

**(i) Corrective Action**

If any crack is found during any inspection required by paragraph (h) of this AD: Before further flight, obtain corrective actions approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or 328 Support Services GmbH's EASA Design Organization Approval (DOA); and accomplish the corrective actions within the compliance time specified therein. If approved by the DOA, the approval must include the DOA-authorized signature.

**(j) No Reporting Requirement**

Although 328 Support Services Alert Service Bulletin ASB-328-57-043, dated September 21, 2018, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**(k) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or 328 Support Services GmbH's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

**(l) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2018-0254, dated November 23, 2018, for related information. This MCAI may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0117.

(2) For more information about this AD, contact Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3228.

(3) For service information identified in this AD, contact 328 Support Services GmbH, Global Support Center, P.O. Box 1252, D-82231 Wessling, Federal Republic of Germany; telephone +49 8153 88111 6666; fax +49 8153 88111 6565; email [gsc.op@328support.de](mailto:gsc.op@328support.de); internet <http://www.328support.de>. You may view this

service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

Issued in Des Moines, Washington, on February 28, 2019.

**Michael Kaszycki**,

*Acting Director, System Oversight Division, Aircraft Certification Service.*

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**DEPARTMENT OF COMMERCE****Bureau of Industry and Security****15 CFR Part 774**

[Docket No. 181010936-8936-01]

RIN 0694-AH66

**Request for Public Comments  
Regarding Review of Commerce  
Control List for Items Transferred  
From United States Munitions List  
Categories IV and XV**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Advanced notice of proposed rulemaking.

**SUMMARY:** As part of its work with the National Space Council, the Bureau of Industry and Security, Department of Commerce requests public comment to inform its review of the controls implemented in recent revisions to Categories IV and XV of the United States Munitions List (USML) and the related transfer of items to the Department of Commerce's Commerce Control List (CCL). These items include launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, and mines; and spacecraft and related articles. BIS's review seeks to ensure that the CCL describes these items clearly, captures those items in normal commercial use, accounts for technological developments, and implements the national security and foreign policy objectives of the United States properly.

**DATES:** Comments must be received by BIS no later than April 22, 2019.

**ADDRESSES:** Comments may be submitted through the Federal rulemaking portal (<http://www.regulations.gov>). The [www.regulations.gov](http://www.regulations.gov) ID number for this rule is BIS-2018-0029. All comments (including any personally identifying information) will be made available for public inspection and copying.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding launch vehicles,

guided missiles, ballistic missiles, rockets, torpedoes, bombs, and mines (Export Control Classification Numbers (ECCNs) 0A604, 0B604, 0D604, 0E604, 9A604, 9B604, 9D604, and 9E604), contact Jeffrey Leitz, Senior Staff Engineer, Munitions Control Division, Office of Strategic Industries and Economic Security at (202) 482-7417 or [Jeffrey.Leitz@bis.doc.gov](mailto:Jeffrey.Leitz@bis.doc.gov). For questions regarding spacecraft and related items (ECCNs 9A515, 9B515, 9D515, and 9E515), contact Dennis Krepp, Director, Sensors and Aviation Division, Office of National Security and Technology Transfer Controls at (202) 482-1309 or [Dennis.Krepp@bis.doc.gov](mailto:Dennis.Krepp@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The Bureau of Industry and Security (BIS), Department of Commerce, maintains the CCL under the Export Administration Regulations (EAR). To ensure controls align with the national security and foreign policy objectives of the U.S. Government, the USML and the CCL must be regularly reviewed and updated to account for technological developments, issues related to the practical application of these controls, and changes in the military and commercial applications of items covered by the USML or by the corresponding "600 series" and 9x515 ECCNs on the CCL.

Consistent with the objectives in Space Policy Directive-2 (available at <https://www.whitehouse.gov/presidential-actions/space-policy-directive-2-streamlining-regulations-commercial-use-space/>), this Advanced Notice of Proposed Rulemaking (ANPRM), seeks public comments to inform a review of those items on the CCL implemented in connection with the recent removal of articles from Categories IV (79 FR 34, January 2, 2014) and XV (82 FR 2889, January 10, 2017) of the USML and the placement of those items on the CCL. BIS seeks to ensure the CCL includes clear descriptions, captures items in normal commercial use, takes into account technological developments, and implements the national security and foreign policy objectives of the United States properly.

In particular, BIS seeks comment on ways to thoughtfully streamline export control regulations for both the U.S. commercial space industry as well as our international partners to lower administrative burden, decrease regulatory compliance costs as well as increase exports thereby bolstering the U.S. space commercial sector and industrial base.

### Request for Comments

1. For technologies controlled under ECCN 9A515—examples include habitats, planetary rovers, and planetary systems such as communications and power—what factors or specific technologies should be considered for movement to a different ECCN or paragraph under ECCN 9A515 with less stringent licensing requirements?

2. The USG is considering further refinement or updated controls on the various technologies listed below. Are there additional specific space-related technologies not described in the list which warrant further review by State or Commerce given their current or anticipated near term commercial applications?

- Satellite thrusters (bi-propellant, electric, and liquid apogee engines);
- gyroscopes;
- inertial navigation systems;
- large aperture earth observation cameras;
- spacecraft antenna systems and adaptive Global Navigation Satellite System (GNSS) antennas;
- suborbital systems with propulsion systems currently controlled under USML;
- kapton tape;
- star trackers; and
- astrocompasses.

3. NASA continues to pursue development of the future Lunar Gateway, which may be described in USML Category XV(a). If moved to the CCL, what would be the appropriate controls to apply to items associated with the Lunar Gateway, *e.g.*, ECCNs 9A515 or 9A004?

4. Are there technologies controlled in the USML for either Category IV and XV, which are not currently described or not described with sufficient clarity which the commenter believes should be controlled under the EAR? While this notice discusses specific items based on initial communications with industry, the list is not exhaustive and commenters are encouraged to provide additional examples within both USML categories.

5. Are there specific defense articles which have entered into normal commercial use since the most recent revisions? If so, please provide sufficient detail in describing and identifying the article to support your claim. Commenters may include documentation to support this claim, *e.g.*, product information demonstrating what is currently in the market (web pages describing products and product brochures), or scientific and industry articles, in particular those also describing trends in commercial

products, that resulted from new technologies or manufacturing methods.

6. Are there defense articles for which commercial use is proposed, intended, or anticipated in the next five years? If so, provide sufficient detail in describing and identifying the article to support your claim. Commenters may include documentation to support this claim, *e.g.*, product development or marketing information describing what products will soon to be in the market (web pages describing products under development, press releases related to products under development) or scientific and industry articles, in particular those describing new products that may soon enter the market place as a result of new technologies or manufacturing methods.

7. Are there other technical issues for these items which BIS should address, *e.g.*, the addition of technical notes or defined terms used in the control parameters to make the controls easier to understand and apply consistently?

8. What are the cost savings to private entities by shifting control of additional specific commercial items from the USML to the CCL? To the extent possible, please quantify the current cost of compliance with USML control of an item and any cost savings if a particular change was implemented. Cost savings could include time saved in terms of regulatory uncertainty over whether certain items are regulated as on the USML or the CCL. This reduced uncertainty, under the “bright line” approach of the USML to CCL review process, would allow both BIS and industry to avoid spending hours and resources on case by case determinations for certain items. As much as possible, please quantify time saved, reduction in compliance costs, and reduction in paperwork.

Please note general comments on other aspects of the CCL are outside of the scope of this inquiry.

Dated: February 22, 2019.

**Richard E. Ashooh,**

*Assistant Secretary for Export Administration.*

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### DEPARTMENT OF STATE

#### 22 CFR Part 121

[Public Notice 10568; Docket Number DOS-2018-0048]

RIN 1400-AE73

#### Request for Comments Regarding Review of United States Munitions List Categories IV and XV

**AGENCY:** Department of State.

**ACTION:** Advanced notice of proposed rulemaking; request for comments.

**SUMMARY:** As part of its work with the National Space Council, the Department of State requests comments from the public to inform its review of the controls implemented in recent revisions to Categories IV and XV of the United States Munitions List (USML). The Department periodically reviews USML categories to ensure that they are clear, do not inadvertently control items in normal commercial use, account for technological developments, and properly implement the national security and foreign policy objectives of the United States.

**DATES:** The Department will accept comments up to April 22, 2019.

**ADDRESSES:** You may send comments by any of the following methods:

- *Email:* [DDTCPublicComments@state.gov](mailto:DDTCPublicComments@state.gov). Please include “USML Categories IV and XV” in the subject line.

- *Internet:* At [www.regulations.gov](http://www.regulations.gov). Follow the instructions for sending comments using docket number, DOS-2018-0048.

Comments submitted through [www.regulations.gov](http://www.regulations.gov) will be visible to other members of the public; the Department will publish all comments on the Directorate of Defense Trade Controls website ([www.pmdt.state.gov](http://www.pmdt.state.gov)). Therefore, commenters are cautioned not to include proprietary or other sensitive information in their comments.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Monjay, Office of Defense Trade Controls Policy, Department of State, telephone (202) 663-2817; email [publiccomments@state.gov](mailto:publiccomments@state.gov). ATTN: Request for Comments Regarding Review of USML Categories IV and XV.

**SUPPLEMENTARY INFORMATION:** One advantage of revising the USML into a more positive list is its controls can be tailored to satisfy the national security and foreign policy objectives of the U.S. government by maintaining control over those articles that provide a critical military or intelligence advantage, or otherwise warrant control under the