

USIB-D-43.1/4
21 May 1974

UNITED STATES INTELLIGENCE BOARD

MEMORANDUM FOR THE UNITED STATES INTELLIGENCE BOARD

SUBJECT : Interim Report of the Ad Hoc Intelligence
Group on Exchanges (IGE)

REFERENCES : a. USIB-D-43.1/3, 11 March 1974
b. USIB-M-663, 14 March 1974, Item 5

1. The enclosed memorandum on this subject from contains the Interim IGE Report and Attachments A through I. The Report was prepared in response to USIB action in reference b. 25X1

2. It is anticipated that this subject will be placed on an agenda for Board consideration at an early date. Based on the IGE report and the Chairman's memorandum, it is requested that the USIB consider action along the following lines at the Board meeting:

a. That the IGE be constituted as the Committee on Exchanges of the United States Intelligence Board.

b. That the Board Members review and comment on the attached draft DCID (Attachment A) prior to its promulgation by the DCI.

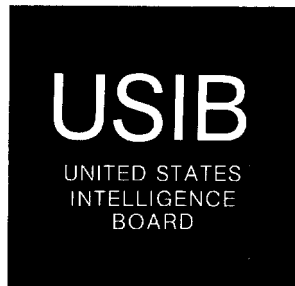
c. That the Board endorse in principle the IGE recommendation that additional personnel resources may be required and note that the Committee on Exchanges will be expected to make specific recommendations to the DCI regarding minimum intelligence community manpower requirements to carry out the functions stated in the draft DCID, and

d. Note the Report and the draft DCID and agree that the Committee on Exchanges should proceed along the lines outlined therein.

Executive Secretary 25X1

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*Report by the Ad Hoc Intelligence
Advisory Group on Exchanges*

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USIB-D-43.1/4
May 1974

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15 May 1974

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MEMORANDUM FOR THE UNITED STATES INTELLIGENCE BOARD

SUBJECT : Interim Report of the Ad Hoc Intelligence Group on Exchanges

1. In accordance with the 14 March 1974 minutes (USIB-M-663) of the Intelligence Board, the ad hoc Intelligence Group on Exchanges (IGE) has met on five occasions. This memorandum forwards its interim report and supporting documentation and contains recommendations in paragraphs 5. and 6. The IGE has focused principally to date on the implications of increasing exchange and commercial contacts between the US and the USSR. Eastern European nations have not been considered specifically and the special problems posed by US-PRC relationships have been put off for later discussion.

2. The US-USSR General Exchange Agreement on Contacts, Exchanges and Cooperation and the eight specialized cooperative agreements between the US and the USSR have as their central purpose the improvement of overall relations. The US-USSR commercial agreement is designed to facilitate trade and contribute to the broad policy objective of improved relations. The effect of these agreements is to expand greatly the number of mutual visits. As a consequence, there are increased opportunities for loss of US technology to the USSR and improved US intelligence collection against the USSR, and intensified internal security and counterintelligence problems. It is in the interest of the US to prevent collection of information and material by the USSR which would have an adverse effect upon US national security objectives and to minimize other collection activities by the Soviets while taking advantage of opportunities to increase US intelligence collection against the USSR.

3. Many US Government mechanisms continue to function, at least in part, to control exchanges and commercial relationships. There are operational problems of organization, staffing, coordination, and communication, however, which present obstacles to improvement in these mechanisms.



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4. Several problem issues have not yet been satisfactorily resolved in IGE discussions:

A. The degree to which the IGE can assist US Government efforts to control the loss of technology during commercial contacts needs more study but there is agreement that the IGE should provide assessments when tasked by the Departments of Commerce, State, or Treasury, or by other elements of the US Government through the Department of State, and support collection efforts against the opportunities afforded by commercial contacts.

B. Department of Defense participants in the IGE feel strongly that a major effort should be mounted to perform a "damage assessment" of the degree to which technology has actually been lost as a consequence of expanded contacts between the US and the USSR. Further discussion on this issue is necessary to determine how IGE efforts can be coordinated with assessment studies being done or contemplated elsewhere in the US Government; and

C. The relationship of the IGE and its Secretariat to the Federal Bureau of Investigation is still undetermined. Because the FBI was not a participant in the work of the IGE's predecessor organization, it has separate channels to the Department of State. It is believed that these separate channels should continue because of the FBI's focus on internal security and counterintelligence matters. FBI participation in the IGE, however, has already proved very useful.

5. There is urgent need to revitalize the Intelligence Community contribution to and exploitation of US exchanges and commercial contacts with the USSR, Eastern European countries, the PRC, and such other nations as may from time to time be designated by the Department of State. It is recommended that the IGE be constituted as the "Committee on Exchanges" of the Intelligence Board for the purpose and with the functions outlined in a revised draft of Director of Central Intelligence Directive 2/6 which accompanies the IGE report as Attachment A.

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6. If the Intelligence Board approves the IGE's work to date and accepts the recommendation in paragraph 5., there is much remaining for discussion and resolution. In order for the Intelligence Community to contribute to the solution of the problems caused by exchanges and commercial contacts, however, the operational problems mentioned in paragraph 3. must be resolved. The most serious problem is insufficient staffing. If Intelligence Community personnel resources devoted to this effort continue at present levels, the IC contribution will actually degrade; if they are further reduced, organized IC support will be precluded and exploitation programs will suffer additionally. It is recommended, therefore, that personnel resources be increased to:

- A. Improve support to the Department of State and other participating US Government departments and agencies;
- B. Enhance monitoring to accomplish early warning, better control and reduced technology loss; and
- C. Expand intelligence collection.

7. The intent of the effort should be to restore better balance in exchange relationships and commercial contacts, particularly between the US and the USSR.



Chairman
Intelligence Group on Exchanges

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REPORT TO THE UNITED STATES INTELLIGENCE BOARD BY
THE AD HOC INTELLIGENCE ADVISORY GROUP ON EXCHANGES (IGE)

15 May 1974

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- A Director of Central Intelligence Directive 2/6 (Revised Draft)
- B US-USSR Exchanges and Commercial Contacts
- C Informal History--US Intelligence Involvement in the East-West Exchanges Program
- D Procedures for Handling Soviet Scientific and Technical Visitors Under the US-USSR General Agreement on Contacts, Exchanges and Cooperation and the Eight US-USSR Specialized Cooperative Agreements
- E Procedures for Soviet Commercial Visits
- F Technology Transfers to Communist Countries; Form on Comment by the Office of the Export Administration on Proposed US/USSR Exchange

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ATTACHMENTS (continued)

- G Weekly Listing of Soviet Commercial Travel to the US
- H FBI Points for Inclusion in IGE's Interim Report to the
US Intelligence Board
- I Minutes of IGE Meetings of 5 April, 18 April, 1 May, and
8 May 1974

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I. The Situation

A. The US Intelligence Board has created the ad hoc Intelligence Group on Exchanges (IGE) and directed it to study the overall scope of the problems involved in exchanges and commercial contacts and to make pertinent recommendations. Testimony at initial IGE meetings confirmed that there are valid grounds for concern and identified specific problems. There is agreement that a "Committee on Exchanges" should be established as a permanent committee of the United States Intelligence Board (see paragraph IX.A.). A revised draft of Director of Central Intelligence Directive 2/6 (Attachment A) delineates its functions and responsibilities.

B. There has been a remarkable expansion in East-West contacts resulting from the overall improvement in US relations with the USSR, Eastern Europe, and the PRC. (See Attachment B for statistics reflecting the scope of expansion in US-USSR contacts.) The expansion:

(1) has strained the capacity of US Government mechanisms for coordinating the intelligence aspects of official exchanges and bilateral cooperative agreements (hereinafter referred to as "exchanges") and commercial visits and other related activities (hereinafter referred to as "commercial contacts");

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(2) has enhanced the potential for net loss of US scientific, technological, and industrial data;

(3) has intensified internal security and counterintelligence problems; and

(4) has created important new opportunities to collect intelligence.

C. The personnel resources of the US Intelligence Community (IC) have not expanded to keep pace with the significant increase in the level of exchanges activity and commercial contacts and, in fact, have been reduced in some departments and agencies. As a consequence, the IC's ability to monitor and exploit exchanges and commercial contacts from an intelligence standpoint and to contribute to their development has been significantly hampered.

II. US Policy and Intelligence Implications -- The USSR and Eastern Europe

A. The US-USSR General Agreement on Contacts, Exchanges and Cooperation and the eight specialized cooperative agreements with the USSR have as a central purpose the improvement of overall relations with the USSR through balanced and mutually beneficial development of contacts, exchanges and cooperation. The US-USSR Commercial Agreement is designed to facilitate trade between the two countries and to contribute through commercial contacts and exchanges to the broad policy objectives outlined above.

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B. The President said at the outset of his Administration that our policy would be to move from an era of confrontation to an era of negotiation, and through negotiation and joint effort to create a stable structure of world peace. The ten agreements are important building blocks in that structure. By providing for stable, long-term forms of cooperation in fields of mutual interest, they are intended to create a network of durable links between important sectors of our two societies. These links, and the benefits flowing from them, are intended to create a vested interest in cooperation which can have a moderating influence on Soviet conduct during periods of short-term stress or crisis.

C. The Administration expects that contacts and activities under the agreements may lead to a more accurate mutual understanding of the nature of our societies and systems, and that exposure to the US and to US citizens may serve to mitigate some of the misconceptions of the US purveyed by Soviet media. The United States has been able through these programs to establish a continuing intellectual "presence" in Soviet universities and research institutions. Finally, the programs afford opportunities which otherwise would not exist for US researchers to pursue their specialized professional interests, and produce direct scholarly and scientific benefits which add to the common store of knowledge in these fields.

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D. In concluding the agreements, the Administration did not intend to imply any willingness on the part of the US to release military technology or to relax existing safeguards for its protection, and none of the agreements is designed to exchange such information.

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of Soviet research. It is in the interest of the US to prevent collection of information and material by the USSR which would have an adverse effect upon US national security objectives and to minimize other collection activities by the Soviets, while taking advantage of opportunities afforded by exchanges and commercial contacts to increase US intelligence collection against the USSR.

III. US Policy and Intelligence Implications -- The PRC

Although there are no inter-governmental exchanges agreements between the US and the PRC, cultural and scientific exchanges have been arranged since 1971 on the basis of informal agreements. The problems of US-PRC commercial contacts appear to be analogous to those caused by US-USSR and US-Eastern European commercial contacts (see paragraph VI) but the IGE has not been able, in the time allowed, to consider the special US-PRC situation in depth.

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VI. Special Problem Issues -- Commercial Contacts and Technology Loss

A. Potential loss of US technology through rapidly expanding commercial contacts, particularly with the USSR, poses a special problem. There are many mechanisms to control the export of US technology. For example:

(1) the East-West Trade Policy Committee chaired by the Department of the Treasury oversees major economic and trade negotiations and coordinates policy in these matters with the USSR, Eastern Europe, and the PRC;

(2) the Department of Commerce exerts control over US goods and technology under the Export Administration Act through the Operating Committee of the Advisory Committee on Export Policy in which the IGE member departments and agencies participate. The Export Administration Act applies when contacts between US and foreign representatives are under official exchange auspices and to commercial negotiations, but such controls are more difficult to enforce and the potential for illegal revelation of technology is high. Moreover, the temptations to reveal technology for competitive purposes may be great; (See Attachment F,

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"Technology Transfers to Communist Countries" and Department of Commerce Form, "Comment by the Office of the Export Administration on Proposed US/USSR Exchange.")

(3) the Department of State's Munitions Control Board under the provisions of the Mutual Security Act of 1954 exercises control over the export and import of arms, ammunition and other implements of war, including technical data related thereto; and

(4) the Department of State clears Soviet commercial visitors through existing travel control procedures which requires prior submission of itineraries and their coordination with other interested agencies.

B. None of these mechanisms is believed to be fully effective in stemming the release of unclassified technology which might make a significant contribution to the military potential of another nation or prove detrimental to the national security of the US. Technology with significant military application may be illegally transferred whenever US scientists, engineers or businessmen are in touch with their foreign counterparts.

C. IGE participants differ over the question of whether the IGE can assist more effectively in efforts to control the loss of technology during commercial contacts. Departments of Commerce and

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Attachment C

"US-USSR Exchanges and Commercial Contacts"

<u>US Visitors to the USSR</u>		<u>Soviet Visitors to the US</u>
109	1969-Exchanges Agreement	191
98	1970-Exchanges Agreement	113
125	1971-Exchanges Agreement	111
262	1972-Exchanges Agreement Summit Agreements on space, health, science and technology, and environmental protection	246
531	1973	463
(131)	Exchanges Agreement	(167)
(400)	Summit Agreements on space, health, environmental protection, atomic energy, agriculture, transportation, oceanography, and science and technology	(296)

The figures above do not include conference visitors, visitors under Article IV (of the US-USSR Agreement on Cooperation) with commercial visas, nor other strictly commercial travelers. The Department of State estimates Soviet commercial visitors to the US totaled 200 in FY '71, 250 in FY '72, and 750 in FY '73. The Department estimates that there were 750 of these visitors during CY '73 while the FBI's total is 1,300.

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Attachment, D

Procedures for Handling Soviet Scientific and Technical Visitors
Under the US-USSR General Agreement on Contacts, Exchanges and
Cooperation and the Eight US-USSR Specialized Cooperative Agreements

1. A Soviet organization nominates a Soviet scientist or engineer as a participant in an exchange program or Cooperative Activity. The nomination is made by an appropriate Soviet organization to its designated American "exchange partner" [e.g., Ministry of Higher Education (MHE) sends its nominations to International Research and Exchanges Board (IREX); USSR Academy of Sciences corresponds with National Academy of Science (NAS).] Nominations include full biographic data and an outline of the requested research program in US, including a rough proposed itinerary. For long-term visitors, nominations are normally received about two months before the anticipated commencement of the program.

2. The American host organization ("sponsor") forwards the translated nomination data to EUR for review and clearance of the proposed program. Translation and transmission to EUR may take from one to two weeks.

3. EUR reproduces data sheets, sets up a case file and forwards data to the IGE through its Secretariat in DCD for evaluation of potential scientific/technological losses and gains and military security implications of the proposed research program. Transmission to the IGE Secretariat normally takes place within 24-48 hours of receipt in EUR.

4. The IGE Secretariat circulates the data to the interested IGE agencies, obtains opinions, and forwards the consolidated evaluation to EUR. Two to three weeks are normally allotted for this process.

5. EUR reviews the IGE evaluation and immediately informs the US sponsor (e.g., NAS) of approval or disapproval of each part of the research program. If strong objections have been raised to part of a Soviet nominee's program/itinerary, EUR advises the US host that those portions must be deleted. Also, in those cases where the IGE interposes no objection to a visit to a particular institution but adds the proviso that the visitor may not have access to any DoD-funded work, this caveat is made clear to the American sponsor.

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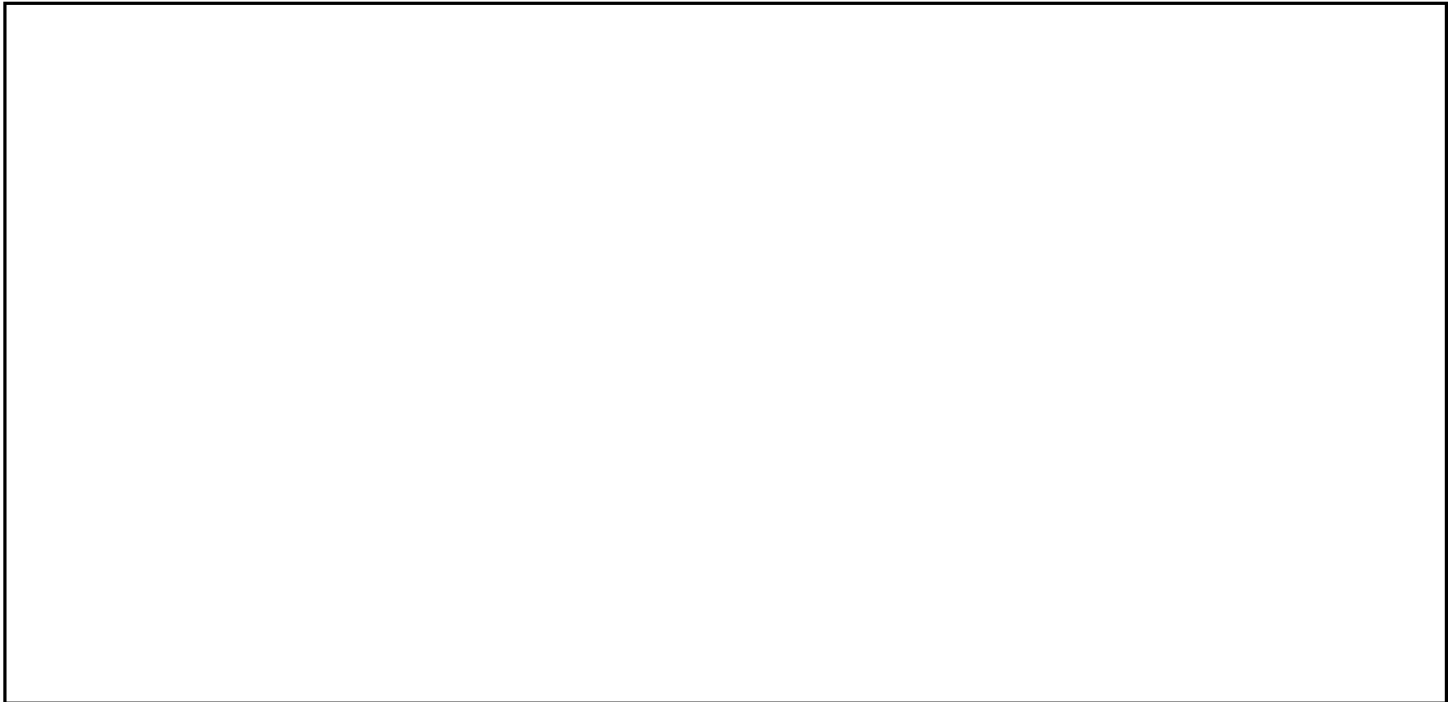
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Attachment D

6. After receiving EUR clearance for the visitor's proposed program, including any necessary modifications based on the IGE evaluation, the American sponsor notifies the Soviet organization of the nominee's acceptance. Since receiving the original nomination, the American host has simultaneously been informally canvassing the American institutions requested by the Soviet visitor in its proposed program to determine whether there is interest in receiving him. Ideally, the EUR clearance and the informal canvass should be completed at about the same time. In those cases where deletions are necessary as a result of IGE/EUR consideration, the sponsor notifies the American institutions involved that the visit cannot take place.

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8. Once the waiver has been obtained, VO cables the visa authorization to the Embassy in Moscow. The authorization specifies the port of entry, number of entries (normally one), months during which the visa may be used, and the visitor's length of stay in the US. All of the offices and agencies listed in paragraph 7. receive copies of these cables.

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9. Upon receipt of the authorization, the Embassy issues a visa. The visa is written in accordance with the specifications indicated in the authorizing telegram.

10. Upon arrival at the designated port of entry in the US, the visitor presents his visa for examination by INS and is admitted for a specified period (which does not exceed that indicated on his visa). He retains a copy of his Form I-94 (Arrival and Departure Record), upon which the INS inspector has indicated the authorized length of stay. (INS retains the other copy.)

11. At about the time of his entry into the US, the American sponsor furnishes a final itinerary to EUR based on the research program approved earlier. The final itinerary includes the dates covering each visit and activity. EUR reproduces these itineraries immediately upon receipt and furnishes them to the IGE Secretariat and to the FBI.

12. If the visitor adheres strictly to the above itinerary, it is not necessary for him or his sponsor to contact EUR further. However, in the majority of cases some change in the itinerary is proposed, either by the visitor, his US host or other Americans who may wish to invite him to visit their institutions. If the change involves tourist travel beyond a 25-mile radius of the visitor's host institution, the visitor is responsible for notifying EUR of the details four working days in advance; EUR clearance, however, is not required for tourist travel. If the change involves professional travel, such as visits to scientific and industrial facilities or attendance at scientific conference not on the original program, the visitor must submit the proposal to EUR two weeks in advance and must obtain EUR permission before undertaking the travel. The visitor normally contacts EUR on travel matters through his American sponsor and EUR responds through the same channel.

In cases of tourist travel, EUR furnishes the details to the FBI in writing upon receipt. (See attached form for particulars.)

In cases of professional travel, EUR furnishes the details of the proposed trip to the IGE Secretariat and requests an IGE opinion, first as in paragraph 3. above, and upon receipt of the opinion proceeds as outlined in paragraphs 4. and 5. The IGE and the FBI are informed of the action taken.

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The geographic travel restrictions applicable to Soviet diplomats, officials, businessmen, etc., do not apply to exchange visitors. Thus there are no "closed areas" (i.e., entire cities and counties) for exchange (SPLEX) visitors.

13. If any Soviet SPLEX visitor or his American sponsor wishes to extend his stay in the US beyond the period for which he was admitted, he must submit a request to EUR through his American sponsor. The request must indicate the reason why the extension is being sought, the nature of the activity in which the visitor will be engaged during the additional period, where and with whom he will be studying or conducting research, etc. If EUR approves, it sends a letter to the sponsor indicating the length of time for which EUR recommends the extension. The visitor must then take or send the letter and his Form I-94 to the nearest office of INS to obtain the extension. Copies of the EUR letter are sent to VO, the IGE, FBI and USIA.

14. The foregoing outline uses as a model the category of long-term (over 30 days) research visitors. Basically similar procedures, adapted to the shorter time-frames and other particular circumstances involved, are utilized in processing short-term Soviet scientific delegations visiting the US.

15. The foregoing procedures also apply to scientific and technical exchange visitors from Bulgaria, Czechoslovakia, Hungary, Poland and Romania, except that East European visitors are not required to report tourist travel within the US to EUR.

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Attachment F

TECHNOLOGY TRANSFERS TO COMMUNIST COUNTRIES

Purpose of Export Control

The purpose of export control over technology is to regulate the flow of United States data in the interest of (1) exercising the necessary vigilance over exports from the standpoint of their significance to the national security of the United States, (2) furthering the foreign policy of the United States and to aid in fulfilling its international responsibilities, and (3) protecting the domestic economy from excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand.

Technical Data Control Problem

Because access to technological know-how is in many instances of greater strategic significance than possession of finished items produced from that technology, it has been necessary to exercise a significantly higher level of export control over technical data than commodities. Manufactured items can be limited as to the amount exported and to some extent controlled as to their use in Communist countries. However, when design, production, and operation data are exported, the end product can in general be produced in unlimited amounts and is removed from end use control by the U.S.

The effective control of exports of significant technical data is probably the most complex problem in the export control program. Since the whole range of scientific and industrial activity involves technical data, it is extremely difficult to pinpoint those areas of technology which should be controlled to meet the objectives of export control. Once the necessity for control over a particular area of technical data is established, the problems of establishing effective control are formidable. Technology may be exported in the form of a prototype, a blueprint, a written formula, or knowledge in a technician's mind. It may leave the country in a package going through Customs or the Post Office, as a scrap of paper in an engineer's pocket, by visual or oral transmission to a foreigner visiting a plant or laboratory in this country, or in a multitude of other ways.

Technical Data Regulations

All unclassified technical data not subject to export control by other departments, such as Office of Munitions Control, Department of State and the Atomic Energy Commission, are subject to licensing jurisdiction of the Department of Commerce.

Attachment F

There are two general licenses under which technical data may be exported from the United States without the necessity of a specific validated license being issued by the Department:

General License GTDA - Under this general license the following types of technical data may be exported to any destination without further reference to or authorization from the Department of Commerce:

(1) data which have been made generally available to the public in any form;

(2) data which are educational or scientific in character and do not relate significantly to the design, production or operation of plants or equipment; and

(3) data contained in a patent application which have been filed in an "early publication" Free World country.

General License GTDR - This general license was designed primarily to permit the easy flow of most data to Free World countries without allowing such data, or in some instances the product of the data, to be onforwarded to Communist countries. Under this general license the following types of technical data may be exported from the United States to East European Communist countries or the PRC without further reference to or authorization from the Department of Commerce:

(1) data necessary for the installation, operation, and repair of a commodity which has been licensed for export from the U.S. to East European Communist countries or the PRC;

(2) data for use in making a bid or offer which is of a type "...customarily transmitted with a prospective or actual quotation, bid, or offer (in accordance with established business practice)"; provided that "the export will not disclose the detailed design, production, or manufacture, or the means of reconstruction, of either the quoted item or its product."

All data not exportable from the U.S. under the terms of one of the above general licenses (GTDA, GTDR) require a validated export license from the Department of Commerce prior to export.

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A proposal is now under inter-agency consideration which would permit data to be exported from the U.S. to Communist countries under general license for production of non-strategic commodities, i.e., those which are general license from the U.S. to Communist countries; provided that such data could not also feasibly be used in the production of items which require a validated license for export to Communist countries. This proposal, however, is being strongly opposed by the Department of Defense.

With the exception of the proposed amendment described above, no significant change in policy with respect to the export of technical data is being contemplated.

Technical Data Exchanges With the Soviet Union

Since January of 1958 the U.S. has maintained an extensive exchange agreement with the Soviet Union which embraces virtually all phases of life in the two countries; such as art, music, agriculture, atomic energy, recreation, industry and so forth. Under this agreement literally thousands of U.S. citizens have gone to the Soviet Union and Soviet citizens have visited this country. The current US/USSR exchange agreement provides that:

"The Parties will encourage and facilitate, as appropriate, contacts, exchanges and cooperation between organizations of the two countries in the field of science and technology and in other related fields of mutual interest which are not being carried out under specialized agreements concluded between the Parties."

At the 1972 Summit Meeting in Moscow, the President announced that the U.S. and the Soviet Union would carry out exchanges in science and technology in addition to those incorporated in the above described formal agreement. A Joint Commission on Scientific and Technical Cooperation was established to implement this new scientific exchange arrangement. The Commission has under consideration exchanges in the following fields: energy research and development; application of computers to management; agricultural research; water resources; chemical catalysis; production of substances employing microbiological means; forestry research and technology; standards and standardization; oceanographic research; transportation; special topics in physics; and electrometallurgy.

Attachment F

The Department of Commerce has worked out an arrangement by which exchanges under these two formal agreements can be authorized by the Department without the actual issuance of individual export licenses, which would normally be required to export the data involved in these exchanges to the Soviet Union.

These exchange programs are under the policy direction and administration of the Department of State. Because of their complexity and highly technical nature, however, other Government agencies, such as Agriculture, Interior, AEC, Commerce and so forth, assist the Department of State in their implementation. The Department of Commerce has major responsibility in industrial exchanges and other exchanges of special interest to the Department, such as weather modification and meteorology.

In addition to the formal exchange agreements described above, many individual companies enter into exchange arrangements with the Soviet Union. There is no provision to provide blanket licensing authorization for such unilateral exchanges negotiated independent of Government participation. Accordingly, U.S. firms entering into such agreements are required to obtain individual export licenses for all design, production and operational data transmitted, other than that which has already been made generally available to the public.

The purpose of these expanded exchanges is to bring about more commercial and other contacts and a better relationship and understanding between the two countries. However, in view of the highly strategic subject matter being dealt with in some of these agreed protocols, serious questions are raised as to whether or not the U.S. Government can permit the transfer of some of the technology called for by the agreement. Furthermore, many of the protocols are so general in nature and comprehensive in scope that it is very difficult to determine with any real precision the actual data that would be exchanged and, therefore, to determine the applicability of technical data export control regulations.

The freedom afforded U.S. companies to enter into exchange agreements with the Soviet Government without the consent of prior consultation with the U.S. Government creates an additional problem. Important commercial undertakings with national security and foreign commercial policy implications are entered into by U.S. firms without the government being aware of the fact. This ignorance impairs not only

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the Department's administration of export controls, but also its ability to perform a meaningful trade promotion and policy formulation function. The latter has great significance for the U.S. Government commercial/economic policy and program regarding the Soviet Union, other countries of Eastern Europe and the People's Republic of China. Some firms voluntarily report to BEWT, but there exists no requirement for an obligatory, systematic reporting of technical cooperation, industrial cooperation, and similar agreements as well as the text of commercial contracts of significance. There should be.

Attachment F

Comments by the Office of Export Administration on
Proposed US/USSR Exchange in _____

An export license is required prior to the export of all technical data from the United States to the Soviet Union. There are two types of export licenses, general license and validated license.

The principal general license applicable here is General License GTDA applicable to (1) technical data which have been made generally available to the public in any form, (2) scientific or educational data not directly and significantly related to design, production, or utilization in industrial processes, and (3) data contained in United States patent. Data in these categories may be exported under General License GTDA without further reference to or authorization from the Department of Commerce.

For exports of data not covered by General License GTDA, a validated license is ordinarily required. A validated license is specific authority from the Department of Commerce authorizing the export to a specified destination under specified conditions for a specific period of time. The fact that a validated license is required does not mean that one will not be issued. OEC's decision as to issuance depends on various national security and other considerations.

In the case of data exports under the Joint Commission's exchange programs, the validated license procedure is being modified for administrative reasons. Thus, OEC clearance in a formal comment on a proposed area of exchange will authorize the data export as if a validated license had been issued. If OEC withholds clearance, however, the data export will not be authorized as if a validated license had been denied.

With that background, OEC's position as to proposed US/USSR exchange in the field of _____ is as follows.

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