Pt. 744, Supp. 2

(b) [Reserved]
[68 FR 1797, Jan. 14, 2003]

SUPPLEMENT NO. 2 TO PART 744—LIST OF ITEMS SUBJECT TO THE MILITARY END-USE LICENSE REQUIREMENT OF § 744.21

The following items, as described, are subject to the military end-use license requirement in § 744.21:

(1) Category 1—Materials, Chemicals, Microorganisms, and Toxins

(i) 1A290 Depleted uranium (any uranium containing less than 0.711% of the isotope U–235) in shipments of more than 1,000 kilograms in the form of shielding contained in X-ray units, radiographic exposure or teletherapy devices, radioactive thermoelectric generators, or packaging for the transportation of radioactive materials.

(ii) 1C990 Limited to fibrous and filamentary materials other than glass, aramid or polyethylene not controlled by 1C210 or 1C220, for use in “composite” structures and with a specific modulus of 3.18 x 10^6 m or greater and a specific tensile strength of 7.62 x 10^4 m or greater.

(iii) 1C996 Hydraulic fluids containing synthetic hydrocarbon oils, having all the characteristics in the List of Items Controlled.

(iv) 1D993 “Software” specially designed for the “development”, “production”, or “use” of equipment or materials controlled by 1C210.b, or 1C990.

(v) 1D999 Limited to specific software controlled by 1D999.b for equipment controlled by 1B999.e that is specially designed for the production of prepregs controlled in Category 1, n.e.s.

(vi) 1E994 Limited to “technology” for the “development”, “production”, or “use” of fibrous and filamentary materials other than glass, aramid or polyethylene controlled by 1C990.

(2) Category 2—Materials Processing

(i) 2A901 Limited to bearings and bearing systems not controlled by 2A003 and with operating temperatures above 573K (300 °C).

(ii) 2B993 Limited to “numerically-controlled” machinery tools having “positioning accuracies”, with all compensations available, less (better) than 9µ along any linear axis; and machine tools controlled under 2B991.d.a.

(iii) 2B992 Non-“numerically-controlled” machinery tools for generating optical quality surfaces, and specially designed components thereof.

(iv) 2B996 Limited to dimensional inspection or measuring systems or equipment not controlled by 2B992 with measurement uncertainty equal to or less (better) than (1.7 + L/1000) micrometers in any axes (L measured Length in mm).

(3) Category 3—Electronics Design, Development and Production

(i) 3A292.d Limited to digital oscilloscopes and transient recorders, using analog-to-digital conversion techniques, capable of storing transients by sequentially sampling single-shot inputs at greater than 2.5 gigasamples per second.

(ii) 3A999.c All flash x-ray machines, and components of pulsed power systems designed thereof, including Marx generators, high power pulse shaping networks, high voltage capacitors, and triggers.

(iii) 3E202 Limited to “technology” according to the General Technology Note for the “development”, “production”, or “use” of digital oscilloscopes and transient recorders with sampling rates greater than 2.5 gigasamples per second, which are controlled by 3A292.d.

(4) Category 4—Computers

(i) 4A994 Limited to computers not controlled by 4A003 or 4A003, with an Adjusted Peak Performance ("APP") exceeding 0.5 Weighted TeraFLOPS (WT).

(ii) 4D993 “Program” proof and validation “software”, “software” allowing the automatic generation of “source codes”, and operating system “software” not controlled by 4D003 that are specially designed for real time processing equipment.

(iii) 4D994 Limited to “software” specially designed or modified for the “development”, “production”, or “use” of equipment controlled by 4A101.

(5) Category 5—Telecommunications

(i) 5A991 Limited to telecommunications equipment designed to operate outside the temperature range from 219K (–54 °C) to 397K (124 °C), which is controlled by 5A991.a, radio equipment using Quadrature-amplitude-modulation (QAM) techniques, which is controlled by 5A991.b.7, and phased array antenae, operating above 10.5 Ghz, except landing systems meeting ICAO standards (MLS), which are controlled by 5A991.f.

(ii) 5D991 Limited to “software” specially designed or modified for the “development”, “production”, or “use” of equipment controlled by 5A991.a, 5A991.b.7, and 5A991.f, or of “software” specially designed or modified for the “development”, “production”, or “use” of equipment controlled by 5A991.b.7, and 5A991.f.

(iii) 5E994 Limited to “technology” for the “development”, “production”, or “use” of equipment controlled by 5A991.a, 5A991.b.7, and 5A991.f, or of “software” specially designed or modified for the “development”, “production”, or “use” of equipment controlled by 5A991.a, 5A991.b.7, and 5A991.f.
(6) Category 6—Sensors and Lasers
(i) 6A.995 "Lasers", not controlled by 6A.005 or 6A.205.
(ii) 6C.992 Optical sensing fibers not controlled by 6A.002.d.3 which are modified structurally to have a "beat length" of less than 500 mm (high birefringence) or optical sensor materials not described in 6C.002.b and having a zinc content of equal to or more than 6% by "mole fraction.
(iii) 6A.993 Cameras, not controlled by 6A.003 or 6A.203 as follows (see List of Items Controlled).

(7) Category 7—Navigation and Avionics
(i) 7A.994 Other navigation direction finding equipment, airborne communication equipment, all aircraft inertial navigation systems not controlled under 7A.003 or 7A.103, and other avionic equipment, including parts and components, n.e.s.
(ii) 7D.994 Other equipment for the test, inspection, or "production" of navigation and avionics equipment.
(iii) 7E.994 "Software", n.e.s., for the "development", "production", or "use" of navigation, airborne communication and other avionics equipment.
(iv) 7E.994 "Technology", n.e.s., for the "development", "production", or "use" of navigation, airborne communication, and other avionics equipment.

(8) Category 8—Marine
(i) 8A.992 Limited to underwater systems or equipment, not controlled by 8A.001, 8A.002, or 8A.013, and specially designed parts therefor.
(ii) 8D.992 "Software" specially designed or modified for the "development", "production" or "use" of equipment controlled by 8A.992.
(iii) 8E.992 "Technology" for the "development", "production" or "use" of equipment controlled by 8A.992.

(9) Category 9—Propulsion Systems, Space Vehicles and Related Equipment
(i) 9A.991 Limited to "aircraft", n.e.s., and gas turbine engines not controlled by 9A.001 or 9A.101.
(ii) 9D.991 "Software", for the "development" or "production" of equipment controlled by 9A.991 or 9B.991.
(iii) 9E.991 "Technology", for the "development", "production" or "use" of equipment controlled by 9A.991 or 9B.991.

SUPPLEMENT NO. 3 TO PART 744—COUNTRIES NOT SUBJECT TO CERTAIN NUCLEAR END-USE RESTRICTIONS IN §744.2(A)

- Australia
- Austria
- Belgium
- Canada
- Denmark
- Finland
- France
- Germany
- Greece
- Iceland
- Ireland
- Italy (includes San Marino and Holy See)
- Japan
- Luxembourg
- Netherlands
- New Zealand
- Norway
- Portugal
- Spain
- Sweden
- Switzerland
- Turkey
- United Kingdom

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST

<table>
<thead>
<tr>
<th>Country</th>
<th>Entity</th>
<th>License requirement</th>
<th>License review policy</th>
<th>Federal Register citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>CANADA</td>
<td>Al Bakhshien, 909-4005 Bayview Ave., Toronto, Canada M2M 3Z9</td>
<td>For all items subject to the EAR. (See §744.11 of the EAR)</td>
<td>Presumption of denial</td>
<td>73 FR 54503, 9/22/08.</td>
</tr>
<tr>
<td></td>
<td>Kitro Corporation, 909-4005 Bayview Ave., Toronto, Canada M2M 3Z9</td>
<td>For all items subject to the EAR. (See §744.11 of the EAR)</td>
<td>Presumption of denial</td>
<td>73 FR 54503, 9/22/08.</td>
</tr>
<tr>
<td>CHINA</td>
<td>13 Institute, China Academy of Launch Vehicle Technology, (CALT), aka 713 Institute or Beijing Institute of Control Devices</td>
<td>For all items subject to the EAR.</td>
<td>See §744.3(d) of this part</td>
<td>66 FR 24265, 05/14/01.</td>
</tr>
</tbody>
</table>