8	XYZ	—	—	100	B
89999 Manufactured articles, n.e.c.....	FINP 8	XYZ	—	—	100	B
SECTION 9—COMMODITIES AND TRANSACTIONS NOT CLASSIFIED ACCORDING TO KIND							
SPECIAL TRANSACTIONS NOT CLASSIFIED BY KIND							
93100 Replacement parts used in the repair of articles being returned which were imported into the United States for inspection, testing, calibration or repair. (Specify article and repair part by name.)		WXYZ	—	—	100	³
			Processing code and related commodity group number applicable to each commodity under this classification are those which apply to the commodity under its individual Export Control Commodity Number.				
			Export controls applicable to each commodity when exported commercially under its individual Export Control Commodity Number.				
			Export controls applicable to each commodity under this classification are those which apply to the commodity when exported commercially under its individual Export Control Commodity Number. In addition, see paragraph 373.65 (a) (2) (v).				
			Export controls applicable to each commodity under this classification are those which apply to the commodity when exported commercially under its individual Export Control Commodity Number.				
93100 General merchandise valued at less than \$100, except where the shipment requires a validated license. (Specify by name.)							
93100 Special transactions, not classified according to kind, n.e.c. (Specify by name.)	FINP 8	XYZ	—	—	100	B

¹ Parachutes (other than those in normal sporting use) for personnel or cargo dropping and aircraft deceleration, and complete canopies, harnesses, and platforms therefor, require export authorization from the U.S. Department of State. See paragraph 370.5(a).

² Aircraft launching equipment and military ground flying training equipment require export authorization from the U.S. Department of State. See paragraph 370.5(a).

³ See paragraph 371.18(a).

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated Licenses Required for Country Groups Shown Below	GLV & Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
ANIMALS, N.E.C., INCLUDING ZOO ANIMALS							
94100 Animals, live, n.e.c., including zoo animals, dogs, cats, insects, and birds. (Specify by name.) [Report other live animals in Export Control Commodity No. 001.]	.....	AGRI 8	Z	—	—	—	B
ARMS, MILITARY VEHICLES, ETC.¹							
95103 Wooden gun stock blanks. ²	.....	FINP 8	XYZ	—	—	100	B
95104 Sidearms, n.e.c., and parts, <i>except bayonets and parts</i> . (Specify by name.) ³	.....	FINP 8	WXYZ	—	—	100	B
95105 Compressed air and gas charged pistols. ¹ ...	No.	FINP 8	Z	—	—	—	B

¹ See paragraph 370.5(a) for commodities which require export authorization from the U.S. Department of State.² Export authorization is required from the U.S. Department of State for insurgency and counterinsurgency weapons having a special military application, and all firearms regardless of caliber, and parts therefor, including firearms silencers.³ Export authorization is required from the U.S. Department of State for bayonets and parts.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV \$ Value Limits for Shipment to Country Groups			Special Provisions List
				T	V	X	
95106 Parts and components for ammunition, except cartridge cases, powder bags, bullets, jackets, cores, shells, projectiles, boosters, fuses and components, primers, and other detonating devices, and ammunition belting and linking machines. (Specify by name.) ^{1, 2}	FINP 5	TVWXYZ	500	100	—	A
95110 Survival kits, and other military equipment not identified by kind. ³ (Specify by name.)	FINP 8	WXYZ ⁴	—	—	100	B
95200 Military apparel of all types and materials, including footwear. ³ (Specify by name.)	TEXT 8	WXYZ	—	—	100	B
COINS, NOT GOLD, NOT LEGAL TENDER							
96100 Coin, other than gold coin, not being legal tender. ⁵ [Report numismatic and collectors coins in Export Control Commodity No. 89600; coins mounted in objects of personal adornment in Nos. 89711-89720; coins for legal tender in Nos. 68070 and 68080.]	FINP 8	XYZ	—	—	100	B

¹ Export authorization from the U.S. Department of State is required for projectiles and ammunition. See paragraph 370.5(a).

² Export authorization from the U. S. Department of State is required for cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuses and components therefor, primers, and other detonating devices, and ammunition belting and linking machines.

³ See paragraph 370.5(a) for commodities which require export authorization from U. S. Department of State.

⁴ A validated export license is also required for the exportation to Indonesia of the commodities described in this entry.

⁵ Gold coins require export authorization from the U. S. Treasury Department. See paragraph 370.5(b).

2N 578	2N 641	2N 1043	2N 1171	2N 1280	2N 1373	2N 1453	2N 1779
2N 586	2N 642	2N 1044	2N 1175	2N 1281	2N 1374	2N 1471	2N 1780
2N 587	2N 647	2N 1045	2N 1176	2N 1282	2N 1375	2N 1473	2N 1781
2N 588	2N 649	2N 1056	2N 1183	2N 1283	2N 1376	2N 1478	2N 1782
2N 591	2N 649/5	2N 1057	2N 1184	2N 1284	2N 1377	2N 1510	2N 1783
2N 591/5	2N 650	2N 1058	2N 1186	2N 1287	2N 1378	2N 1524	2N 1784
2N 592	2N 651	2N 1059	2N 1187	2N 1288	2N 1379	2N 1525	2N 1785
2N 593	2N 652	2N 1083	2N 1188	2N 1289	2N 1380	2N 1526	2N 1786
2N 594	2N 653	2N 1087	2N 1191	2N 1299	2N 1381	2N 1527	2N 1787
2N 595	2N 654	2N 1097	2N 1192	2N 1302	2N 1382	2N 1605	2N 1788
2N 596	2N 655	2N 1098	2N 1193	2N 1303	2N 1383	2N 1614	2N 1789
2N 597	2N 670	2N 1101	2N 1194	2N 1310	2N 1391	2N 1622	2N 1790
2N 598	2N 671	2N 1102	2N 1198	2N 1311	2N 1395	2N 1631	2N 1808
2N 599	2N 672	2N 1107	2N 1202	2N 1312	2N 1396	2N 1632	2N 1924
2N 600	2N 673	2N 1108	2N 1203	2N 1313	2N 1404	2N 1633	2N 1925
2N 601	2N 674	2N 1109	2N 1213	2N 1319	2N 1408	2N 1634	2N 1926
2N 605	2N 679	2N 1110	2N 1214	2N 1343	2N 1413	2N 1635	2N 1954
2N 606	2N 680	2N 1111	2N 1215	2N 1347	2N 1414	2N 1636	2N 1955
2N 609	2N 818	2N 1114	2N 1216	2N 1348	2N 1415	2N 1637	2N 1956
2N 610	2N 1008	2N 1121	2N 1217	2N 1349	2N 1416	2N 1638	2N 1957
2N 611	2N 1009	2N 1123	2N 1224	2N 1350	2N 1425	2N 1639	2N 1993
2N 612	2N 1010	2N 1124	2N 1225	2N 1351	2N 1426	2N 1670	2N 2042
2N 613	2N 1012	2N 1125	2N 1226	2N 1352	2N 1431	2N 1672	2N 2043
2N 617	2N 1017	2N 1126	2N 1251	2N 1353	2N 1446	2N 1673	2N 2085
2N 624	2N 1018	2N 1127	2N 1264	2N 1354	2N 1447	2N 1678	2N 2354
2N 625	2N 1038	2N 1128	2N 1265	2N 1366	2N 1448	2N 1681	2N 2428
2N 631	2N 1039	2N 1129	2N 1265/5	2N 1367	2N 1449	2N 1705	2N 2429
2N 632	2N 1040	2N 1130	2N 1266	2N 1370	2N 1450	2N 1706	2N 2430
2N 633	2N 1041	2N 1144	2N 1273	2N 1371	2N 1451	2N 1707	2N 2431
2N 640	2N 1042	2N 1145	2N 1274	2N 1372	2N 1452	2N 1745	

Interpretation 19: Military Automotive Vehicles

(a) Military Automotive Vehicles

For purposes of United States export controls, military automotive vehicles, "possessing or built to current military specifications differing materially from normal commercial specifications" fall into two categories:

(1) Military Automotive Vehicles on the Munitions List, New and Used

Automotive vehicles in this category are primarily *combat* (fighting) vehicles with or without armor and/or armament, "designed for specific fighting function." These automotive vehicles are licensed by the U.S. Department of State. See list with descriptions, Category VII, Sec. 370.5(a) of the Comprehensive Export Schedule.

(2) Military Automotive Vehicles not on the Munitions List, New and Used

Automotive vehicles in this category are primarily *transport* vehicles designed for *non-combat* military purposes (transporting cargo, personnel and/or equipment and for towing other vehicles and equipment over land and roads in close support of fighting vehicles and troops). These automotive vehicles are licensed by the Department of Commerce. United States military transport automotive vehicles currently in use are built on one of six basic truck chassis groups, classified as follows:

- (i) Truck, Utility, 1/4-ton, 4 x 4, M38 Series,

- (ii) Truck, Cargo, $\frac{3}{4}$ -ton, 4 x 4, M37 Series,
- (iii) Chassis, Truck, $2\frac{1}{2}$ -ton, 6 x 6, M44 Series,
- (iv) Chassis, Truck, $2\frac{1}{2}$ -ton, 6 x 6, M133 Series,
- (v) Chassis, Truck, 5-ton, 6 x 6, M39 Series,

- (vi) Chassis, Truck, 10-ton, 6 x 6, M121 Series.

United States military transport automotive vehicles in each of the above chassis groups may have a variety of chassis lengths and body types or styles.

(b) Parts for Military Automotive Vehicles

Functional parts specifically fabricated for the six basic truck chassis groups of military automotive vehicles described in paragraph (a)(2) above are defined as those parts making up the power train of the vehicles, including the electrical system, the cooling system, the fuel system, and the control system (brake and steering mecha-

nism), the front and rear axle assemblies including the wheels, the chassis frame, springs and shock absorbers.

Parts specifically designed for military automotive vehicles on the Munitions List are licensed for export by the U.S. Department of State.

(c) General Instructions

Manufacturers of non-Munitions List automotive vehicles and/or parts will know whether their products meet the conditions described above. Merchant exporters and other parties who are not sure whether their products (automotive vehicles and/or parts)

meet these conditions should check with their suppliers for the required information before making a shipment under general license or submitting an application to the Office of Export Control for an export license.

Interpretation 20: Aircraft, Parts, Accessories and Components

(a) Aircraft, and parts, accessories and components therefor.¹

Aircraft, parts, accessories, and components defined in Categories VIII and IX of the Munitions List are under the export licensing authority of the U.S. Department of State. All other aircraft, and parts, accessories and components therefor are under the export licensing authority of the U.S. Department of Commerce.

Aircraft, parts, accessories and components are under the licensing authority of the U.S. Department of Commerce if one or more of the following criteria are met:

(1) Any aircraft (except an aircraft that has been demilitarized or a military trainer) which conforms to a Federal Aviation Agency type certificate in the normal, utility, acro-

batic, transport, or restricted category, provided such aircraft has not been equipped with or modified to include military equipment, such as gun mounts, turrets, rocket launchers, or similar equipment designed for military combat or military training purposes.

(2) All reciprocating engines.

(3) Other aircraft engines not specifically designed or modified for military aircraft.

(4) Parts, accessories, and components (including propellers), designed exclusively for aircraft and engines described in (1), (2), and (3) above.

(5) General purpose parts, accessories, and components usable interchangeably on either military or civil aircraft.

¹ This interpretation does not refer to electronic communication and navigational commodities usable on aircraft.

(b) Normal civil use for two years or less.

The term "normal civil use for two years or less," as specified on the Commodity Control List, is computed from the date the type or

model of the aircraft was placed in commercial operation.

Interpretation 21: (Reserved for future use.)***Interpretation 22: Fluorocarbon polymers and copolymers***

Fluorocarbon polymers and copolymers as specified on the Commodity Control List include, but are not limited to, Teflon®, Kel-F®, Tedlar®, Kynar®, Exon®, Aclar®, Viton®, and Fluorel®.

® Trademark registered in the Patent Office of the United States.

Interpretation 23: Dendritic Semiconductor Material

The term "dendritic semiconductor material," as used under Export Control Commodity No. 68950, means any semiconductor material which is produced by the dendritic process.

The dendritic process consists of growing a crystal from a molten mass of germanium,

silicon, or other suitable metal and controlling the growth of the crystal in such a manner that it emerges in final form as a continuous ribbon of metal. It may be grown in various widths, thicknesses and lengths, and is readily usable in the manufacture of various semiconductor devices with a minimum amount of further processing.

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G/PM

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MEMORANDUM FOR THE RECORD

May 12, 1965

On May 12, I called on Mr. John Conway, Staff Director of the Joint Committee on Atomic Energy, accompanied by Mr. O'Donnell of the AEC and Mr. Hockersmith of the Department of Commerce. Also present were Mr. Murphy and Capt. Bauser of the Joint Committee staff.

The purpose of the call was to explain to the Joint Committee staff the plan to issue new State and Commerce regulations setting forth export control procedures covering equipment and technology designed for or useful in fabrication or testing of nuclear weapons. This plan, which is generally familiar to the addressees, has been worked out pursuant to White House approval of the recommendation made in Ambassador Thompson's memorandum to McGeorge Bundy of December 9, 1964. It is explained fully in Commerce Document OC No. 2702 of April 20, 1965. We did not show any documents to the Joint Committee staff members, but confined the discussion to a general explanation of the approach to be followed and the reasoning behind it.

Mr. Conway said that the Committee would be very much interested to learn of these new procedures, and that he appreciated the chance to discuss them informally in this way. He raised two principal points:

(1) He hoped that the review mechanism in Commerce and State would not become merely a rubber-stamping operation and that expert technical advice would be sought as might be needed. We assured him that this would be the case. In this connection we pointed out that while we are only now at the point of publication, we have actually been working out criteria and taking a harder look at exports in this area over a considerable time. Mr. O'Donnell said that for example Commerce had been referring about 400 cases per year to the AEC for an advisory

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E.O. 13282, Sec. 3.4
By *Chapman* NARA, Date 3/20/09

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DATE 11-11-2013

opinion up until about last October. Since October, when we began to tighten up rather considerably in marginal areas, the rate of referral has stepped up to about 2200 cases per year.

(2) Mr. Conway said he thought we would probably be able to handle satisfactorily the export of actual hardware but he was still concerned about one aspect of safeguarding the technology concerned. He asked for example whether it would not be possible for the French or anyone else to buy a given item of equipment in this country, and have it studied by engineers and technicians in such manner as to learn the technology without ever having to export the item itself. We all agreed that such action would be a very difficult thing to get hold of via regulation. Mr. Conway said he did not know the answer, but asked that the implementing agencies give consideration to the best way to handle the problem.

In conclusion, Mr. Conway asked about timing of publication. Mr. Hockersmith said Secretary Connor had approved the draft Commerce regulation that day and instructed him to have it published within 30 days, unless there was strong reason not to. Since we have envisaged parallel publication of the export licensing requirements of Commerce and State's Office of Munitions Control, I agreed to look urgently into the status of publication plans for the revised Munitions List, to see how parallel publication prior to June 12 can be arranged.

cc:

AEC - Mr. O'Donnell

ACDA - Mr. Van Doren

MC - Mr. Sipes

H - Mr. Zumas

E/MDC - Mr. Christie

Commerce - Mr. Hockersmith

EUR/WE - Mr. Beigel

BOD/ISA - Mr. Nichols

✓ White House - Mr. C. Johnson

G/PM:SGeorge:fm

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January 22, 1965

MEMORANDUM FOR MR. BUNDY

Mac --

The Commerce Department, Division of Export Control, informed me this morning that the Control Data Corporation yesterday afternoon filed a new application. It indicates that the consignee is CDC, France and that the end use of the computer is for "long term lease to the French Government (Commissariat Al-Energie Atomique) facility at Saclay, Paris, France."

I told Export Control that there was no objection in the White House to approving this and that I understood the State Department (the Under Secretary's office) also concurs. It is expected that the application will be approved the first thing next week. Commerce will so inform Senator McCarthy's office.


Charles E. Johnson

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Klien

January 12, 1965

NOTE FOR MR. BUNDY

Mac --

It appears that memos for the file were written by almost everybody who attend our December 30 meeting on NSAM 294. Unfortunately there are minor but still significant variations among these memos. We fear there may be trouble in the future unless there is a single authoritative record of what you thought was agreed on. Accordingly we have taken the draft that we previously sent you (which you okayed) and added to it certain language borrowed from a memo by Ron Murray and also language by the State Department on the general approach to implementing NSAM 294. We believe that this product is more complete and an improvement over our previous draft. We recommend that you approve this draft for circulation to all participants.

Charles E. Johnson

Spurgeon M. Keeny

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DEPARTMENT OF STATE
WASHINGTON

C. Johnson

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JAN 5 1965

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Dear Mac:

Pete Solbert has sent me a copy of his recent note to you, transmitting for your review the memoranda prepared by Dr. Fubini and himself after the NSAM 294 meeting December 30. In this connection, it may be useful to you to see a similar State account of the meeting. I therefore enclose a copy of a memorandum prepared in my office, which sets forth our understanding of the decisions reached.

Sincerely,


Jeffrey C. Kitchen
Deputy Assistant Secretary
for Politico-Military Affairs

Enclosure:

Memorandum for the Record,
dated January 4, 1965.

The Honorable
McGeorge Bundy,
Special Assistant to the President,
The White House.

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E.O. 13526, Sec. 3.4
By *abn/* NARA, Date 3-12-09

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JAN 5 1965

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Dear Mac:

Pete Solbert has sent me a copy of his recent note to you, transmitting for your review the memoranda prepared by Dr. Fubini and himself after the NSAM 294 meeting December 30. In this connection, it may be useful to you to see a similar State account of the meeting. I therefore enclose a copy of a memorandum prepared in my office, which sets forth our understanding of the decisions reached.

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Special Assistant to the President,
The White House.

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E.O. 11652, Sec. 3.4
By *clm/4*, NARA, Date 3-12-01

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December 31, 1964

MEMORANDUM FOR MR. BUNDY

Mac --

Here is a draft memorandum for the file capturing what we thought were the principal conclusions to be drawn from the discussion at yesterday's meeting. From this record and subsequent discussions with you, the appropriate replies can be prepared for the outstanding memoranda from Dr. Seaberg and Ambassador Thompson to which replies are needed.

C. E. Johnson

S. M. Keeny

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This document regraded
as UNCLASSIFIED when
separated from attachment.



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THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

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MEMORANDUM FOR MR. MCGEORGE BUNDY

THE WHITE HOUSE

Subject: Proposed Programs for Implementing the Nuclear Test Ban Treaty and NSAM 294

On December 9 and 10 Ambassador Llewellyn Thompson sent to you separate memoranda on the implementation of the Nuclear Test Ban Treaty and on NSAM 294. I wish to comment on certain basic elements of these programs as well as to comment on the areas of disagreement.

Commerce does not agree with two basic points in the Test Ban Treaty memorandum. The first relates to paragraph 11 which notes "the need to bring to the attention of other signatory countries the actions we are taking and to learn what they may be doing of a comparable nature" in order to prevent U.S. and foreign-origin equipment from reaching France directly or via third countries and to avoid penalizing U.S. suppliers vis-a-vis their foreign competitors. We believe it is essential that other treaty signatories be urged to adopt similar controls, and if they do not do so, our own controls in this area be reconsidered. Otherwise, U.S. suppliers and exporters may be penalized vis-a-vis their foreign competitors by broad action of our government which is not specifically required by the Treaty itself and which is not paralleled by controls imposed on foreign competitors by other signatory governments.

The second problem area relates to paragraph 12 in which State concludes that the proposed regulation should cover only testing and nuclear weapons systems but should not cover delivery systems. State considers that the first two fields are justifiable and explainable in terms of the Test Ban Treaty while the delivery system is not. We have believed, along with Defense Department, that the objectives of the Test Ban Treaty and NSAM 294 should be dealt with in a single set of regulations administered by the same agencies. While we have acquiesced in a separation of these two objectives in the sense that the Test Ban Treaty memorandum does not concern weapons delivery systems, we accepted this separation solely because of the multilateral nature of the Treaty vs. the unilateral nature of NSAM 294. However, we remain strongly of the

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E.O. 12958, Sec. 3A

By *clm/ky* NARA Date 3-12-09

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opinion that, whether they are combined or separate, the reach and administration of the Test Ban Treaty controls as proposed to you by Ambassador Thompson should provide the model for our NSAM 294 control both as to the delivery systems and in the area where it duplicates the Treaty control.

We understand the purpose of NSAM 294 to be the avoidance of U.S. contribution to the development of the French nuclear war-head capability or of a French national strategic nuclear delivery capability, without restricting unduly full and useful cooperation in non-strategic programs and activities. This applies to goods and technical data which would be likely to affect significantly the timing, quality or costs of the French effort or clearly to give the world the impression that the United States is a major supplier or collaborator in the French "Force de Frappe" program.

It seems to me fundamental that wherever possible the U.S. Government should avoid the imposition of trade controls which are ineffective in achieving their objective. I believe this means that our controls should forbid exports to France only to the extent that the identification between U.S. export and the French program is clear, important and likely to become known to the public and denial is effective in the restraint it imposes on the French program. In this way we can avoid reasonless interference with U.S. business and our governmental and business programs for expanding normal trade with France and other Free World countries. I mention "other Free World countries" because it appears to be the intent of the NSAM 294 program to cover both direct and indirect exports to France. If the controls are intended to relate only to exports known or intended to be for France, this should be made clear.

If NSAM 294 is to remain a unilateral U.S. policy, Commerce is concerned that it apply only to those goods and technical data which are not readily available to France from other countries and which would significantly affect the timing, quality or costs of the French effort. Commerce strongly opposes establishing new unilateral trade controls or applying licensing policies which are ineffective. Secretary Hodges' memorandum of December 14 concerning two computers for France exemplifies this concept. Of course, if there is hope of obtaining effective multilateral action against France, such action should be sought. If there is no such intent or hope, the implementation of NSAM 294 should be restricted to fields of clearly effective unilateral controls.

Ambassador Thompson's memorandum and attachments on NSAM 294 are not clear regarding avoidance of duplication and overlapping of the controls of different agencies. To accomplish this

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we recommend the very sensible arrangement suggested for implementing the Nuclear Test Ban Treaty. This provides for division of responsibility among the departments and agencies concerned along the same lines which have existed for over approximately 20 years. Goods and technology already under the individual license requirements of an agency would remain under the same control by the same agency. Thus, State would control items and technical data designed for and used only for weapons systems and weapons delivery systems, while Commerce would control items not so specified for State's control. Control over new items and technical data would be imposed following the same principle. This practical arrangement would not only provide for full implementation of the controls but would interfere least with the trading community and would avoid unnecessary duplication of effort between this and other export control programs involving the same goods and technical data.

Commerce strongly supports the current effort to develop definitive control lists which can be implemented by the several export control agencies, but it appears that resolution of the problems entailed will require some time. Therefore, we propose an interim program in which the several control agencies would be formally authorized to do what they are now doing informally, namely, to review all relevant items now under export control against the NSAM 294 policies and objectives. We also propose that under NSAM 294 control regulations identical to those already proposed for the Treaty implementation be issued concerning goods and technical data relating to weapons delivery systems. These actions would permit the prompt interim implementation of both the Treaty and NSAM 294 and at the same time avoid duplication of licensing review in the areas where they overlap.

Tab B to the memorandum of December 10 raises a number of basic questions relating to coordination of agency implementation of NSAM 294, stresses the complexity and difficulty of the new controls in contrast to current controls and proposes further consideration of them by the newly-established Working Group. However, coordinated working solutions to most of these problems can be achieved by informal exchanges of information and participation in existing interagency committees which act on export control applications, such as Commerce's Advisory Committee on Export Control (ACEP) and its subsidiary Operating Committee together with the technical task group structure which supplies technical support. These established arrangements can be supplemented by such other consultation among the agencies as may be necessary. I see no need to establish any additional major interagency committee structure

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to service either NSAM 294 or the Nuclear Test Ban Treaty program. At the same time, the proposed activities of the recently-established Working Group can certainly be helpful in developing ways to improve coordination within the above-suggested framework, and Commerce will continue to direct its participation in the Working Group to this end.

At least for the Department of Commerce, the considerations cited in Tab B are not new problems. Most of these considerations have customarily been examined by the Department of Commerce and the agencies which advise it, both in determining the strategic rating of goods or technical data for shipment to communist countries, and in licensing to friendly countries which constitutes approximately 97% of our current export control licensing load. In addition, many of these same considerations are involved in developing the advice provided by Commerce and other agencies to the State Department in relation to both modification of the COCOM control lists and the review of COCOM exceptions cases. The fact that France is the objective of the NSAM-294 program may increase the difficulty of some of these problems but does not introduce unmanageable problems if reasonably clear implementing policies and guidelines are provided.

Lastly, I wish to call attention to the question of ensuring that due consideration is given to other important U. S. policies, such as those relating to export expansion and the balance of payments, and to supplying controlled goods for applications in France not relating to NSAM 294 objectives. For the most part, such effort has to be related to consideration of individual license applications. The several control authorities and the departments and agencies advising them are aware of these legitimate concerns. The control authorities have undertaken to provide for adequate review of these factors in their consideration of license applications. A particularly knotty problem which has not been fully resolved is the constant need to determine whether end-use assurances by French firms or the French Government should be sought or relied upon in light of the high priority assigned by the French Government to its military nuclear effort.

I hope that the preceding comments and recommendations will be of assistance in helping to move the NSAM 294 program forward.


Thomas G. Wyman

Domestic and International Business

cc: Messrs. Jeffrey Kitchen, State
Alvin Friedman, Defense
Lawrence O'Donnell, AEC
Arnold Frutkin, NASA
Philip Trezise, State

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