

(f) Narrowed the scope of 9E001 by removing 9A011 and 9D002.

(3) Added processing equipment, specially designed for real time application bottom or bay cable systems controlled by 6A001.a.2.f to the list of ineligible commodities.

(4) Added 4E001, specially designed for the “development” or “production” of “digital computers” controlled by 4A003.b and having a CTP exceeding 190,000 MTOPS to the list of ineligible technology; and

(5) Removed 9E002 from the list of ineligible technology.

- This rule clarifies the scope of Wassenaar reporting requirements that apply to License Exception GOV, and makes the following amendments to the Wassenaar Reporting Requirements in section 743.1 of the EAR to conform with changes made to the Wassenaar Arrangement’s Annex 1 of the List of Dual-Use Goods and Technologies.

(1) This rule removes Wassenaar reporting requirements from part 743 for the following: 2B001.a, .b., .d, and .f; 4A001.b; and 4A003.b and .c.

(2) This rule revises the scope of Wassenaar reporting requirements under part 743 for the following: 1D002, 1E001, 2D001, 2E001, 2E002, 3D001, 3E001, 4D001, 4E001, 5B001, 5D001.a, 5D001.b, 5E001.a, 6A001.a.1.b, 6A006.g, 6D001, 6E001, 6E002, 8A002.b, 8A002.o.3, 8D001, 8E001, 9D001, and 9D002.

(3) This rule adds Wassenaar reporting requirements under part 743 for 9E003.a.1.

- This rule amends section 772.1 by:

(1) Adding new entries for:

“Circulation-controlled, anti-torque or circulation-controlled direction control systems” and “Time-modulated ultra-wideband”;

(2) Removing the entries “Assembly”, “Beat length”, “Circulation”, “Global interrupt latency time”, “Fluoride fibers”, “Gateway”, “ISDN”, “Integrated Services Digital Network”, “Network access controller”, “Optical fiber preforms”, and “Sputtering”, and adding them to the Related Definitions sections of the appropriate ECCNs within the CCL;

(3) Revising the phrase “Only those” to read “those” in the entry “civil aircraft”;

(4) Revising the phrase “arithmetic logic” to read “arithmetic or logic” in the entry “computing element”;

(5) Revising the entry for “electronically steerable phased array antenna” to harmonize with the definition in the Wassenaar Arrangement List;

(6) Revising the phrase “End-effectors” include grippers,” to read

“Grippers,” in the entry for “end-effectors”;

(7) Revising the phrase “(f₂—f₁)” to read “(f₂—f₁) in the entry “noise level”;

(8) Revising the entry heading “Systems tracks” to read “System tracks”; and

(9) Revising the phrase “product “X” that does not operate” to read “product “X” that operates”, and the word “extending” to read “exceeding” in the entry “Required”.

This rule revises a number of national security controlled entries on the Commerce Control List (CCL) to conform with February 2002 revisions to the Wassenaar List of Dual-Use Goods and Technologies. This rule also revises language to provide a complete or more accurate description of controls. A detailed description of the revisions to the CCL is provided below.

Specifically, this rule makes the following amendments to the Commerce Control List:

Category 2—Materials Processing

- ECCN 2A001 is amended by revising:

(a) Paragraph 2A001.a in the List of Items Controlled section to:

(1) Add “all” before “tolerances”;

(2) Add “both” before “rings”; and

(3) Replace “balls or rollers” with “and rolling elements (ISO 5593)”;

(b) Paragraph 2A001.b in the List of Items Controlled section to add “all” before “tolerances”.

- ECCN 2B001 is amended by:

(a) Removing the License Requirements Notes referring to the Wassenaar reporting requirement in the License Requirements section; and

(b) Revising the Notes for 2B001.c by removing notes 3 and 4, and renumbering subsequent paragraphs.

- ECCN 2B003 is amended by revising the word “controllers” to read “controls” in the heading.

- ECCN 2B006 is amended by:

(a) Revising paragraph 2B006.b.1 in the List of Items Controlled section to add “displacement” after “linear”;

(b) Adding a Technical Note after paragraph 2B006.b.1 that defines “linear displacement”; and

(c) Revising paragraph 2B006.b.2 in the List of Items Controlled section to add “displacement” after “angular”.

Category 3—Electronics

- ECCN 3A001 is amended by:

(a) Revising the parameter for paragraph 3A001.a.7.b (basic gate propagation delay time) from 0.40 ns to .1 ns; and

(b) Adding a Note 2 after 3A001.b.1 that explains that 3A001.b.1 does not control non-“space-qualified” tubes

which meet all of the characteristics in the new note.

- ECCN 3A002 is amended by:

(a) Adding a clarification note in the Related Definitions paragraph of the List of Items Controlled section; and

(b) Adding the words “radio frequency” before “signal analyzers” in paragraph 3A002.c.

- ECCN 3B001 (this change is from the Wassenaar 2000 agreements) is amended by:

(a) Revising the heading to add the phrase “as follows (see List of Items Controlled)”;

(b) Modifying 3B001.c controls over etch equipment in order to control such equipment based on its capabilities rather than its characteristics.

Specifically, for 3B001.c.1 and c.2, paragraph a. and b. have been redrafted.

(c) Modifying 3B001.d controls for CVD equipment in order to control such equipment based on its capabilities rather than its characteristics.

- ECCN 3B991 is amended by moving the definition for “sputtering” from section 772.1 of the EAR to the Related Definitions section of this entry, and exchanging the double quotes around the term to single quotes in the list of items controlled.

- ECCN 3C004 is amended by revising and moving the related control note to the list of items controlled section of this entry to harmonize with the Wassenaar Dual-Use List.

- ECCNs 3E001 and 3E002 are amended by revising the parameter in the Technical Note from “two metal layers” to “three metal layers” and from “two polysilicon layers” to “three polysilicon layers”. In addition, the heading to 3E002 is revised to harmonize with Wassenaar.

- ECCN 3E003 is amended by adding a new paragraph 3E003.g to control electronic vacuum tubes operating at frequencies of 31 GHz or higher; and adding a sentence in the Related Controls paragraph of the List of Items Controlled section to read: Technology for the “development” or “production” of “space qualified” electronic vacuum tubes operating at frequencies of 31 GHz or higher, described in 3E003.g, is under the export license authority of the Department of State, Office of Defense Trade Controls (22 CFR part 121)

Category 4—Computers

- ECCN 4A003 is amended by removing paragraph 4A003.d, graphics accelerators and graphics coprocessors; and removing the License Requirements Note that referred to a Wassenaar reporting requirement.

- ECCN 4D003 is amended by removing paragraph 4D003.d, operating