

software for computers with unlimited CTP under License Exception TSR would continue to be eligible for the same, unlimited level of technology and software under License Exception CTP. All of these 22 countries are in "Computer Tier 1" for purposes of License Exception CTP. Technology and software for computers with a CTP

equal to or less than 150,000 MTOPS for export or reexport to Computer Tier 1 destinations other than these 22 countries would be eligible for License Exception CTP. Technology and software for computers with a CTP equal to or less than 75,000 MTOPS would be eligible for License Exception CTP to "Computer Tier 3" destinations.

Exports and reexports to countries in Country Group E:1 (terrorist supporting countries) will continue to be ineligible for License Exception CTP. The following chart shows the proposed eligibility thresholds under License Exception CTP.

PROPOSED COMPUTER TECHNOLOGY AND SOFTWARE ELIGIBILITY THRESHOLDS UNDER LICENSE EXCEPTION CTP

Unlimited CTP	22 "Tier 1" countries: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, and the United Kingdom.
150,000 MTOPS	All other "Tier 1" countries: Antigua and Barbuda, Argentina, Bahamas, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei, Burkina Faso, Burma, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cote d'Ivoire, Cyprus, Czech Republic, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Gabon, Gambia (The), Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hong Kong, Hungary, Iceland, Indonesia, Jamaica, Kenya, Kiribati, Korea (Republic of), Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mozambique, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Romania, Rwanda, St. Kitts & Nevis, St. Lucia, St. Vincent and Grenadines, Sao Tome & Principe, San Marino, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Surinam, Swaziland, Taiwan, Tanzania, Togo, Tonga, Thailand, Trinidad and Tobago, Tuvalu, Uganda, Uruguay, Vatican City, Venezuela, Western Sahara, Western Samoa, Zaire, Zambia, and Zimbabwe.
75,000 MTOPS	All "Tier 3" countries: Afghanistan, Albania, Algeria, Andorra, Angola, Armenia, Azerbaijan, Bahrain, Belarus, Bosnia & Herzegovina, Bulgaria, Cambodia, China (People's Republic of), Comoros, Croatia, Djibouti, Egypt, Georgia, India, Israel, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Laos, Lebanon, Macau, Macedonia (The Former Yugoslav Republic of), Mauritania, Moldova, Mongolia, Morocco, Oman, Pakistan, Qatar, Russia, Saudi Arabia, Tajikistan, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, Uzbekistan, Vanuatu, Vietnam, Yemen, and Federal Republic of Yugoslavia (Serbia and Montenegro).
Not eligible	Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria.

Microprocessor Technology

Technology for the development and production of microprocessors that have a CTP exceeding 530 MTOPS and an arithmetic logic unit with an access width of 32 bits or more are controlled by ECCN 3E002. License Exception TSR is available for the export and reexport of technology for microprocessors of unlimited CTP to occur to all Country Group B countries (*see* Supplement No. 1 to part 740 of the EAR), if all the criteria of License Exception TSR are met (*see* section 740.6 of the EAR for License Exception TSR requirements).

This rule proposes to make technology for the development and production of microprocessors also eligible for License Exception CIV. The threshold for eligibility would be limited by CTP at a level that is yet to be determined. License Exception CIV is available for exports and reexports of items that require a license for national security reasons only that are destined to civil end-users for civil end-uses in Country Group D:1, except North Korea. CIV may not be used for exports and reexports to military end-users or to known military uses. In addition to

conventional military activities, military uses include any proliferation activities described in part 744 of the EAR. It should be noted that a license is also required for transfer of items exported under License Exception CIV to military end-users or end-uses within Country Group D:1 countries.

Request for Comments

The goals of this proposed rule are to solicit public comments to assist BIS in evaluating the effect the proposed amendments to expand license exception availability would have on industry, and to discover whether industry would suggest a different method or parameter for controlling exports of computers and microprocessors, and the technology and software therefor. To ensure maximum public participation in the review process, comments are solicited for the next 30 days. In particular, BIS is interested in comments relating to the following:

1. What impact would the proposed revision of computer technology and software controls have on your company?

2. Is there another proposal regarding computer technology and software, and microprocessor technology controls that you would like Commerce to consider? If so, describe your proposal in detail and please give technical and other justifications for your proposal.

3. What is the highest CTP level for microprocessors currently being manufactured by your company?

4. What should be the CTP MTOPS limitation for microprocessor technology under the proposed License Exception CIV? Please provide detailed technical and other justification for your proposal.

5. How do other countries license the transfer of computer technology and software, and microprocessor technology? Have there been instances where your company has been placed at a competitive disadvantage based on current U.S. license requirements?

6. What are your predictions for the CTP level of microprocessors that will be in production 3 and 5 years from now? On what basis did you make your predictions?

7. What percentage of your research and development is accomplished: (1)