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Sent: Monday, May 12, 2008 12:29 PM
To: PM-DDTC-Response-Team-DL
Subject: 17C Comments from Goodrich

In response to Federal Register notice (Volume 73, Number 71) dated April 11, 2008 Goodrich Corporation is providing comments regarding the proposed changes to the ITAR in Category VIII to clarify the interpretations and impact of 17C. Please find attached an annotated copy of the proposed regulations with the Goodrich Comments/revisions incorporated into it. Our comments are summarized below

First off, Goodrich greatly appreciates the effort by DDTC to clarify this issue and providing industry the opportunity to comment. Goodrich is not providing any revisions to the preamble/supplementary information portion of the Federal Register, only to the actual ITAR revisions.

Revision #1:

VIII(b) - we have removed the reference to all specifically designed military hot section components (i.e., combustion chambers and liners; high pressure turbine blades, vanes, disks and related cooled structure; cooled low pressure turbine blades, vanes, disks and related cooled structure; cooled augmenters; and cooled nozzles) and digital engine controls (e.g., Full Authority Digital Engine Controls (FADEC) and Digital Electronic Engine Controls (DEEC)).

Justification #1:

We believe that this revision was made to ensure that there was not an automatic assumption that FAA certified engine hot section parts were under Commerce jurisdiction. While we understand the intent of such a revision, we believe it is better addressed by inserting it into the Note section. The Supplementary Information in this Federal Register made a point of emphasizing that the purpose of this Federal Register notice was to clarify the 17C application. Such clarification should not require a revision to the actual USML, but rather a clarifying note. Moving simple items such as blades to a category which makes them SME results in numerous unintended consequences. We believe that the revision we have proposed in the Note section of this notice will satisfy any concerns regarding the need to obtain CJs for Engine hot section technology.

If the intent is to truly move items that have not been SME to a new category, we suggest that be addressed in a separate federal register notice that actually addresses the revision of the USML, not simply a clarification of 17c application.

Revision #2:

VIII(h) - we have inserted the words "Except as noted below..."

Justification #2:

This revision was made to help clarify that there are exceptions identified in the note below whereby an item would not fall into Category h.

Revision #3:

Note - Changed "parts and components" to "components, parts, accessories, attachments and associated equipment"

Justification #3:

This revision was made throughout the document for the purpose of consistency. This language mirrors the language and terms used in Category VIII(h).

Revision #4:

Note - Changed the word "issued" to "recognized".

Justification #4:

This revision was made for consistency with other US Government regulations. This would allow for not only certificates issued by the FAA but also those certificates that are issued by a foreign agency and recognized by the FAA through a Bilateral Agreement (such as EASA). US Customs regulations recognize items as being civil aircraft parts when certified by a reciprocal/recognized agency. As Customs is the enforcement authority for the ITAR, the definitions and terms should be consistent.

Revision #5:

Note - Inserted the language removed from VIII(b) regarding hot sections and FADEC and DEEC.

Justification #5:

As noted above in number 1 - this revisions helps to ensure that CJs are required for the items of concern, without a change to the USML category.

Revision #6:

Note - Changed "parts and components" to "components, parts, accessories, attachments and associated equipment"

Justification #6:

This revision was made throughout the document for the purpose of consistency. This language mirrors the language and terms used in Category VIII(h).

Revision #7:

Note - Inserted TSO info the list of standards

Justification #7:

This revision is necessary to identify one of the most common standards for Civil Aircraft parts. Technical Standards Order (TSOs) are published by the FAA specifically for civil aircraft and should be included in this list. A TSO is a minimum performance standard for specified materials, parts, and appliances used on civil aircraft. As the list is illustrative, it is important to provide reference to at least one standard that is specifically published and related to civil aircraft. TSOs may be viewed online at http://www.faa.gov/aircraft/air_cert/design_approvals/tso/. Many of the basic aircraft parts are covered by TSOs such as seating, lighting, evacuation slides, fasteners, etc... It is important to reference the TSO criteria in this document.

Revision #8:

Note - Inserted "or manufacturer"

Justification #8:

Inserted to address fact that often times the standard may be an individual company's standard

Revision #9:

Note - Inserted "wheels, brakes, seats, lights [DD1](#) "

Comment [DD1]:

Justification #9:

Inserted to provide clarification of additional items that are clearly integral to a civil aircraft

Should you have any questions about any of these revisions or comments, please feel free to contact the undersigned

Thank you

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