

**List of Subjects in 22 CFR Part 121**

Arms and munitions, Exports.

Accordingly, for the reasons set forth above, Title 22, Chapter I, Subchapter M, part 121 is proposed to be amended as follows:

**PART 121—THE UNITED STATES MUNITIONS LIST**

1. The authority citation for part 121 continues to read as follows:

**Authority:** Secs. 2, 38, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2797); E.O. 11958, 42 FR 4311; 3 CFR, 1977 Comp. p. 79; 22 U.S.C. 2651a; Pub. L. 105–261, 112 Stat. 1920.

2. Section 121.1 is amended by revising U.S. Munitions List Category X to read as follows:

**§ 121.1 General. The United States Munitions List.**

\* \* \* \* \*

**Category X—Personal Protective Equipment and Shelters**

(a) Personal protective equipment, as follows:

(1) Body armor providing a protection level equal to or greater than NIJ Type IV.

**Note 1 to (a)(1):** See National Institute of Justice Classification, NIJ Standard-0101.06.

**Note 2 to (a)(1):** For body armor providing a level of protection of Type I, Type II, Type IIA, Type IIIA, or Type III, see ECCNs 1A005 and 1A613.

(2) Personal protective clothing, equipment, or face paints “specially designed” to protect against or reduce detection by radar, IR, or other sensors at wavelengths greater than 900 nanometers.

**Note to (a)(2):** See Category XIII(j) for controls on related materials.

(3) [Reserved]

(4) [Reserved]

(5) Integrated helmets, not specified in Category VIII (h)(15) or Category XII, incorporating optical sights or slewing devices, which include the ability to aim, launch, track, or manage munitions.

(6) Helmets and helmet shells providing a protection level equal to or greater than NIJ Type IV.

(7) Goggles, spectacles, or visors, employing other than common broadband absorptive dyes and UV inhibitors as a means of protection (e.g., narrow band filters/dyes or broadband limiters/coatings with high visible transparency), with optical density greater than 3 that protect against:

(i) Visible (in-band) wavelengths;

(ii) Thermal flashes associated with nuclear detonations; or

(iii) Near infrared or ultraviolet (out-of-band) wavelengths.

**Note 1 to (a)(7):** See Category XIII(j) for controls on related materials.

**Note 2 to (a)(7):** See Category XII for sensor protection equipment.

(8) Developmental personal protective equipment and shelters and “specially designed” parts, components, accessories, and attachments therefor, developed under a contract with the U.S. Department of Defense.

**Note to (a)(8):** Developmental personal protective equipment and shelters, and “specially designed” parts, components, accessories, and attachments therefor, determined to be subject to the EAR via a commodity jurisdiction determination (see § 120.4 of this subchapter) are not controlled by this paragraph.

(b) [Reserved]

(c) [Reserved]

(d) Parts, components, assemblies, and associated equipment for the personal protective equipment controlled in this category as follows:

(1) Ceramic or composite plates that provide protection equal to or greater than NIJ Type IV.

(2) Lenses for the goggles, spectacles, and visors controlled in paragraph (a)(7) of this category.

(3) Any component, part, accessory, attachment, equipment, or system that:

(i) Is classified;

(ii) Contains classified software;

(iii) Is manufactured using classified production data; or

(iv) Is being developed using classified information.

“Classified” means classified pursuant to Executive Order 13526, or predecessor order, and a security classification guide developed pursuant thereto or equivalent, or to the corresponding classification rules of another government.

(e) Technical data (as defined in § 120.10 of this subchapter) and defense services (as defined in § 120.9 of this subchapter) directly related to the defense articles enumerated in paragraphs (a) through (d) of this category.

(f) [Reserved]

\* \* \* \* \*

Dated: May 31, 2012.

**Rose E. Gottemoeller,**

*Acting Under Secretary, Arms Control and International Security, Department of State.*

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**NATIONAL MEDIATION BOARD****29 CFR Parts 1206**

[Docket No. C–7034]

RIN 3140–ZA01

**Representation Procedures and Rulemaking Authority; Correction**

**AGENCY:** National Mediation Board.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects the text of a proposed rule published in the **Federal Register** on May 15, 2012. The proposed rule changes the National Mediation Board’s (NMB or Board) existing rules for run-off elections to incorporate statutory language added to the Railway Labor Act (RLA) by the Federal Aviation Administration Modernization and Reform Act of 2012.

**DATES:** Comment date: The NMB will extend the comment period by accepting written comments that are received on or before August 6, 2012.

**FOR FURTHER INFORMATION CONTACT:** Mary Johnson, General Counsel, National Mediation Board, 202–692–5050, [info@nmb.gov](mailto:info@nmb.gov).

**SUPPLEMENTARY INFORMATION:** The National Mediation Board is correcting its proposed rule published in the **Federal Register** on May 15, 2012 at 77 FR 28536. This document makes a correction to clarify that Rule 1206.1 only applies in elections where 3 or more options receive valid votes.

**Correction**

In FR Doc. No. 2012–11770, on page 28537, in the right column, the text for § 1206.1 is correctly revised to read as follows:

**§ 1206.1 Run-off elections.**

(a) In an election among any craft or class where three or more options (including the option for no representation) receive valid votes, if no option receives a majority of the legal votes cast, or in the event of a tie vote, the Board shall authorize a run-off election.

(b) In the event a run-off election is authorized by the Board, the names of the two options which received the highest number of votes cast in the first election shall be placed on the run-off ballot, and no blank line on which voters may write in the name of any organization or individual will be provided on the run-off ballot.

(c) Employees who were eligible to vote at the conclusion of the first election shall be eligible to vote in the run-off election except:

(1) Those employees whose employment relationship has terminated; and

(2) Those employees who are no longer employed in the craft or class.

Dated: June 4, 2012.

**Mary Johnson,**

*General Counsel, National Mediation Board.*

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