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Review Procedures

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United States Department of State

*Bureau of Oceans and International
Environmental and Scientific Affairs*

Washington, D.C. 20520

April 16, 1993

Mr. Dan Poneman
Special Assistant to the President and
Senior Director for Non-Proliferation and
Export Controls
National Security Council
Old Executive Office Building, Room 380
Washington, D.C. 20506

Dear Mr. Poneman:

I understand from my staff that the NSC currently is reviewing NSC guidelines and directives issued during the previous Administration. One set of guidelines which merits review is the "Procedures for Interagency Review of Cooperative Science or Science and Technology Agreements and Activities with Central and East European Countries and the Soviet Union," issued in September 1989 and amended in October 1991 (copies of the original guidelines and the amendment are attached).

In March 1992, the interagency groups responsible for implementing the procedures -- the Interagency Working Group on Soviet Science and Technology (GOSSAT) and the Interagency Working Group on East European Science and Technology (GEESAT) -- were abolished. However, the review process requiring mandatory prior approval of technical agency projects with Eastern Europe, the Baltics, and the former Soviet Union continues in effect, albeit according to a streamlined and expedited process agreed to by all the reviewing agencies. Absent a decision to modify or abolish the procedures, the current review process will continue despite the massive changes that have taken place in these countries, current guidelines permitting more favorable review of exports, and U.S. programs to expand science and technology collaboration resulting in a tremendous growth of US technical agency and private sector activity (particularly with Russia).

We believe that consideration should be given to abolishing mandatory prior review of USG technical agency activities with all the countries of Central and Eastern Europe, the Baltics, and the former Soviet Union, relying on standard U.S. laws and regulations that remain in force. This would be consistent with the Vancouver Declaration and USG efforts to develop new relationships and expand science and technology cooperation with the emerging democracies.

My staff and I would be happy to meet with you to discuss this issue and recommend possible next steps for developing appropriate decision documentation. I can be reached at (202) 647-2958.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin Prochnik". The signature is fluid and cursive, with the first name "Martin" and last name "Prochnik" clearly distinguishable.

Martin Prochnik, Director
Office of Cooperative Science
and Technology Programs

Attachments:
As stated.

cc:
✓OSTP - John O'Neil
NSC - Rose Gottemoeller

Drafted:
OES/SCT - CACampbell, SESCTA 8784

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EUR/ISCA/CAST - CABarkley
EUR/ISCA/CAST - RHarnish
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L/OES - JBaker

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MEMORANDUM FOR:
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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

September 2, 1989

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MR. JOHN P. DEVINE
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SUBJECT: Procedures to Govern U.S. Government Participation
in Science-related Activities with Warsaw Pact
Countries

In December 1988, the NSC tasked the preparation of a set of guidelines to govern U.S. Government participation in science-related activities with Warsaw Pact countries. The PCC on International Oceans, Environment, and Science Affairs recently completed this task. The procedures are herewith formally approved. All agencies of the U.S. Government involved in science-related activities with Warsaw Pact countries will henceforth adhere to the procedures as outlined at Tab A.

The PCC recommended that the issue of how these procedures apply to science-related activities in which U.S. agencies and their Warsaw Pact counterparts undertake cooperation in a multilateral or international organization context be addressed. The PCC is requested to undertake this task by the end of 1989.

For reasons of space, the annex on the legislative authorities of various agencies which was submitted to the NSC is not included here. It may be obtained from the State Department.

Executive secretaries are urged to see that every part of their department or agency which has any type of involvement in science-related activities with Warsaw Pact countries is apprised of these guidelines.

for *Michael B Donley*
G. Philip Hughes
Executive Secretary

Attachment

Tab A Procedures

September 2, 1989

PROCEDURES FOR INTERAGENCY REVIEW OF
COOPERATIVE SCIENCE OR SCIENCE AND TECHNOLOGY
AGREEMENTS AND ACTIVITIES WITH
WARSAW-PACT COUNTRIES

Overview

U.S. policy seeks to encourage mutually beneficial, cost-effective science and technology cooperation with Warsaw-Pact countries consistent with U.S. national security interests. These procedures are established to govern all science or science-related agreements with Warsaw Pact countries. They are designed to ensure that this cooperation will advance the national and international objectives of the United States and that such cooperation is consistent with U.S. law and Administration policies in the areas of science and technology, technology transfer and management, national security, budget, U.S. trade, commercial linkages, and competitiveness (including intellectual property), scientific merit, and equity of access. For these reasons, these agreements and activities will be reviewed in a distinct interagency process to ensure that these concerns are addressed and that such agreements and activities protect and advance U.S. interests. This process will involve both technical and policy-level review of proposed agreements and activities, as further described herein.

Section A lists the requirements for interagency review of proposed science or science and technology agreements, including extensions, amendments and renewals of existing agreements.

Section B lists the requirements for interagency review of proposed specific cooperative science or science and technology activities. Note that the Subcommittee on Exchanges (COMEX) of the Technology Transfer Intelligence Committee (TTIC) must review both proposed agreements and proposed activities (see Presidential Directive of March 22, 1988).

Section C describes the function of the Working Group on Soviet Science and Technology (GOSSAT) and the Working Group on Eastern European Science and Technology (GEESAT) of the National Security Council Policy Coordinating Committee (NSC/PCC) on International Oceans, Environment and Science Affairs in the interagency review process.

Section D notes the procedures that apply with respect to interagency review of activities under the U.S.-Soviet Agreement Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes.

Section E briefly describes the relationship between governmental review procedures and collaborative science or science and technology activities carried out by quasi-governmental and non-governmental U.S. organizations with Warsaw-Pact participants.

Section F notes that all agreements and activities must conform with applicable U.S. laws, regulations and executive orders and lists certain key items.

Section G discusses visa requirements for Warsaw-Pact visitors.

Section H lists reporting requirements.

Section I provides for amendments to these procedures.

Annex I lists current or proposed science or science and technology agreements with Warsaw-Pact countries. These procedures govern interagency review of those agreements, as well as future agreements, and activities under them. In addition, these procedures govern interagency review of all other cooperative science or science and technology activities involving direct and substantial cooperation between an agency of the U.S. Government and any agency, organization or institution of a Warsaw-Pact country, whether or not undertaken pursuant to an agreement listed in Annex I, except as noted in Section D. These procedures thus also govern cooperative science or science and technology activities involving direct and substantial cooperation between an agency of the U.S. Government and an agency, organization or institution of a Warsaw-Pact country undertaken in a multilateral context or within an international organization (e.g., ITER).

Annex II lists current members of the GOSSAT and the GEESAT. In addition, any other agency of the U.S. Government may participate in the work of the GOSSAT and the GEESAT.

A. Interagency Review of Agreements

1. Prior Consultation with the Department of State. U.S. Government agencies proposing to undertake cooperative science or science and technology agreements with counterpart agencies, organizations or institutions in Warsaw-Pact countries must consult with the Department of State prior to entering into negotiations. This requirement is consistent with 1 U.S.C. 112a, the Case-Zablocki Act (1 U.S.C. 112b), and federal regulations on "Coordination and Reporting of International Agreements" (22 CFR 181.1 et seq.), which require consultation prior to entering into such agreements.
2. Extensions, Renewals and Modifications. This prior consultation requirement applies to extensions, renewals and modifications of existing agreements, as well as to new agreements, since extensions, renewals and modifications are normally considered to be "international agreements" within the meaning of the Case-Zablocki Act and 1 U.S.C. 112a. Accordingly, all references to "agreements" in these procedures are deemed to include extensions, renewals and modifications of existing agreements. Whether any undertaking, document, or set of documents constitutes or would constitute an international agreement within the meaning of the Case-Zablocki Act or 1 U.S.C. 112a is determined by the Office of the Legal Adviser, Department of State (22 CFR 181.3(a)).
3. Agreements that Automatically Renew. Some cooperative science or science and technology agreements with Warsaw-Pact countries automatically renew under their terms unless either Party notifies the other of termination or its intent to terminate within a specified period prior to the renewal date. With respect to such agreements, the agency which serves as executive agent or lead agency must consult with the Department of State at least six months prior to the date by which notification of termination or intent to terminate must be given to allow sufficient time for appropriate interagency review of the agreement and to identify any changes that the United States may wish to propose.
4. Coordination by Department of State. Within the Department of State, the Office of Cooperative Science and Technology Programs (OES/SCT), Bureau of Oceans and International Environmental and Scientific Affairs, is responsible for coordinating interagency review of science or science and technology agreements with Warsaw-Pact countries, in consultation with other appropriate offices in the OES

Bureau and in the Department's regional and other functional bureaus. With respect to the Soviet Union, OES/SCT works closely with designated lead offices within the OES Bureau and the Office of Soviet Union Affairs (EUR/SOV). With respect to other Warsaw-Pact countries, OES/SCT works closely with designated lead offices within the OES Bureau and with the Office of Eastern European and Yugoslav Affairs (EUR/EEY).

5. When to Consult. Agencies wishing to negotiate or conclude a cooperative science or science and technology agreement with counterpart agencies, organizations or institutions in Warsaw-Pact countries must transmit to the Department of State (OES/SCT) a draft text or summary of the proposed agreement, a precise citation of the Constitutional, statutory or treaty authority for such agreement, and other background information as requested. The transmittal must be made before formal negotiations or informal commitments are undertaken, normally 45 days prior to beginning negotiations. Agencies are cautioned against making any implied commitments concerning science or science and technology cooperation with Warsaw-Pact officials prior to completion of interagency review.
6. Circular 175 Procedure. On receipt of the transmittal described in paragraph 5 above, OES/SCT initiates the Circular 175 Procedure (11 FAM 720) or ensures its initiation by the designated lead office within the OES Bureau.
7. TTIC/COMEX Review. Under the Circular 175 Procedure, the Subcommittee on Exchanges (COMEX) of the Technology Transfer Intelligence Committee (TTIC) is asked to review proposed agreements with Warsaw-Pact countries.
8. GOSSAT AND GEESAT Review. Also under the Circular 175 Procedure, all members of the Working Group on Soviet Science and Technology (GOSSAT) are asked to review proposed agreements with the Soviet Union, and all members of the Working Group on Eastern European Science and Technology (GEESAT) are asked to review proposed agreements with other Warsaw-Pact countries. This will meet requirements for prior interagency review of science or science and technology agreements reflected in section 504(a) of the Foreign Relations Authorization Act, Fiscal Year 1979, as amended (22 U.S.C. 2656d(a)).

9. Other Review. Members of the GOSSAT and the GEESAT may, if deemed necessary, raise issues with other legislatively-mandated bodies or appropriate interagency bodies.
10. Deadline for Submission of Comments. Reviewers consulted in the Circular 175 Procedure must provide their written views to the Department of State within two weeks of receipt of the proposal.
11. Interagency Comments. The Department of State will provide the proposing agency with the written views of TTIC/COMEX and all members of the GOSSAT and the GEESAT within one week of the deadline for submission of written views and will ensure interagency review under the aegis of GOSSAT or GEESAT for any unresolved issues, following the process described in Section C of these procedures. The Department of State (OES/SCT) will maintain a permanent file of the written views of TTIC/COMEX and all members of the GOSSAT and the GEESAT with respect to each agreement. In addition, each proposing agency should maintain a permanent file of the written views of TTIC/COMEX and all members of the GOSSAT and GEESAT with respect to each of its proposed agreements.
12. Effect of Failure to Comment. In the absence of written comments within the deadline specified, reviewers will be presumed to have no objection to the proposed agreement. Apart from providing the Department of State (OES/SCT) with their written views, reviewers may provide copies, upon request, directly to other agencies.
13. Consultation with Proposing Agency. All reviewing agencies are encouraged to work directly with the proposing agency to resolve questions or concerns arising from specific proposals prior to submission of written comments.
14. Implementation of Agreement. When there is no disagreement among agencies, further interagency review normally will not take place, and negotiation of the proposed agreement may proceed, consistent with any written stipulations agreed in the interagency review process. The Department of State (OES/SCT) is responsible for communicating these written stipulations to the proposing agency. U.S. representatives to all negotiating sessions with regard to the proposed agreement must operate on the basis of written instructions that incorporate such written stipulations.
15. Participant Obligations and Limitations. The proposing agency will notify U.S. participants of their obligations and limitations under the agreement and take appropriate steps to see that they are implemented.

B. Interagency Review of Cooperative Activities

1. Prior Consultation with Department of State. U.S. Government agencies proposing to undertake specific cooperative activities, whether or not under existing or proposed science or science and technology agreements, with counterpart agencies, organizations or institutions in Warsaw Pact countries must submit proposals for such activities to the Department of State for interagency review under these procedures. All proposals must be reviewed and approved in this process before U.S. representatives may negotiate them with counterparts in Warsaw-Pact countries on behalf of the U.S. Government.
2. TTIC/COMEX Review. All agency proposals for specific cooperative activities must be reviewed by the Subcommittee on Exchanges of the Technology Transfer Intelligence Committee (TTIC/COMEX) (see NSC Directive of March 22, 1988).
3. GOSSAT and GEESAT Review. All other members of the GOSSAT (in the case of the Soviet Union) and the GEESAT (in the case of other Warsaw Pact countries) must be notified of agency proposals for specific cooperative activities with Warsaw-Pact countries and be provided with an opportunity to review them.
4. Specific Cooperative Activities. For purposes of this section, "specific cooperative activities" means specific programs of activities or projects proposed for approval and significant changes in programs or projects previously reviewed and approved. Note that seemingly insignificant changes in programs or projects previously approved may have significant technology transfer implications; interagency review of changes in programs or projects already approved should thus be sought in any instance of doubt. Proposing agencies ultimately are responsible for assuring that interagency review, as described in these procedures, is sought for all specific cooperative activities.

5. Coordination by Department of State. Within the Department of State the Office of Soviet Union Affairs (EUR/SOV), Bureau of European and Canadian Affairs, is responsible for coordinating interagency review of proposals for specific cooperative activities with Soviet agencies, organizations and institutions. The Office of Cooperative Science and Technology Programs (OES/SCT), Bureau of Oceans and International Environmental and Scientific Affairs, is responsible for coordinating interagency review of such proposals involving agencies, organizations and institutions of other Warsaw-Pact countries.
6. Role of Executive Agent, Lead or Proposing Agency. Normally, the agency which serves as U.S. executive agent under an agreement or U.S. lead agency under an implementing memorandum of understanding is responsible for coordinating development of the package of proposals for cooperative activities. Agencies proposing to undertake cooperative activities thus normally conduct appropriate technical review and submit their proposals to the executive agent or lead agency. If there is no designated U.S. executive agent or lead agency, the agency proposing to undertake the specific cooperative activities is responsible for conducting appropriate technical review.
7. Technology Transfer Review. To facilitate review of technology transfer implications of specific cooperative activities, proposing agencies will, to the extent possible, identify in their written proposals specific equipment to be used and specify what access to such equipment will be needed.
8. Budget Review. To facilitate budget review, proposing agencies will identify in their written proposals total funding and personnel resources likely to be required and any such resources that would be above existing, approved levels. Proposing agencies should also provide a written statement of anticipated benefits to the agency or agencies that will participate in the proposed activities.
9. Intellectual Property and Competitiveness Review. To facilitate review of intellectual property rights and commercial competitiveness implications of specific cooperative activities, proposing agencies will, to the extent possible, identify in their written proposals the likelihood that intellectual property will be furnished or created in the course of the proposed activities and any commercial applications likely to result from the proposed activities.

10. Submission for Interagency Review. The executive agent, lead or proposing agency is responsible for submitting proposals for specific cooperative activities to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries). Each submission must be accompanied by an abstract (in an established format) for each proposal it contains.
11. Initiation of Interagency Review. On receipt of a proposal or package of proposals, the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries) initiates interagency review, forwarding the full proposal or package of proposals to TTIC/COMEX. The Department of State simultaneously forwards the abstracts (in the established format) of all proposals to all members of the GOSSAT (in the case of the Soviet Union) and all members of the GEESAT (in the case of other Warsaw-Pact countries) requesting notification within two weeks of any abstract (in the established format) with respect to which any member wishes to review the full proposal. The Department of State will ensure that the full proposal is provided immediately to any member of the GOSSAT or the GEESAT at its request.
12. Other Review. Members of the GOSSAT and the GEESAT may, if deemed necessary, raise issues with other legislatively-mandated bodies or appropriate interagency bodies.
13. Deadline for Submission of Comments. Reviewers must submit their written views to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries) within six-weeks of receipt of the full proposal or package of proposals (in the case of TTIC/COMEX) or the abstract (in the established format) of the proposal or proposals (in the case of other GOSSAT and GEESAT members).

14. Interagency Comments. The Department of State will provide the proposing agency with the written views received from TTIC/COMEX and all other GOSSAT or GEESAT members within one week of the deadline for submission of written views and will ensure interagency review for any unresolved issues, following the process described in Section C of these procedures. The Department of State will maintain a permanent file of the written views of TTIC/COMEX and all other GOSSAT and GEESAT members with respect to all proposals for specific cooperative activities. In addition, each proposing agency should maintain a permanent file of the written views of TTIC/COMEX and all other GOSSAT and GEESAT members with respect to each of its proposals for specific cooperative activities.
15. Effect of Failure to Comment. In the absence of written views within the deadline specified, reviewers will be presumed to have no objection to the proposal or package of proposals. Apart from providing the Department of State with their written views, reviewers may provide copies, upon request, directly to other agencies.
16. Consultation with Proposing Agency. All reviewers are encouraged to work directly with the proposing agency to resolve questions or concerns arising from specific proposals prior to submission of written comments.
17. Implementation of Specific Cooperative Activities. When there is no disagreement among agencies, further interagency review normally will not take place, and implementation of the specific cooperative activities may proceed, consistent with any written stipulations agreed in the interagency review process. The Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw Pact countries) is responsible for communicating these written stipulations to the proposing agency (or U.S. side of a joint commission or joint committee). U.S. approval, consistent with the written stipulations, may be conveyed to participants from Warsaw-Pact countries by appropriate U.S. representatives, including the U.S. side of joint committees or commissions, designated U.S. executive agents or lead agencies, or designated U.S. executive secretaries or coordinators. U.S. representatives to all meetings of joint commissions and joint committees must operate on the basis of written instructions that incorporate such written stipulations.
18. Participant Obligations and Limitations. The executive agent, lead or proposing agency will notify U.S. participants of their obligations and limitations with respect to specific cooperative activities and take appropriate steps to see that they are implemented.

C. GOSSAT and GEESAT.

1. Role of GOSSAT. The Working Group on Soviet Science and Technology (GOSSAT) of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs provides a mechanism for interagency review of proposed science or science and technology agreements and activities with the Soviet Union. In addition, the GOSSAT provides a forum for interagency consideration of issues and developments related to science or science and technology cooperation with the Soviet Union.
2. Role of GEESAT. The Working Group on Eastern European Science and Technology (GEESAT) of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs similarly provides a mechanism for interagency review of proposed science or science and technology agreements and activities with Warsaw-Pact countries other than the Soviet Union. In addition, the GEESAT provides a forum for interagency consideration of issues and developments related to science or science and technology cooperation with Warsaw-Pact countries other than the Soviet Union. |
3. Participation in GOSSAT and GEESAT. Any agency of the U.S. Government may participate in the work of the GOSSAT and the GEESAT, including review of proposed agreements and specific cooperative activities, and regular meetings, special meetings and policy level meetings.
4. Regular Meetings. The Director of the Office of Cooperative Science and Technology Programs, Bureau of Oceans and International Environmental and Scientific Affairs (Director, OES/SCT) chairs regular meetings of the GOSSAT and the GEESAT to review science or science and technology issues and developments in U.S. relations with Warsaw-Pact countries. An agenda will be circulated in advance of such meetings to each member of the GOSSAT and the GEESAT, and any member may propose items for discussion.
5. Special Meetings. The Director, OES/SCT also chairs special meetings of the GOSSAT and the GEESAT to resolve differences among agencies with respect to proposals for agreements or specific cooperative activities. Such meetings may be co-chaired by other offices within the OES Bureau or by the agency proposing the agreement or the specific cooperative activities.

6. When Convened. If agencies differ with respect to proposed agreements or specific cooperative activities, and are unable to resolve these differences directly with the proposing agency, the Department of State (OES/SCT) will convene a special meeting of interested GOSSAT or GEESAT members to review the issues involved and to resolve interagency differences. Such meetings are convened following receipt of agencies written views under Sections A and B. In addition, the Department of State (OES/SCT) will convene a special meeting of interested GOSSAT or GEESAT members at the request of any agency that has submitted written views raising specific concerns with a proposed agreement or a proposal for specific cooperative activities. The Department of State (OES/SCT) will maintain a permanent file of decisions taken at each special working group meeting.
7. Senior Level Meetings. If a special meeting of the GOSSAT or the GEESAT is unable to resolve interagency differences with respect to proposed agreements or specific cooperative activities, the OES Deputy Assistant Secretary for Science and Technology Affairs will convene a senior level meeting of interested GOSSAT or GEESAT members, or, alternately, will refer interagency differences directly to the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs, for resolution of the issues.
8. Purpose of Senior Level Meeting. The senior level meeting normally will seek to resolve interagency differences. However, if it is clear that differences are unlikely to be resolved at such a meeting, participants will identify specific options, including the specific rationale for each option, and the views of each agency with regard to the options. Prior to a senior level meeting, each agency will be asked to provide written views.
9. Submission to the NSC/PCC. Subsequent to the special or senior level meeting, the Director, OES/SCT, will ensure preparation of a written report, including the written views of each agency, on any issues left unresolved by such meeting. Such reports will be cleared in draft with participants in the special or senior level meeting or will attach agencies' written views. The report will be transmitted to the Chairman of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs requesting that the PCC resolve the issues.

D. Space Agreement

Issues involving the Agreement between the United States of America and the Union of Soviet Socialist Republics Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes, which entered into force on April 15, 1987, and cooperative activities under this Agreement are the subject of separate review procedures established on an interagency basis and approved by the NSC on July 27, 1987. Those procedures are implemented through the National Space Council. They include TTIC/COMEX review of all proposals for specific cooperative activities.

E. Quasi-Governmental and Non-Governmental U.S. Organizations

Quasi- and non-governmental U.S. organizations may have extensive collaborative science or science and technology activities with Warsaw-Pact counterparts that complement or reinforce activities performed by agencies of the U.S. Government. The activities of such organizations may be funded in whole or in part by the U.S. Government. Some government-funded activities between quasi- and non-governmental U.S. organizations (such as those of the National Academy of Sciences) and Warsaw Pact counterparts are submitted voluntarily for review by TTIC/COMEX for technology transfer concerns. In addition, the GOSSAT and the GEESAT should be given the opportunity to hear presentations on these activities, especially when they involve new or expanded programs, to facilitate coordination with U.S. government activities and policy.

F. Conformity with Applicable U.S. Laws and Regulations

1. General Requirements. All science or science and technology agreements and specific cooperative activities must conform with applicable U.S. laws and regulations.
2. Foreign Relations Authorization Act of 1979 and Executive Order 12591. All science or science and technology agreements and specific cooperative activities must conform with sections 501-504 of the Foreign Relations Authorization Act, Fiscal Year 1979, as amended (22 U.S.C. 2656a-d) and with Executive Order 12591 of April 10, 1987, Facilitating Access to Science and Technology (52 F.R. 13414).

3. Export Administration Act and Regulations. All exports, including disclosures to foreign nationals in the United States, of goods and technology (including technical data) must be made in accordance with the Export Administration Act of 1979, as amended (50 U.S.C. 2401 et seq.) and the Export Administration Regulations (15 CFR 768 et seq.).
 4. Arms Export Control Act and Regulations. All exports of defense articles and defense services must be made in accordance with the Arms Export Control Act of 1976, as amended (22 U.S.C. 2778) and the International Traffic in Arms Regulations (22 CFR 120 et seq.).
 5. Nuclear-Related Export Activities. The conduct of nuclear-related export activities must be made in accordance with existing nuclear export policy, laws and regulations, including, inter alia, the Atomic Energy Act of 1954, as amended (42 USC 2011 et seq.), and Department of Energy regulations, "Assistance to Foreign Atomic Energy Activities" (10 CFR 810) as well as the Export Administration Regulations.
- G. Visa Requirements for Warsaw-Pact Visitors
1. Special Exchange Procedures. Nationals of Warsaw-Pact countries visiting the United States under any agreement will be processed under Special Exchange (SPLEX) Procedures.
 2. Timing of Visa Applications. Applications for U.S. visas of nationals of Warsaw-Pact countries must be made to a U.S. embassy or consular office, normally the U.S. embassy in the capital of the country involved. A complete visa application and the cable from the U.S. embassy or consular office transmitting it should normally be received no less than four weeks in advance of the visit.
 3. Complete Itinerary. In providing support for such applications, each U.S. host will verify as necessary the full name of the proposed visitor, his or her institutional affiliation, and the complete itinerary and program planned for the visit, especially non-governmental and industrial stops, to allow for appropriate screening and planning. This information also will allow the Departments of State and Commerce to make notifications needed to ensure compliance with export control and other requirements.

. Related Access Procedures. Implementing agencies (e.g., the Department of Energy) will begin their own access procedures in parallel with the visa application process.

H. Reporting

1. U.S. Side of Joint Commissions or Committees. Each executive agent or lead agency must submit a written record of decisions taken at internal meetings of the U.S. side of joint commissions or joint committees to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries), and must maintain a permanent file of such records. Apart from providing such records to the Department of State, executive agents or lead agencies may provide copies, upon request, directly to other agencies.
2. Joint Commission or Committee Meetings. Each executive agent or lead agency must prepare a reporting cable with respect to each meeting of joint commissions or joint committees. When such meetings take place outside of the United States, reporting cables must be sent through the U.S. embassy in the capital of the country in which the meeting takes place to the Department of State; when such meetings take place within the United States, reporting cables must be sent through the Department of State to the U.S. embassy in the capital of each Warsaw-Pact country involved. In addition, each executive agent or lead agency must maintain a permanent file of such reporting cables.
3. Results of Cooperation. U.S. agencies will provide appropriate reporting, including annual reports and reports on completed projects, concerning the results of their work with counterpart agencies, organizations and institutions in Warsaw-Pact countries to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries), TTIC/COMEX and, as requested, other interested agencies. To the extent possible, these reports should be written to permit an assessment of transfers of technology to and from the United States.

I. Amendments

Amendments to these procedures may be adopted as necessary using the mechanisms described herein.

Attachments:

- TAB A - Annex I - Current or Proposed Science or Science
and Technology Agreements with
Warsaw-Pact Countries**
- TAB B - Annex II - Members of GOSSAT and GEESAT**

ANNEX I

Current or Proposed Science or Science and Technology Agreements with Warsaw-Pact Countries August 1989

Soviet Union

- 1) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Medical Science and Public Health, signed at Moscow, May 23, 1972 (23 UST 836; TIAS 7344). Executive Agent: Department of Health and Human Services, U.S. Public Health Service, Office of International Health.
- 2) Agreement on Cooperation in the Field of Environmental Protection between the United States of America and the Union of Soviet Socialist Republics, signed at Moscow, May 23, 1972 (23 UST 845; TIAS 7345). Coordinator (Executive Agent): Environmental Protection Agency.
- 3) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Agriculture, signed at Washington, June 19, 1973 (24 UST 1439; TIAS 7650). Executive Agent: Department of Agriculture.
- 4) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in Studies of the World Ocean, signed at Washington, June 19, 1973 (24 UST 1452; TIAS 7651). Amendment and extension: December 15, 1978 (30 UST 2504; TIAS 9349); November 23 and December 9, 1987; December 14, 1988. Executive Agent: Department of Commerce, National Oceanic and Atmospheric Administration.
- 5) Agreement between the United States of America and the Union of Soviet Socialist Republics on Scientific and Technical Cooperation in the Field of Peaceful Uses of Atomic Energy, signed at Washington, June 21, 1973 (24 UST 1486; TIAS 7655). Extension and Amendment: July 5 and August 1, 1983 (TIAS 10757); June 20, 1988. Executive Agent: Department of Energy (formerly, U.S. Atomic Energy Commission).

- A) Protocol between the U.S. Atomic Energy Commission and the U.S.S.R. State Committee for the Utilization of Atomic Energy on Joint Projects in Controlled Thermonuclear Fusion and Plasma Physics, signed at Washington, February 6, 1974. Lead Agency: Department of Energy (formerly, U.S. Atomic Energy Commission).
- B) Protocol on Cooperation in the Field of Research in Fundamental Properties of Matter between the United States and the Union of Soviet Socialist Republics, signed at Washington, December 5, 1975. Lead Agency: Department of Energy.
- C) Protocol on Cooperation in the Field of Fast Neutron Breeder Reactors between the U.S. Atomic Energy Commission and the U.S.S.R. State Committee for Utilization of Atomic Energy, signed at Moscow, October 8, 1974. Lead Agency: Department of Energy (formerly, U.S. Atomic Energy Commission).
- D) Memorandum of Cooperation between the United States of America and the Union of Soviet Socialist Republics in the Field of Civilian Nuclear Reactor Safety, signed at Washington, April 26, 1988. Lead Agency: Nuclear Regulatory Commission.
- 6) Agreement between the United States of America and the Union of Soviet Socialist Republics on Cooperation in Artificial Heart Research and Development, signed at Moscow, June 28, 1974 (25 UST 1331; TIAS 7867). Executive Agent: Department of Health and Human Services, U.S. Public Health Service, National Institutes of Health, National Heart, Lung and Blood Institute.
- 7) Agreement between the United States of America and the Union of Soviet Socialist Republics on Cooperation in the Field of Housing and Other Construction, signed at Moscow, June 28, 1974 (25 UST 1592; TIAS 7898). Executive Agent: Department of Housing and Urban Development.

Protocol on Cooperation in the Field of Construction Relating to Extreme Climatic and Unusual Geological Conditions, signed at Washington, January 14, 1988 (entered into force April 11, 1988). Lead Agency: Department of Defense, Department of the Army.

- 8) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in Transportation Science and Technology, signed at Moscow, May 31, 1988 (___ UST ___; TIAS ___). Executive Agent: Department of Transportation.
- 9) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Basic Scientific Research, signed at Paris, January 8, 1989 (___ UST ___; TIAS ___). Executive Agent: Office of Science and Technology Policy.
 - A) Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Academy of Sciences of the Union of Soviet Socialist Republics, signed at Washington and Moscow, May 6, 1989. Lead Agency: National Science Foundation.
 - B) Memorandum of Understanding on Cooperation in Geoscience between the Department of the Interior of the United States of America and the Ministry of Geology of the Union of Soviet Socialist Republics, initialled January 26, 1989. Lead Agency: Department of the Interior, U.S. Geological Survey.
- 10) Memorandum of Understanding between the National Institute of Standards and Technology of the United States of America and the Academy of Sciences of the Union of Soviet Socialist Republics on Cooperation in the Physical, Chemical and Engineering Sciences (proposed). Lead Agency: Department of Commerce, National Institute of Standards and Technology.

Poland

1. Memorandum of Understanding between the Department of Transportation of the United States of America and the Ministry of Transportation of the Polish People's Republic concerning Research Cooperation in the Field of Transportation, signed at Warsaw, November 3, 1971 (29 UST 5642; TIAS 9139). Extension and Amendment October 16, 1978 (29 UST 5649; TIAS 9139); February 28 and June 22, 1979 (30 UST 7287; TIAS 9586). Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

2. Agreement between the Government of the United States of America and the Government of the Polish People's Republic on Cooperation in the Field of Health, signed at Washington, October 8, 1974 (25 UST 2750; TIAS 7943). Coordinating Agency: Department of Health and Human Services (formerly Department of Health, Education and Welfare).

3. Agreement between the Environmental Protection Agency of the United States of America and the Ministry of Environmental Protection and Natural Resources of the Polish People's Republic on Cooperation in the Field of Environmental Protection, signed at Washington, September 10, 1987 (___ UST ___; TIAS ___). Executive Agent: Environmental Protection Agency.

4. Agreement on Cooperation in Science and Technology and Its Funding, signed at Warsaw, September 28, 1987 (___ UST ___; TIAS ___). Executive Agent: Department of State.

5. Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Polish Academy of Sciences of the Polish People's Republic, signed at Warsaw, June 13, 1988 (___ UST ___; TIAS ___). Coordinator: National Science Foundation.

German Democratic Republic

None

Czechoslovakia

1. Agreement on Cooperation in Culture, Education, Science and Technology and Other Fields, signed at Prague, April 15, 1986 (___ UST ___; TIAS ___).

2. Program of Cooperation and Exchanges between the Government of the United States of America and the Government of the Czechoslovak Socialist Republic in Culture, Education, Science, Technology and Other Fields for 1986 and 1987, signed at Prague, April 15, 1986 (___ UST ___; TIAS ___).

3. Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Czechoslovak Academy of Sciences, signed at Prague, June 27, 1988 (___ UST ___; TIAS ___).
Coordinator: National Science Foundation.

4. Arrangement between the United States Nuclear Regulatory Commission and the Czechoslovak Atomic Energy Commission for the Exchange of Technical Information and Cooperation in Nuclear Safety Matters, signed at Washington, April 14, 1989 (___ UST ___; TIAS ___).

Hungary

1. Agreement between the Government of the United States of America and the Government of the Hungarian People's Republic on Cooperation in Culture, Education, Science and Technology, signed at Budapest, April 6, 1977 (___ UST ___; TIAS ___).

2. Understanding between the Department of Transportation of the United States of America and the Ministry of Communications and Posts of the Hungarian People's Republic Concerning Research Cooperation in the Field of Transportation, signed at Budapest, October 11, 1978 (30 UST 743; TIAS ___).
Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

3. Memorandum of Understanding between the Geological Survey of the Department of the Interior of the United States of America and the Central Office of Geology of the Hungarian People's Republic for Scientific and Technical Cooperation in the Earth Sciences, signed at Reston and Budapest, January 6 and 20, 1984 (entered into force January 20, 1984) (___ UST ___; TIAS ___). Extension March 17 and April 21, 1986 (___ UST ___; TIAS ___).

4. Agreement on Scientific and Technological Cooperation between the National Science Foundation of the United States of America and the Hungarian Academy of Sciences of the Hungarian People's Republic, signed at Washington, March 23, 1987 (___ UST ___; TIAS ___).

5. Program of Cooperation and Exchanges between the Government of the United States of America and the Government of the Hungarian People's Republic in Culture, Education, Science and Technology for 1988 and 1989, signed at Budapest, November 13, 1987 (entered into force January 1, 1988) (___ UST ___; TIAS ___). Executive Agents: United States Information Agency and Department of State.

6. Joint Statement on the Development of Agricultural Trade and Cooperation between the United States of America and the Hungarian People's Republic (proposed).

7. Agreement between the Government of the United States of America and the Government of the Hungarian People's Republic for Scientific and Technological Cooperation (under negotiation).

Romania

1. Understanding between the Department of Transportation of the United States of America and the Ministry of Transport and Telecommunications of the Socialist Republic of Romania Concerning Research Cooperation in the Field of Transportation, signed at Bucharest, November 1, 1971 (___ UST ___; TIAS ___). Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

A) Agreement between the Department of Transportation of the United States of America and the Ministry of Transport and Telecommunications of the Socialist Republic of Romania for Cooperative Activity in Specified Areas, signed at Bucharest, May 11, 1980.

2. Memorandum of Understanding on Scientific and Technological Cooperation between the National Science Foundation of the United States of America and the National Council for Science and Technology of the Socialist Republic of Romania, signed at Bucharest, September 21, 1973 (renewed 1979, 1982, and 1985) (___ UST ___; TIAS ___).

3. Agreement between the Government of the United States of America and the Government of the Socialist Republic of Romania on Cooperation and Exchanges in the Cultural, Educational, Scientific and Technological Fields, signed at Bucharest, December 13, 1974 (entered into force January 1, 1975) (26 UST 31; TIAS 8006).

4. Protocol on Cooperation in Agriculture between the Department of Agriculture of the United States of America and the Ministry of Agriculture and Food Industry of the Socialist Republic of Romania (proposed).

Bulgaria

1. Agreement between the Government of the United States of America and the Government of the People's Republic of Bulgaria on Exchanges and Cooperation in Cultural, Scientific, Educational, and Technological Fields, signed at Washington, June 13, 1977 (entered into force March 23, 1978) (29 UST 3419; TIAS 9020). Extension June 13, 1977; April 9, 1980; November 19, 1982; April 9, 1984; December 10, 1986; January 1, 1989.

2. Agreement on Scientific and Technical Cooperation between the National Science Foundation of the United States of America and the Ministry of Economics and Planning (prior to June 1988, the State Committee for Scientific and Technical Progress) of the People's Republic of Bulgaria, signed at Washington, February 2, 1978. Renewed 1983 and 1988.

3. Memorandum of Understanding between the National Institutes of Health of the United States of America and the Medical Academy of the People's Republic of Bulgaria, signed at Washington, November 4, 1986.

4. Joint Statement on the Development of Cooperation between the Department of Agriculture of the United States of America and the Ministry of Agriculture and Forestry of the People's Republic of Bulgaria (under negotiation).

ANNEX II

MEMBERS OF GOSSAT and GEESAT August 1989

- 1) Central Intelligence Agency
- 2) Department of Agriculture
- 3) Department of Commerce
- 4) Department of Defense
- 5) Department of Energy
- 6) Department of Health and Human Services
- 7) Department of Housing and Urban Development
- 8) Department of the Interior
- 9) Department of Justice
- 10) Department of State
- 11) Department of Transportation
- 12) Department of the Treasury
- 13) Environmental Protection Agency
- 14) National Aeronautics and Space Administration
- 15) Nuclear Regulatory Commission
- 16) National Science Foundation
- 17) Office of Management and Budget
- 18) Office of Science and Technology Policy
- 19) Office of the U.S. Trade Representative
- 20) Subcommittee on Exchanges
Technology Transfer Intelligence Committee
- 21) Other U.S. Government Agencies, as appropriate

29991

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

20739

October 29, 1991

MEMORANDUM FOR

MR. W. ROBERT PEARSON
Executive Secretary
Department of State

ACTION:

OES
MR. R. BLAIR DOWNING
Executive Secretary
Department of the Treasury

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PM

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BG JOHN A. DUBIA
Executive Secretary
Department of Defense

MR. DANIEL LEVIN
Associate Deputy Attorney
General
Department of Justice

MS. SUZANNE ROONEY
Executive Secretary
Department of the Interior

MS. SUSAN NELSON
Executive Assistant to the
Secretary
Department of Agriculture

MR. THOMAS COLLAMORE
Chief of Staff and Assistant
Secretary
Department of Commerce

MS. ROBIN H. CARLE
Executive Secretary
Department of Health and Human
Services

MR. SCOTT W. REED
Chief of Staff
Department of Housing and
Urban Development

MS. VICKERS B. BRYAN
Director, Executive
Secretariat
Department of Transportation

MS. ANN LAVIN
Director, Executive
Secretariat
Department of Energy

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MR. ROBERT E. HOWARD
Associate Director for
National Security and
International Affairs
Office of Management and
Budget

MR. DAVID A. WEISS
Executive Secretary
U.S. Trade Representative

MS. PHYLLIS PROVOST McNEIL
Executive Secretary
Central Intelligence Agency

MS. MICHELLE VAN CLEAVE
Assistant Director for
National Security
Office of Science and
Technology Policy

MR. TIMOTHY B. ATKESON
Assistant Administrator of
International Activities
Environmental Protection
Agency

MS. JESSIE HARRIS
Executive Officer
National Aeronautics and
Space Administration

MR. RICHARD REIS
Division Director,
International Programs
National Science Foundation

MR. SAMUEL CHILK
Secretary of the Commission
Nuclear Regulatory Commission

MR. JAMES HOBBS
Executive Assistant to the
Secretary
Smithsonian Institution

Revised 5/11/92 (H)
10/29 at 10:58 AM (H)

SUBJECT: Revision of Procedures for Interagency Review of Cooperative Science or Science and Technology Agreements and Activities with Warsaw-Pact Countries

On September 2, 1989, the National Security Council promulgated "Procedures for Interagency Review of Cooperative Science or Science and Technology Agreements and Activities with Warsaw-Pact Countries." In light of significant political, economic, and military changes occurring in Poland, Czechoslovakia, and Hungary, the Policy Coordinating Committee on International Oceans, Environment, and Science Affairs (OES/PCC) reviewed the Procedures in September 1991.

Based on the OES/PCC recommendations, the following guidance is provided:

- The Procedures continue to apply to Poland, Czechoslovakia, and Hungary for six months with the expectation that the requirement for mandatory review of S&T activities with these three countries may no longer be necessary at that time.
- For Poland, Hungary, and Czechoslovakia, the Procedures are modified as follows: the interagency review period for proposed, new S&T activities is reduced from six to three weeks; the number of agencies normally reviewing such proposals is reduced to a Review Group consisting of the Departments of State, Defense and Justice and OMB, OSTP, and the Committee on Exchanges; and proposing agencies may submit alternative documentation deemed adequate by the Review Group.
- The Procedures shall be renamed "Procedures for Interagency Review of Cooperative Science or Science and Technology Agreements and Activities with Central and East European Countries and the Soviet Union."

The OES/PCC, through its appropriate Working Groups, is directed to implement this guidance and to edit the text of the Procedures where appropriate. The Procedures, as modified by this guidance, apply to all departments and agencies involved in S&T activities.

The OES/PCC is directed to monitor periodically reforms and related developments in Bulgaria and Romania and, as appropriate, to consider possible modifications for streamlining interagency review of proposals for S&T cooperation with these countries. In the more distant future, the OES/PCC should plan to review progress in the Soviet Union to assess the prospect of similar modifications for review of proposals for S&T cooperation with that country.

Kenneth J. Hill

for William F. Sittmann
Executive Secretary

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

20739

October 29, 1991

MEMORANDUM FOR

MR. W. ROBERT PEARSON
Executive Secretary
Department of State

MR. R. BLAIR DOWNING
Executive Secretary
Department of the Treasury

BG JOHN A. DUBIA
Executive Secretary
Department of Defense

MR. DANIEL LEVIN
Associate Deputy Attorney
General
Department of Justice

MS. SUZANNE ROONEY
Executive Secretary
Department of the Interior

MS. SUSAN NELSON
Executive Assistant to the
Secretary
Department of Agriculture

MR. THOMAS COLLAMORE
Chief of Staff and Assistant
Secretary
Department of Commerce

MS. ROBIN H. CARLE
Executive Secretary
Department of Health and Human
Services

MR. SCOTT W. REED
Chief of Staff
Department of Housing and
Urban Development

MS. VICKERS B. BRYAN
Director, Executive
Secretariat
Department of Transportation

MS. ANN LAVIN
Director, Executive
Secretariat
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MR. ROBERT E. HOWARD
Associate Director for
National Security and
International Affairs
Office of Management and
Budget

MR. DAVID A. WEISS
Executive Secretary
U.S. Trade Representative

MS. PHYLLIS PROVOST McNEIL
Executive Secretary
Central Intelligence Agency

MS. MICHELLE VAN CLEAVE
Assistant Director for
National Security
Office of Science and
Technology Policy

MR. TIMOTHY B. ATKESON
Assistant Administrator of
International Activities
Environmental Protection
Agency

MS. JESSIE HARRIS
Executive Officer
National Aeronautics and
Space Administration

MR. RICHARD REIS
Division Director,
International Programs
National Science Foundation

MR. SAMUEL CHILK
Secretary of the Commission
Nuclear Regulatory Commission

MR. JAMES HOBBS
Executive Assistant to the
Secretary
Smithsonian Institution

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- The Procedures shall be renamed "Procedures for Interagency Review of Cooperative Science or Science and Technology Agreements and Activities with Central and East European Countries and the Soviet Union."

The OES/PCC, through its appropriate Working Groups, is directed to implement this guidance and to edit the text of the Procedures where appropriate. The Procedures, as modified by this guidance, apply to all departments and agencies involved in S&T activities.

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Kenneth J. Hill

for William F. Sittmann
Executive Secretary

ORIGINAL AND 1 COPY TO:

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MEMORANDUM FOR:

PENDING

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 2, 1989

MR. J. STAPLETON ROY
Executive Secretary
Department of State

MS. EMILY L. WALKER
Executive Secretary
Department of Treasury

COL. GEORGE P. COLE, JR.
Executive Secretary
Department of Defense

MR. ROBIN ROSS
Chief of Staff
Department of Justice

MS. RAMONA BURCH
Executive Secretary
Department of the Interior

MS. SUSAN NELSON
Executive Assistant to the
Secretary
Department of Agriculture

MR. CRAIG R. HELSING
Chief of Staff
Department of Commerce

MR. W. KEITH LIBELY
Acting Executive Secretary
Department of Health and Human
Services

MR. JAMES R. WALKER
Administrative Office
Department of House and Urban
Development

MS. RUTH KNOUSE
Director, Executive Secretariat
Department of Transportation

MR. WILLIAM V. VITALE
Executive Secretary
Department of Education

MR. FRANK HODSOLL
Executive Associate Director
Office of Management and Budget

MR. H. LAWRENCE SANDALL
Executive Secretary
Central Intelligence Agency

MR. GARY EDSON
Chief of Staff
U.S. Trade Representative

CAPT. ANTHONY MANESS
Executive Assistant to the
Chairman
Joint Chiefs of Staff

MR. SAMUEL CHILK
Secretary of the Commission
Nuclear Regulatory Commission

DR. ALLAN BROMLEY
Director
Office of Science and
Technology Policy

MR. HENRY E. CLEMENTS
Executive Officer
National Aeronautics and Space
Administration

MR. SCOTT HAJOST
Acting Associate Administrator
of International Activities
Environmental Protection
Agency

DR. JOHN P. BORIGHT
Director of International
Programs
National Science Foundation

MR. JOHN P. DEVINE
Chief of Staff
National Security Agency

SUBJECT: Procedures to Govern U.S. Government Participation
in Science-related Activities with Warsaw Pact
Countries

Received in 5/5-IRN/RAU
211100 - 81070 1000

In December 1988, the NSC tasked the preparation of a set of guidelines to govern U.S. Government participation in science-related activities with Warsaw Pact countries. The PCC on International Oceans, Environment, and Science Affairs recently completed this task. The procedures are herewith formally approved. All agencies of the U.S. Government involved in science-related activities with Warsaw Pact countries will henceforth adhere to the procedures as outlined at Tab A.

The PCC recommended that the issue of how these procedures apply to science-related activities in which U.S. agencies and their Warsaw Pact counterparts undertake cooperation in a multilateral or international organization context be addressed. The PCC is requested to undertake this task by the end of 1989.

For reasons of space, the annex on the legislative authorities of various agencies which was submitted to the NSC is not included here. It may be obtained from the State Department.

Executive secretaries are urged to see that every part of their department or agency which has any type of involvement in science-related activities with Warsaw Pact countries is apprised of these guidelines.

for Michael B. Donley
G. Philip Hughes
Executive Secretary

Attachment

Tab A Procedures

PROCEDURES FOR INTERAGENCY REVIEW OF
COOPERATIVE SCIENCE OR SCIENCE AND TECHNOLOGY
AGREEMENTS AND ACTIVITIES WITH
WARSAW-PACT COUNTRIES

Overview

U.S. policy seeks to encourage mutually beneficial, cost-effective science and technology cooperation with Warsaw-Pact countries consistent with U.S. national security interests. These procedures are established to govern all science or science-related agreements with Warsaw Pact countries. They are designed to ensure that this cooperation will advance the national and international objectives of the United States and that such cooperation is consistent with U.S. law and Administration policies in the areas of science and technology, technology transfer and management, national security, budget, U.S. trade, commercial linkages, and competitiveness (including intellectual property), scientific merit, and equity of access. For these reasons, these agreements and activities will be reviewed in a distinct interagency process to ensure that these concerns are addressed and that such agreements and activities protect and advance U.S. interests. This process will involve both technical and policy-level review of proposed agreements and activities, as further described herein.

Section A lists the requirements for interagency review of proposed science or science and technology agreements, including extensions, amendments and renewals of existing agreements.

Section B lists the requirements for interagency review of proposed specific cooperative science or science and technology activities. Note that the Subcommittee on Exchanges (COMEX) of the Technology Transfer Intelligence Committee (TTIC) must review both proposed agreements and proposed activities (see Presidential Directive of March 22, 1988).

Section C describes the function of the Working Group on Soviet Science and Technology (GOSSAT) and the Working Group on Eastern European Science and Technology (GEESAT) of the National Security Council Policy Coordinating Committee (NSC/PCC) on International Oceans, Environment and Science Affairs in the interagency review process.

Section D notes the procedures that apply with respect to interagency review of activities under the U.S.-Soviet Agreement Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes.

Section E briefly describes the relationship between governmental review procedures and collaborative science or science and technology activities carried out by quasi-governmental and non-governmental U.S. organizations with Warsaw-Pact participants.

Section F notes that all agreements and activities must conform with applicable U.S. laws, regulations and executive orders and lists certain key items.

Section G discusses visa requirements for Warsaw-Pact visitors.

Section H lists reporting requirements.

Section I provides for amendments to these procedures.

Annex I lists current or proposed science or science and technology agreements with Warsaw-Pact countries. These procedures govern interagency review of those agreements, as well as future agreements, and activities under them. In addition, these procedures govern interagency review of all other cooperative science or science and technology activities involving direct and substantial cooperation between an agency of the U.S. Government and any agency, organization or institution of a Warsaw-Pact country, whether or not undertaken pursuant to an agreement listed in Annex I, except as noted in Section D. These procedures thus also govern cooperative science or science and technology activities involving direct and substantial cooperation between an agency of the U.S. Government and an agency, organization or institution of a Warsaw-Pact country undertaken in a multilateral context or within an international organization (e.g., ITER).

Annex II lists current members of the GOSSAT and the GEESAT. In addition, any other agency of the U.S. Government may participate in the work of the GOSSAT and the GEESAT.

A. Interagency Review of Agreements

1. Prior Consultation with the Department of State. U.S. Government agencies proposing to undertake cooperative science or science and technology agreements with counterpart agencies, organizations or institutions in Warsaw-Pact countries must consult with the Department of State prior to entering into negotiations. This requirement is consistent with 1 U.S.C. 112a, the Case-Zablocki Act (1 U.S.C. 112b), and federal regulations on "Coordination and Reporting of International Agreements" (22 CFR 181.1 et seq.), which require consultation prior to entering into such agreements.
2. Extensions, Renewals and Modifications. This prior consultation requirement applies to extensions, renewals and modifications of existing agreements, as well as to new agreements, since extensions, renewals and modifications are normally considered to be "international agreements" within the meaning of the Case-Zablocki Act and 1 U.S.C. 112a. Accordingly, all references to "agreements" in these procedures are deemed to include extensions, renewals and modifications of existing agreements. Whether any undertaking, document, or set of documents constitutes or would constitute an international agreement within the meaning of the Case-Zablocki Act or 1 U.S.C. 112a is determined by the Office of the Legal Adviser, Department of State (22 CFR 181.3(a)).
3. Agreements that Automatically Renew. Some cooperative science or science and technology agreements with Warsaw-Pact countries automatically renew under their terms unless either Party notifies the other of termination or its intent to terminate within a specified period prior to the renewal date. With respect to such agreements, the agency which serves as executive agent or lead agency must consult with the Department of State at least six months prior to the date by which notification of termination or intent to terminate must be given to allow sufficient time for appropriate interagency review of the agreement and to identify any changes that the United States may wish to propose.
4. Coordination by Department of State. Within the Department of State, the Office of Cooperative Science and Technology Programs (OES/SCT), Bureau of Oceans and International Environmental and Scientific Affairs, is responsible for coordinating interagency review of science or science and technology agreements with Warsaw-Pact countries, in consultation with other appropriate offices in the OES

Bureau and in the Department's regional and other functional bureaus. With respect to the Soviet Union, OES/SCT works closely with designated lead offices within the OES Bureau and the Office of Soviet Union Affairs (EUR/SOV). With respect to other Warsaw-Pact countries, OES/SCT works closely with designated lead offices within the OES Bureau and with the Office of Eastern European and Yugoslav Affairs (EUR/EEY).

5. When to Consult. Agencies wishing to negotiate or conclude a cooperative science or science and technology agreement with counterpart agencies, organizations or institutions in Warsaw-Pact countries must transmit to the Department of State (OES/SCT) a draft text or summary of the proposed agreement, a precise citation of the Constitutional, statutory or treaty authority for such agreement, and other background information as requested. The transmittal must be made before formal negotiations or informal commitments are undertaken, normally 45 days prior to beginning negotiations. Agencies are cautioned against making any implied commitments concerning science or science and technology cooperation with Warsaw-Pact officials prior to completion of interagency review.
6. Circular 175 Procedure. On receipt of the transmittal described in paragraph 5 above, OES/SCT initiates the Circular 175 Procedure (11 FAM 720) or ensures its initiation by the designated lead office within the OES Bureau.
7. TTIC/COMEX Review. Under the Circular 175 Procedure, the Subcommittee on Exchanges (COMEX) of the Technology Transfer Intelligence Committee (TTIC) is asked to review proposed agreements with Warsaw-Pact countries.
8. GOSSAT AND GEESAT Review. Also under the Circular 175 Procedure, all members of the Working Group on Soviet Science and Technology (GOSSAT) are asked to review proposed agreements with the Soviet Union, and all members of the Working Group on Eastern European Science and Technology (GEESAT) are asked to review proposed agreements with other Warsaw-Pact countries. This will meet requirements for prior interagency review of science or science and technology agreements reflected in section 504(a) of the Foreign Relations Authorization Act, Fiscal Year 1979, as amended (22 U.S.C. 2656d(a)).

9. Other Review. Members of the GOSSAT and the GEESAT may, if deemed necessary, raise issues with other legislatively-mandated bodies or appropriate interagency bodies.
10. Deadline for Submission of Comments. Reviewers consulted in the Circular 175 Procedure must provide their written views to the Department of State within two weeks of receipt of the proposal.
11. Interagency Comments. The Department of State will provide the proposing agency with the written views of TTIC/COMEX and all members of the GOSSAT and the GEESAT within one week of the deadline for submission of written views and will ensure interagency review under the aegis of GOSSAT or GEESAT for any unresolved issues, following the process described in Section C of these procedures. The Department of State (OES/SCT) will maintain a permanent file of the written views of TTIC/COMEX and all members of the GOSSAT and the GEESAT with respect to each agreement. In addition, each proposing agency should maintain a permanent file of the written views of TTIC/COMEX and all members of the GOSSAT and GEESAT with respect to each of its proposed agreements.
12. Effect of Failure to Comment. In the absence of written comments within the deadline specified, reviewers will be presumed to have no objection to the proposed agreement. Apart from providing the Department of State (OES/SCT) with their written views, reviewers may provide copies, upon request, directly to other agencies.
13. Consultation with Proposing Agency. All reviewing agencies are encouraged to work directly with the proposing agency to resolve questions or concerns arising from specific proposals prior to submission of written comments.
14. Implementation of Agreement. When there is no disagreement among agencies, further interagency review normally will not take place, and negotiation of the proposed agreement may proceed, consistent with any written stipulations agreed in the interagency review process. The Department of State (OES/SCT) is responsible for communicating these written stipulations to the proposing agency. U.S. representatives to all negotiating sessions with regard to the proposed agreement must operate on the basis of written instructions that incorporate such written stipulations.
15. Participant Obligations and Limitations. The proposing agency will notify U.S. participants of their obligations and limitations under the agreement and take appropriate steps to see that they are implemented.

B. Interagency Review of Cooperative Activities

1. Prior Consultation with Department of State. U.S. Government agencies proposing to undertake specific cooperative activities, whether or not under existing or proposed science or science and technology agreements, with counterpart agencies, organizations or institutions in Warsaw Pact countries must submit proposals for such activities to the Department of State for interagency review under these procedures. All proposals must be reviewed and approved in this process before U.S. representatives may negotiate them with counterparts in Warsaw-Pact countries on behalf of the U.S. Government.
2. TTIC/COMEX Review. All agency proposals for specific cooperative activities must be reviewed by the Subcommittee on Exchanges of the Technology Transfer Intelligence Committee (TTIC/COMEX) (see NSC Directive of March 22, 1988).
3. GOSSAT and GEESAT Review. All other members of the GOSSAT (in the case of the Soviet Union) and the GEESAT (in the case of other Warsaw Pact countries) must be notified of agency proposals for specific cooperative activities with Warsaw-Pact countries and be provided with an opportunity to review them.
4. Specific Cooperative Activities. For purposes of this section, "specific cooperative activities" means specific programs of activities or projects proposed for approval and significant changes in programs or projects previously reviewed and approved. Note that seemingly insignificant changes in programs or projects previously approved may have significant technology transfer implications; interagency review of changes in programs or projects already approved should thus be sought in any instance of doubt. Proposing agencies ultimately are responsible for assuring that interagency review, as described in these procedures, is sought for all specific cooperative activities.

5. Coordination by Department of State. Within the Department of State the Office of Soviet Union Affairs (EUR/SOV), Bureau of European and Canadian Affairs, is responsible for coordinating interagency review of proposals for specific cooperative activities with Soviet agencies, organizations and institutions. The Office of Cooperative Science and Technology Programs (OES/SCT), Bureau of Oceans and International Environmental and Scientific Affairs, is responsible for coordinating interagency review of such proposals involving agencies, organizations and institutions of other Warsaw-Pact countries.
6. Role of Executive Agent, Lead or Proposing Agency. Normally, the agency which serves as U.S. executive agent under an agreement or U.S. lead agency under an implementing memorandum of understanding is responsible for coordinating development of the package of proposals for cooperative activities. Agencies proposing to undertake cooperative activities thus normally conduct appropriate technical review and submit their proposals to the executive agent or lead agency. If there is no designated U.S. executive agent or lead agency, the agency proposing to undertake the specific cooperative activities is responsible for conducting appropriate technical review.
7. Technology Transfer Review. To facilitate review of technology transfer implications of specific cooperative activities, proposing agencies will, to the extent possible, identify in their written proposals specific equipment to be used and specify what access to such equipment will be needed.
8. Budget Review. To facilitate budget review, proposing agencies will identify in their written proposals total funding and personnel resources likely to be required and any such resources that would be above existing, approved levels. Proposing agencies should also provide a written statement of anticipated benefits to the agency or agencies that will participate in the proposed activities.
9. Intellectual Property and Competitiveness Review. To facilitate review of intellectual property rights and commercial competitiveness implications of specific cooperative activities, proposing agencies will, to the extent possible, identify in their written proposals the likelihood that intellectual property will be furnished or created in the course of the proposed activities and any commercial applications likely to result from the proposed activities.

10. Submission for Interagency Review. The executive agent, lead or proposing agency is responsible for submitting proposals for specific cooperative activities to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries). Each submission must be accompanied by an abstract (in an established format) for each proposal it contains.
11. Initiation of Interagency Review. On receipt of a proposal or package of proposals, the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries) initiates interagency review, forwarding the full proposal or package of proposals to TTIC/COMEX. The Department of State simultaneously forwards the abstracts (in the established format) of all proposals to all members of the GOSSAT (in the case of the Soviet Union) and all members of the GEESAT (in the case of other Warsaw-Pact countries) requesting notification within two weeks of any abstract (in the established format) with respect to which any member wishes to review the full proposal. The Department of State will ensure that the full proposal is provided immediately to any member of the GOSSAT or the GEESAT at its request.
12. Other Review. Members of the GOSSAT and the GEESAT may, if deemed necessary, raise issues with other legislatively-mandated bodies or appropriate interagency bodies.
13. Deadline for Submission of Comments. Reviewers must submit their written views to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries) within six-weeks of receipt of the full proposal or package of proposals (in the case of TTIC/COMEX) or the abstract (in the established format) of the proposal or proposals (in the case of other GOSSAT and GEESAT members).

14. Interagency Comments. The Department of State will provide the proposing agency with the written views received from TTIC/COMEX and all other GOSSAT or GEESAT members within one week of the deadline for submission of written views and will ensure interagency review for any unresolved issues, following the process described in Section C of these procedures. The Department of State will maintain a permanent file of the written views of TTIC/COMEX and all other GOSSAT and GEESAT members with respect to all proposals for specific cooperative activities. In addition, each proposing agency should maintain a permanent file of the written views of TTIC/COMEX and all other GOSSAT and GEESAT members with respect to each of its proposals for specific cooperative activities.
15. Effect of Failure to Comment. In the absence of written views within the deadline specified, reviewers will be presumed to have no objection to the proposal or package of proposals. Apart from providing the Department of State with their written views, reviewers may provide copies, upon request, directly to other agencies.
16. Consultation with Proposing Agency. All reviewers are encouraged to work directly with the proposing agency to resolve questions or concerns arising from specific proposals prior to submission of written comments.
17. Implementation of Specific Cooperative Activities. When there is no disagreement among agencies, further interagency review normally will not take place, and implementation of the specific cooperative activities may proceed, consistent with any written stipulations agreed in the interagency review process. The Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw Pact countries) is responsible for communicating these written stipulations to the proposing agency (or U.S. side of a joint commission or joint committee). U.S. approval, consistent with the written stipulations, may be conveyed to participants from Warsaw-Pact countries by appropriate U.S. representatives, including the U.S. side of joint committees or commissions, designated U.S. executive agents or lead agencies, or designated U.S. executive secretaries or coordinators. U.S. representatives to all meetings of joint commissions and joint committees must operate on the basis of written instructions that incorporate such written stipulations.
18. Participant Obligations and Limitations. The executive agent, lead or proposing agency will notify U.S. participants of their obligations and limitations with respect to specific cooperative activities and take appropriate steps to see that they are implemented.

C. GOSSAT and GEESAT.

1. Role of GOSSAT. The Working Group on Soviet Science and Technology (GOSSAT) of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs provides a mechanism for interagency review of proposed science or science and technology agreements and activities with the Soviet Union. In addition, the GOSSAT provides a forum for interagency consideration of issues and developments related to science or science and technology cooperation with the Soviet Union.
2. Role of GEESAT. The Working Group on Eastern European Science and Technology (GEESAT) of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs similarly provides a mechanism for interagency review of proposed science or science and technology agreements and activities with Warsaw-Pact countries other than the Soviet Union. In addition, the GEESAT provides a forum for interagency consideration of issues and developments related to science or science and technology cooperation with Warsaw-Pact countries other than the Soviet Union.
3. Participation in GOSSAT and GEESAT. Any agency of the U.S. Government may participate in the work of the GOSSAT and the GEESAT, including review of proposed agreements and specific cooperative activities, and regular meetings, special meetings and policy level meetings.
4. Regular Meetings. The Director of the Office of Cooperative Science and Technology Programs, Bureau of Oceans and International Environmental and Scientific Affairs (Director, OES/SCT) chairs regular meetings of the GOSSAT and the GEESAT to review science or science and technology issues and developments in U.S. relations with Warsaw-Pact countries. An agenda will be circulated in advance of such meetings to each member of the GOSSAT and the GEESAT, and any member may propose items for discussion.
5. Special Meetings. The Director, OES/SCT also chairs special meetings of the GOSSAT and the GEESAT to resolve differences among agencies with respect to proposals for agreements or specific cooperative activities. Such meetings may be co-chaired by other offices within the OES Bureau or by the agency proposing the agreement or the specific cooperative activities.

6. When Convened. If agencies differ with respect to proposed agreements or specific cooperative activities, and are unable to resolve these differences directly with the proposing agency, the Department of State (OES/SCT) will convene a special meeting of interested GOSSAT or GEESAT members to review the issues involved and to resolve interagency differences. Such meetings are convened following receipt of agencies' written views under Sections A and B. In addition, the Department of State (OES/SCT) will convene a special meeting of interested GOSSAT or GEESAT members at the request of any agency that has submitted written views raising specific concerns with a proposed agreement or a proposal for specific cooperative activities. The Department of State (OES/SCT) will maintain a permanent file of decisions taken at each special working group meeting.
7. Senior Level Meetings. If a special meeting of the GOSSAT or the GEESAT is unable to resolve interagency differences with respect to proposed agreements or specific cooperative activities, the OES Deputy Assistant Secretary for Science and Technology Affairs will convene a senior level meeting of interested GOSSAT or GEESAT members, or, alternately, will refer interagency differences directly to the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs, for resolution of the issues.
8. Purpose of Senior Level Meeting. The senior level meeting normally will seek to resolve interagency differences. However, if it is clear that differences are unlikely to be resolved at such a meeting, participants will identify specific options, including the specific rationale for each option, and the views of each agency with regard to the options. Prior to a senior level meeting, each agency will be asked to provide written views.
9. Submission to the NSC/PCC. Subsequent to the special or senior level meeting, the Director, OES/SCT, will ensure preparation of a written report, including the written views of each agency, on any issues left unresolved by such meeting. Such reports will be cleared in draft with participants in the special or senior level meeting or will attach agencies' written views. The report will be transmitted to the Chairman of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs requesting that the PCC resolve the issues.

D. Space Agreement

Issues involving the Agreement between the United States of America and the Union of Soviet Socialist Republics Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes, which entered into force on April 15, 1987, and cooperative activities under this Agreement are the subject of separate review procedures established on an interagency basis and approved by the NSC on July 27, 1987. Those procedures are implemented through the National Space Council. They include TTIC/COMEX review of all proposals for specific cooperative activities.

E. Quasi-Governmental and Non-Governmental U.S. Organizations

Quasi- and non-governmental U.S. organizations may have extensive collaborative science or science and technology activities with Warsaw-Pact counterparts that complement or reinforce activities performed by agencies of the U.S. Government. The activities of such organizations may be funded in whole or in part by the U.S. Government. Some government-funded activities between quasi- and non-governmental U.S. organizations (such as those of the National Academy of Sciences) and Warsaw Pact counterparts are submitted voluntarily for review by TTIC/COMEX for technology transfer concerns. In addition, the GOSSAT and the GEESAT should be given the opportunity to hear presentations on these activities, especially when they involve new or expanded programs, to facilitate coordination with U.S. government activities and policy.

F. Conformity with Applicable U.S. Laws and Regulations

1. General Requirements. All science or science and technology agreements and specific cooperative activities must conform with applicable U.S. laws and regulations.
2. Foreign Relations Authorization Act of 1979 and Executive Order 12591. All science or science and technology agreements and specific cooperative activities must conform with sections 501-504 of the Foreign Relations Authorization Act, Fiscal Year 1979, as amended (22 U.S.C. 2656a-d) and with Executive Order 12591 of April 10, 1987, Facilitating Access to Science and Technology (52 F.R. 13414).

3. Export Administration Act and Regulations. All exports, including disclosures to foreign nationals in the United States, of goods and technology (including technical data) must be made in accordance with the Export Administration Act of 1979, as amended (50 U.S.C. 2401 et seq.) and the Export Administration Regulations (15 CFR 768 et seq.).
 4. Arms Export Control Act and Regulations. All exports of defense articles and defense services must be made in accordance with the Arms Export Control Act of 1976, as amended (22 U.S.C. 2778) and the International Traffic in Arms Regulations (22 CFR 120 et seq.).
 5. Nuclear-Related Export Activities. The conduct of nuclear-related export activities must be made in accordance with existing nuclear export policy, laws and regulations, including, inter alia, the Atomic Energy Act of 1954, as amended (42 USC 2011 et seq.), and Department of Energy regulations, "Assistance to Foreign Atomic Energy Activities" (10 CFR 810) as well as the Export Administration Regulations.
- G. Visa Requirements for Warsaw-Pact Visitors
1. Special Exchange Procedures. Nationals of Warsaw-Pact countries visiting the United States under any agreement will be processed under Special Exchange (SPLEX) Procedures.
 2. Timing of Visa Applications. Applications for U.S. visas of nationals of Warsaw-Pact countries must be made to a U.S. embassy or consular office, normally the U.S. embassy in the capital of the country involved. A complete visa application and the cable from the U.S. embassy or consular office transmitting it should normally be received no less than four weeks in advance of the visit.
 3. Complete Itinerary. In providing support for such applications, each U.S. host will verify as necessary the full name of the proposed visitor, his or her institutional affiliation, and the complete itinerary and program planned for the visit, especially non-governmental and industrial stops, to allow for appropriate screening and planning. This information also will allow the Departments of State and Commerce to make notifications needed to ensure compliance with export control and other requirements.

- . Related Access Procedures. Implementing agencies (e.g., the Department of Energy) will begin their own access procedures in parallel with the visa application process.

H. Reporting

1. U.S. Side of Joint Commissions or Committees. Each executive agent or lead agency must submit a written record of decisions taken at internal meetings of the U.S. side of joint commissions or joint committees to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries), and must maintain a permanent file of such records. Apart from providing such records to the Department of State, executive agents or lead agencies may provide copies, upon request, directly to other agencies.
2. Joint Commission or Committee Meetings. Each executive agent or lead agency must prepare a reporting cable with respect to each meeting of joint commissions or joint committees. When such meetings take place outside of the United States, reporting cables must be sent through the U.S. embassy in the capital of the country in which the meeting takes place to the Department of State; when such meetings take place within the United States, reporting cables must be sent through the Department of State to the U.S. embassy in the capital of each Warsaw-Pact country involved. In addition, each executive agent or lead agency must maintain a permanent file of such reporting cables.
3. Results of Cooperation. U.S. agencies will provide appropriate reporting, including annual reports and reports on completed projects, concerning the results of their work with counterpart agencies, organizations and institutions in Warsaw-Pact countries to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries), TTIC/COMEX and, as requested, other interested agencies. To the extent possible, these reports should be written to permit an assessment of transfers of technology to and from the United States.

I. Amendments

Amendments to these procedures may be adopted as necessary using the mechanisms described herein.

Attachments:

- | | |
|--------------------|---|
| TAB A - Annex I - | Current or Proposed Science or Science
and Technology Agreements with
Warsaw-Pact Countries |
| TAB B - Annex II - | Members of GOSSAT and GEESAT |

ANNEX I

Current or Proposed Science or Science and Technology Agreements with Warsaw-Pact Countries August 1989

Soviet Union

- 1) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Medical Science and Public Health, signed at Moscow, May 23, 1972 (23 UST 836; TIAS 7344). Executive Agent: Department of Health and Human Services, U.S. Public Health Service, Office of International Health.
- 2) Agreement on Cooperation in the Field of Environmental Protection between the United States of America and the Union of Soviet Socialist Republics, signed at Moscow, May 23, 1972 (23 UST 845; TIAS 7345). Coordinator (Executive Agent): Environmental Protection Agency.
- 3) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Agriculture, signed at Washington, June 19, 1973 (24 UST 1439; TIAS 7650). Executive Agent: Department of Agriculture.
- 4) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in Studies of the World Ocean, signed at Washington, June 19, 1973 (24 UST 1452; TIAS 7651). Amendment and extension: December 15, 1978 (30 UST 2504; TIAS 9349); November 23 and December 9, 1987; December 14, 1988. Executive Agent: Department of Commerce, National Oceanic and Atmospheric Administration.
- 5) Agreement between the United States of America and the Union of Soviet Socialist Republics on Scientific and Technical Cooperation in the Field of Peaceful Uses of Atomic Energy, signed at Washington, June 21, 1973 (24 UST 1486; TIAS 7655). Extension and Amendment: July 5 and August 1, 1983 (TIAS 10757); June 20, 1988. Executive Agent: Department of Energy (formerly, U.S. Atomic Energy Commission).

- A) Protocol between the U.S. Atomic Energy Commission and the U.S.S.R. State Committee for the Utilization of Atomic Energy on Joint Projects in Controlled Thermonuclear Fusion and Plasma Physics, signed at Washington, February 6, 1974. Lead Agency: Department of Energy (formerly, U.S. Atomic Energy Commission).
- B) Protocol on Cooperation in the Field of Research in Fundamental Properties of Matter between the United States and the Union of Soviet Socialist Republics, signed at Washington, December 5, 1975. Lead Agency: Department of Energy.
- C) Protocol on Cooperation in the Field of Fast Neutron Breeder Reactors between the U.S. Atomic Energy Commission and the U.S.S.R. State Committee for Utilization of Atomic Energy, signed at Moscow, October 8, 1974. Lead Agency: Department of Energy (formerly, U.S. Atomic Energy Commission).
- D) Memorandum of Cooperation between the United States of America and the Union of Soviet Socialist Republics in the Field of Civilian Nuclear Reactor Safety, signed at Washington, April 26, 1988. Lead Agency: Nuclear Regulatory Commission.
- 6) Agreement between the United States of America and the Union of Soviet Socialist Republics on Cooperation in Artificial Heart Research and Development, signed at Moscow, June 28, 1974 (25 UST 1331; TIAS 7867). Executive Agent: Department of Health and Human Services, U.S. Public Health Service, National Institutes of Health, National Heart, Lung and Blood Institute.
- 7) Agreement between the United States of America and the Union of Soviet Socialist Republics on Cooperation in the Field of Housing and Other Construction, signed at Moscow, June 28, 1974 (25 UST 1592; TIAS 7898). Executive Agent: Department of Housing and Urban Development.

Protocol on Cooperation in the Field of Construction Relating to Extreme Climatic and Unusual Geological Conditions, signed at Washington, January 14, 1988 (entered into force April 11, 1988). Lead Agency: Department of Defense, Department of the Army.

- 8) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in Transportation Science and Technology, signed at Moscow, May 31, 1988 (___ UST ___; TIAS ___). Executive Agent: Department of Transportation.
- 9) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Basic Scientific Research, signed at Paris, January 8, 1989 (___ UST ___; TIAS ___). Executive Agent: Office of Science and Technology Policy.
 - A) Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Academy of Sciences of the Union of Soviet Socialist Republics, signed at Washington and Moscow, May 6, 1989. Lead Agency: National Science Foundation.
 - B) Memorandum of Understanding on Cooperation in Geoscience between the Department of the Interior of the United States of America and the Ministry of Geology of the Union of Soviet Socialist Republics, initialled January 26, 1989. Lead Agency: Department of the Interior, U.S. Geological Survey.
- 10) Memorandum of Understanding between the National Institute of Standards and Technology of the United States of America and the Academy of Sciences of the Union of Soviet Socialist Republics on Cooperation in the Physical, Chemical and Engineering Sciences (proposed). Lead Agency: Department of Commerce, National Institute of Standards and Technology.

Poland

1. Memorandum of Understanding between the Department of Transportation of the United States of America and the Ministry of Transportation of the Polish People's Republic concerning Research Cooperation in the Field of Transportation, signed at Warsaw, November 3, 1971 (29 UST 5642; TIAS 9139). Extension and Amendment October 16, 1978 (29 UST 5649; TIAS 9139); February 28 and June 22, 1979 (30 UST 7287; TIAS 9586). Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

2. Agreement between the Government of the United States of America and the Government of the Polish People's Republic on Cooperation in the Field of Health, signed at Washington, October 8, 1974 (25 UST 2750; TIAS 7943). Coordinating Agency: Department of Health and Human Services (formerly Department of Health, Education and Welfare).

3. Agreement between the Environmental Protection Agency of the United States of America and the Ministry of Environmental Protection and Natural Resources of the Polish People's Republic on Cooperation in the Field of Environmental Protection, signed at Washington, September 10, 1987 (___ UST___; TIAS ___). Executive Agent: Environmental Protection Agency.

4. Agreement on Cooperation in Science and Technology and Its Funding, signed at Warsaw, September 28, 1987 (___ UST___; TIAS ___). Executive Agent: Department of State.

5. Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Polish Academy of Sciences of the Polish People's Republic, signed at Warsaw, June 13, 1988 (___ UST___; TIAS___). Coordinator: National Science Foundation.

German Democratic Republic

None

Czechoslovakia

1. Agreement on Cooperation in Culture, Education, Science and Technology and Other Fields, signed at Prague, April 15, 1986 (___ UST ___; TIAS ___).

2. Program of Cooperation and Exchanges between the Government of the United States of America and the Government of the Czechoslovak Socialist Republic in Culture, Education, Science, Technology and Other Fields for 1986 and 1987, signed at Prague, April 15, 1986 (___ UST ___; TIAS ___).

3. Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Czechoslovak Academy of Sciences, signed at Prague, June 27, 1988 (___ UST ___; TIAS ___).
Coordinator: National Science Foundation.

4. Arrangement between the United States Nuclear Regulatory Commission and the Czechoslovak Atomic Energy Commission for the Exchange of Technical Information and Cooperation in Nuclear Safety Matters, signed at Washington, April 14, 1989 (___ UST ___; TIAS ___).

Hungary

1. Agreement between the Government of the United States of America and the Government of the Hungarian People's Republic on Cooperation in Culture, Education, Science and Technology, signed at Budapest, April 6, 1977 (___ UST ___; TIAS ___).

2. Understanding between the Department of Transportation of the United States of America and the Ministry of Communications and Posts of the Hungarian People's Republic Concerning Research Cooperation in the Field of Transportation, signed at Budapest, October 11, 1978 (30 UST 743; TIAS ___).
Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

3. Memorandum of Understanding between the Geological Survey of the Department of the Interior of the United States of America and the Central Office of Geology of the Hungarian People's Republic for Scientific and Technical Cooperation in the Earth Sciences, signed at Reston and Budapest, January 6 and 20, 1984 (entered into force January 20, 1984) (___ UST ___; TIAS ___). Extension March 17 and April 21, 1986 (___ UST ___; TIAS ___).

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20508**

June 2, 1989

Dear Dr. Bernthal:

OSTP is unable to approve the request for Circular 175 Authority to Negotiate and Conclude a Joint Statement on the Development of Cooperation in Agriculture between the U.S. Department of Agriculture and the Ministry of Agriculture and Forestry of Bulgaria because procedures for interagency review of activities involving Warsaw Pact countries have not been agreed upon.

I anticipate that in the absence of established procedures, providing interagency reviews and clearance will continue to be a problem.

We look forward to having procedures in place that clearly and consistently consider all proposed science and technology agreements and activities with Warsaw Pact countries, whether they be under the auspices of bilateral, multilateral, or non-governmental organization agreements where funded by the U.S. government.

Sincerely,

A handwritten signature in black ink, reading "William R. Graham". The signature is written in a cursive, flowing style.

William R. Graham
Director

Dr. Frederick M. Bernthal
Assistant Secretary
for Oceans and International
Environmental and Scientific Affairs
Department of State
2201 C Street, N.W.
Washington, DC 20520

bcc: Irving Fuller
Michael McElwrath
Joe Allen
Sherry Fox
John Thomas
Jerry Shroeder
Dan Taft
Linda Glover

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20506**

June 2, 1989

MEMORANDUM FOR ROBERT M. GATES

FROM:

WILLIAM R. GRAHAM *WRG*

SUBJECT:

LACK OF CONSISTENCY IN S&T COOPERATION WITH WARSAW
PACT COUNTRIES

There has been a concerted effort among all federal agencies to develop procedures for interagency review of science and technology agreements and activities with Warsaw Pact countries, beginning in the last Administration and continuing into the Bush Presidency. At this time, bilateral review procedures for Warsaw Pact country agreements are in final draft but are not yet approved.

An outstanding issue is whether or not we commit to achieving a consistent approach to all science and technology agreements and activities with Warsaw Pact countries, whether they be under the auspices of bilateral, multilateral, or non-governmental organization agreements where funded by the U.S. government.

- o In the present form, the bilateral procedures would apply to some, but not all, multilateral agreements involving Warsaw Pact countries.
- o The proposed bilateral procedures now only include reference to cooperation through non-governmental organizations for which there are at present no well defined procedures.

Approving the bilateral procedures in their present form would constitute agreeing to inconsistent approaches to science and technology cooperation with Warsaw Pact countries.

This is a fundamental issue on which no progress has been achieved since it was raised over two months ago. I am bringing it to your attention to encourage your cooperation in resolving this issue in a consistent and timely manner.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20506

June 28, 1989

MEMORANDUM FOR D. ALLAN BROMLEY

THROUGH: THOMAS P. RONA 
FROM: JOHN F. O'NEIL 
SUBJECT: WARSAW PACT PROCEDURES--FOLLOWUP

The purpose of this memorandum is to provide information subsequent to your guidance of June 23, 1989, on the status of the procedures for review of science and S&T cooperative activities with the Warsaw Pact countries (TAB A is provided for information.)

In accordance with your guidance of June 23, I reviewed the latest edition of the procedures and forwarding memorandum. We have no substantive objection to the text of the procedures. I provided comments to State on the forwarding memorandum to the NSC, and we reached an agreement which was modified slightly in an interagency meeting held on June 23, 1989.

As currently written the memo conforms to your guidance. It:

- states that the procedures apply to bilateral cooperative science and S&T activities and agreements with Warsaw Pact countries,
- states that the procedures apply to direct and substantial multilateral cooperation with Warsaw Pact countries,
- recommends a study be conducted by year's end to determine the specific kinds of multilateral cooperation that should be reviewed,
- recommends a study of government-funded or -sponsored non/quasi-governmental cooperation to determine proper review, and
- calls for the non/quasi-governmental study to be completed by year's end.

The next step is the shepherd the procedures through the NSC.

Attachment:

TAB A: Warsaw Pact Procedures Memo
June 23, 1989

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY

WASHINGTON, D.C. 20506

June 23, 1989

MEMORANDUM FOR D. ALLAN BROMLEY

FROM: JOHN O'NEIL *JOE*
SUBJECT: WARSAW PACT PROCEDURES

The purpose of this memo is to provide information on the "Warsaw Pact Procedures" for the review of science and S&T cooperative activities with Warsaw Pact countries.

Background. Development of these procedures began approximately one year ago, but the process was formalized in December 1988 when the NSC directed that such procedures be developed and tasked State to lead the interagency effort. Interagency in this context refers to approximately 20 Departments and Agencies with interest but whose participation is voluntary.

Throughout the process OSTP has had three main concerns: sufficiency, consistency, and legality. OSTP has been supported by various other participants on each of these concerns.

Procedures are required to ensure that cooperation undertaken by the various Departments and Agencies is in accordance with Administration policy and properly accounts for national security and tech transfer concerns. Without some review, individual Departments and Agencies would undertake cooperation for parochial reasons and such cooperation might contradict Administration policy or compromise national interests, such as security and competitiveness. A method developed to consider both issues simultaneously is the interagency review process.

OSTP has sought sufficiency to ensure the procedures allow adequate examination of proposed cooperation for policy, tech transfer, competitiveness and security concerns. Views on this issue span the spectrum. Our view has tended towards more review rather than less, and OSTP has been supported consistently by OMB, USTR, DOD, Commerce, and Interior.

By consistency we have sought to ensure that government review is consistent across all forms of cooperation within government purview; that is, government bilateral, government-financed non-governmental, and multilateral government cooperation. OSTP realizes that these procedures will not rectify all problems. We have sought to ensure that the government is consistent and does

not deny, for example, bilateral cooperation for national security reasons while simultaneously permitting the same cooperation through a multilateral avenue.

OSTP has also sought, on behalf of the President, to ensure the proper participants review proposed cooperation. We believe that OSTP has a prominent, if not preeminent, role to play in policy review of cooperation by virtue of our legislation and that other Departments and Agencies also have a crucial part to play since international science has real domestic impacts. We have sought to prevent State from acting unilaterally in this area. On a tactical level we have acted to protect our role, and that of other participants, while State has sought to expand their role, particularly at our expense.

Procedures MTg June 2

dev 1 page memo, circulate, dissents in writing at A/S level

Elinda Constable confirmed I saw she may call those who dissent before memo sent

DoD factors: Foreign Policy consistency

ICASSA - dev to give WH info to avoid "problems"

Budgets & Resources

Technology Security Responsibility: non-proliferation
(mil/ind complex but still in place)

Marty - info sharing

should include DoD and other activities

DoD Treat Russia like other countries and step back to look at larger issues of SET

FCCSET review of int/SET

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 2, 1989

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MR. JOHN P. DEVINE
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SUBJECT: Procedures to Govern U.S. Government Participation
in Science-related Activities with Warsaw Pact
Countries

Received in 5/5-IRM/RAI

In December 1988, the NSC tasked the preparation of a set of guidelines to govern U.S. Government participation in science-related activities with Warsaw Pact countries. The PCC on International Oceans, Environment, and Science Affairs recently completed this task. The procedures are herewith formally approved. All agencies of the U.S. Government involved in science-related activities with Warsaw Pact countries will henceforth adhere to the procedures as outlined at Tab A.

The PCC recommended that the issue of how these procedures apply to science-related activities in which U.S. agencies and their Warsaw Pact counterparts undertake cooperation in a multilateral or international organization context be addressed. The PCC is requested to undertake this task by the end of 1989.

For reasons of space, the annex on the legislative authorities of various agencies which was submitted to the NSC is not included here. It may be obtained from the State Department.

Executive secretaries are urged to see that every part of their department or agency which has any type of involvement in science-related activities with Warsaw Pact countries is apprised of these guidelines.

for Michael B. Donley
G. Philip Hughes
Executive Secretary

Attachment

Tab A Procedures

PROCEDURES FOR INTERAGENCY REVIEW OF
COOPERATIVE SCIENCE OR SCIENCE AND TECHNOLOGY
AGREEMENTS AND ACTIVITIES WITH
WARSAW-PACT COUNTRIES

Overview

U.S. policy seeks to encourage mutually beneficial, cost-effective science and technology cooperation with Warsaw-Pact countries consistent with U.S. national security interests. These procedures are established to govern all science or science-related agreements with Warsaw Pact countries. They are designed to ensure that this cooperation will advance the national and international objectives of the United States and that such cooperation is consistent with U.S. law and Administration policies in the areas of science and technology, technology transfer and management, national security, budget, U.S. trade, commercial linkages, and competitiveness (including intellectual property), scientific merit, and equity of access. For these reasons, these agreements and activities will be reviewed in a distinct interagency process to ensure that these concerns are addressed and that such agreements and activities protect and advance U.S. interests. This process will involve both technical and policy-level review of proposed agreements and activities, as further described herein.

Section A lists the requirements for interagency review of proposed science or science and technology agreements, including extensions, amendments and renewals of existing agreements.

Section B lists the requirements for interagency review of proposed specific cooperative science or science and technology activities. Note that the Subcommittee on Exchanges (COMEX) of the Technology Transfer Intelligence Committee (TTIC) must review both proposed agreements and proposed activities (see Presidential Directive of March 22, 1988).

Section C describes the function of the Working Group on Soviet Science and Technology (GOSSAT) and the Working Group on Eastern European Science and Technology (GEESAT) of the National Security Council Policy Coordinating Committee (NSC/PCC) on International Oceans, Environment and Science Affairs in the interagency review process.

Section D notes the procedures that apply with respect to interagency review of activities under the U.S.-Soviet Agreement Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes.

Section E briefly describes the relationship between governmental review procedures and collaborative science or science and technology activities carried out by quasi-governmental and non-governmental U.S. organizations with Warsaw-Pact participants.

Section F notes that all agreements and activities must conform with applicable U.S. laws, regulations and executive orders and lists certain key items.

Section G discusses visa requirements for Warsaw-Pact visitors.

Section H lists reporting requirements.

Section I provides for amendments to these procedures.

Annex I lists current or proposed science or science and technology agreements with Warsaw-Pact countries. These procedures govern interagency review of those agreements, as well as future agreements, and activities under them. In addition, these procedures govern interagency review of all other cooperative science or science and technology activities involving direct and substantial cooperation between an agency of the U.S. Government and any agency, organization or institution of a Warsaw-Pact country, whether or not undertaken pursuant to an agreement listed in Annex I, except as noted in Section D. These procedures thus also govern cooperative science or science and technology activities involving direct and substantial cooperation between an agency of the U.S. Government and an agency, organization or institution of a Warsaw-Pact country undertaken in a multilateral context or within an international organization (e.g., ITER).

Annex II lists current members of the GOSSAT and the GEESAT. In addition, any other agency of the U.S. Government may participate in the work of the GOSSAT and the GEESAT.

A. Interagency Review of Agreements

1. Prior Consultation with the Department of State. U.S. Government agencies proposing to undertake cooperative science or science and technology agreements with counterpart agencies, organizations or institutions in Warsaw-Pact countries must consult with the Department of State prior to entering into negotiations. This requirement is consistent with 1 U.S.C. 112a, the Case-Zablocki Act (1 U.S.C. 112b), and federal regulations on "Coordination and Reporting of International Agreements" (22 CFR 181.1 et seq.), which require consultation prior to entering into such agreements.
2. Extensions, Renewals and Modifications. This prior consultation requirement applies to extensions, renewals and modifications of existing agreements, as well as to new agreements, since extensions, renewals and modifications are normally considered to be "international agreements" within the meaning of the Case-Zablocki Act and 1 U.S.C. 112a. Accordingly, all references to "agreements" in these procedures are deemed to include extensions, renewals and modifications of existing agreements. Whether any undertaking, document, or set of documents constitutes or would constitute an international agreement within the meaning of the Case-Zablocki Act or 1 U.S.C. 112a is determined by the Office of the Legal Adviser, Department of State (22 CFR 181.3(a)).
3. Agreements that Automatically Renew. Some cooperative science or science and technology agreements with Warsaw-Pact countries automatically renew under their terms unless either Party notifies the other of termination or its intent to terminate within a specified period prior to the renewal date. With respect to such agreements, the agency which serves as executive agent or lead agency must consult with the Department of State at least six months prior to the date by which notification of termination or intent to terminate must be given to allow sufficient time for appropriate interagency review of the agreement and to identify any changes that the United States may wish to propose.
4. Coordination by Department of State. Within the Department of State, the Office of Cooperative Science and Technology Programs (OES/SCT), Bureau of Oceans and International Environmental and Scientific Affairs, is responsible for coordinating interagency review of science or science and technology agreements with Warsaw-Pact countries, in consultation with other appropriate offices in the OES

Bureau and in the Department's regional and other functional bureaus. With respect to the Soviet Union, OES/SCT works closely with designated lead offices within the OES Bureau and the Office of Soviet Union Affairs (EUR/SOV). With respect to other Warsaw-Pact countries, OES/SCT works closely with designated lead offices within the OES Bureau and with the Office of Eastern European and Yugoslav Affairs (EUR/EEY).

5. When to Consult. Agencies wishing to negotiate or conclude a cooperative science or science and technology agreement with counterpart agencies, organizations or institutions in Warsaw-Pact countries must transmit to the Department of State (OES/SCT) a draft text or summary of the proposed agreement, a precise citation of the Constitutional, statutory or treaty authority for such agreement, and other background information as requested. The transmittal must be made before formal negotiations or informal commitments are undertaken, normally 45 days prior to beginning negotiations. Agencies are cautioned against making any implied commitments concerning science or science and technology cooperation with Warsaw-Pact officials prior to completion of interagency review.
6. Circular 175 Procedure. On receipt of the transmittal described in paragraph 5 above, OES/SCT initiates the Circular 175 Procedure (11 FAM 720) or ensures its initiation by the designated lead office within the OES Bureau.
7. TTIC/COMEX Review. Under the Circular 175 Procedure, the Subcommittee on Exchanges (COMEX) of the Technology Transfer Intelligence Committee (TTIC) is asked to review proposed agreements with Warsaw-Pact countries.
8. GOSSAT AND GEESAT Review. Also under the Circular 175 Procedure, all members of the Working Group on Soviet Science and Technology (GOSSAT) are asked to review proposed agreements with the Soviet Union, and all members of the Working Group on Eastern European Science and Technology (GEESAT) are asked to review proposed agreements with other Warsaw-Pact countries. This will meet requirements for prior interagency review of science or science and technology agreements reflected in section 504(a) of the Foreign Relations Authorization Act, Fiscal Year 1979, as amended (22 U.S.C. 2656d(a)).

9. Other Review. Members of the GOSSAT and the GEESAT may, if deemed necessary, raise issues with other legislatively-mandated bodies or appropriate interagency bodies.
10. Deadline for Submission of Comments. Reviewers consulted in the Circular 175 Procedure must provide their written views to the Department of State within two weeks of receipt of the proposal.
11. Interagency Comments. The Department of State will provide the proposing agency with the written views of TTIC/COMEX and all members of the GOSSAT and the GEESAT within one week of the deadline for submission of written views and will ensure interagency review under the aegis of GOSSAT or GEESAT for any unresolved issues, following the process described in Section C of these procedures. The Department of State (OES/SCT) will maintain a permanent file of the written views of TTIC/COMEX and all members of the GOSSAT and the GEESAT with respect to each agreement. In addition, each proposing agency should maintain a permanent file of the written views of TTIC/COMEX and all members of the GOSSAT and GEESAT with respect to each of its proposed agreements.
12. Effect of Failure to Comment. In the absence of written comments within the deadline specified, reviewers will be presumed to have no objection to the proposed agreement. Apart from providing the Department of State (OES/SCT) with their written views, reviewers may provide copies, upon request, directly to other agencies.
13. Consultation with Proposing Agency. All reviewing agencies are encouraged to work directly with the proposing agency to resolve questions or concerns arising from specific proposals prior to submission of written comments.
14. Implementation of Agreement. When there is no disagreement among agencies, further interagency review normally will not take place, and negotiation of the proposed agreement may proceed, consistent with any written stipulations agreed in the interagency review process. The Department of State (OES/SCT) is responsible for communicating these written stipulations to the proposing agency. U.S. representatives to all negotiating sessions with regard to the proposed agreement must operate on the basis of written instructions that incorporate such written stipulations.
15. Participant Obligations and Limitations. The proposing agency will notify U.S. participants of their obligations and limitations under the agreement and take appropriate steps to see that they are implemented.

B. Interagency Review of Cooperative Activities

1. Prior Consultation with Department of State. U.S. Government agencies proposing to undertake specific cooperative activities, whether or not under existing or proposed science or science and technology agreements, with counterpart agencies, organizations or institutions in Warsaw Pact countries must submit proposals for such activities to the Department of State for interagency review under these procedures. All proposals must be reviewed and approved in this process before U.S. representatives may negotiate them with counterparts in Warsaw-Pact countries on behalf of the U.S. Government.
2. TTIC/COMEX Review. All agency proposals for specific cooperative activities must be reviewed by the Subcommittee on Exchanges of the Technology Transfer Intelligence Committee (TTIC/COMEX) (see NSC Directive of March 22, 1988).
3. GOSSAT and GEESAT Review. All other members of the GOSSAT (in the case of the Soviet Union) and the GEESAT (in the case of other Warsaw Pact countries) must be notified of agency proposals for specific cooperative activities with Warsaw-Pact countries and be provided with an opportunity to review them.
4. Specific Cooperative Activities. For purposes of this section, "specific cooperative activities" means specific programs of activities or projects proposed for approval and significant changes in programs or projects previously reviewed and approved. Note that seemingly insignificant changes in programs or projects previously approved may have significant technology transfer implications; interagency review of changes in programs or projects already approved should thus be sought in any instance of doubt. Proposing agencies ultimately are responsible for assuring that interagency review, as described in these procedures, is sought for all specific cooperative activities.

5. Coordination by Department of State. Within the Department of State the Office of Soviet Union Affairs (EUR/SOV), Bureau of European and Canadian Affairs, is responsible for coordinating interagency review of proposals for specific cooperative activities with Soviet agencies, organizations and institutions. The Office of Cooperative Science and Technology Programs (OES/SCT), Bureau of Oceans and International Environmental and Scientific Affairs, is responsible for coordinating interagency review of such proposals involving agencies, organizations and institutions of other Warsaw-Pact countries.
6. Role of Executive Agent, Lead or Proposing Agency. Normally, the agency which serves as U.S. executive agent under an agreement or U.S. lead agency under an implementing memorandum of understanding is responsible for coordinating development of the package of proposals for cooperative activities. Agencies proposing to undertake cooperative activities thus normally conduct appropriate technical review and submit their proposals to the executive agent or lead agency. If there is no designated U.S. executive agent or lead agency, the agency proposing to undertake the specific cooperative activities is responsible for conducting appropriate technical review.
7. Technology Transfer Review. To facilitate review of technology transfer implications of specific cooperative activities, proposing agencies will, to the extent possible, identify in their written proposals specific equipment to be used and specify what access to such equipment will be needed.
8. Budget Review. To facilitate budget review, proposing agencies will identify in their written proposals total funding and personnel resources likely to be required and any such resources that would be above existing, approved levels. Proposing agencies should also provide a written statement of anticipated benefits to the agency or agencies that will participate in the proposed activities.
9. Intellectual Property and Competitiveness Review. To facilitate review of intellectual property rights and commercial competitiveness implications of specific cooperative activities, proposing agencies will, to the extent possible, identify in their written proposals the likelihood that intellectual property will be furnished or created in the course of the proposed activities and any commercial applications likely to result from the proposed activities.

10. Submission for Interagency Review. The executive agent, lead or proposing agency is responsible for submitting proposals for specific cooperative activities to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries). Each submission must be accompanied by an abstract (in an established format) for each proposal it contains.
11. Initiation of Interagency Review. On receipt of a proposal or package of proposals, the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries) initiates interagency review, forwarding the full proposal or package of proposals to TTIC/COMEX. The Department of State simultaneously forwards the abstracts (in the established format) of all proposals to all members of the GOSSAT (in the case of the Soviet Union) and all members of the GEESAT (in the case of other Warsaw-Pact countries) requesting notification within two weeks of any abstract (in the established format) with respect to which any member wishes to review the full proposal. The Department of State will ensure that the full proposal is provided immediately to any member of the GOSSAT or the GEESAT at its request.
12. Other Review. Members of the GOSSAT and the GEESAT may, if deemed necessary, raise issues with other legislatively-mandated bodies or appropriate interagency bodies.
13. Deadline for Submission of Comments. Reviewers must submit their written views to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries) within six-weeks of receipt of the full proposal or package of proposals (in the case of TTIC/COMEX) or the abstract (in the established format) of the proposal or proposals (in the case of other GOSSAT and GEESAT members).

14. Interagency Comments. The Department of State will provide the proposing agency with the written views received from TTIC/COMEX and all other GOSSAT or GEESAT members within one week of the deadline for submission of written views and will ensure interagency review for any unresolved issues, following the process described in Section C of these procedures. The Department of State will maintain a permanent file of the written views of TTIC/COMEX and all other GOSSAT and GEESAT members with respect to all proposals for specific cooperative activities. In addition, each proposing agency should maintain a permanent file of the written views of TTIC/COMEX and all other GOSSAT and GEESAT members with respect to each of its proposals for specific cooperative activities.
15. Effect of Failure to Comment. In the absence of written views within the deadline specified, reviewers will be presumed to have no objection to the proposal or package of proposals. Apart from providing the Department of State with their written views, reviewers may provide copies, upon request, directly to other agencies.
16. Consultation with Proposing Agency. All reviewers are encouraged to work directly with the proposing agency to resolve questions or concerns arising from specific proposals prior to submission of written comments.
17. Implementation of Specific Cooperative Activities. When there is no disagreement among agencies, further interagency review normally will not take place, and implementation of the specific cooperative activities may proceed, consistent with any written stipulations agreed in the interagency review process. The Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw Pact countries) is responsible for communicating these written stipulations to the proposing agency (or U.S. side of a joint commission or joint committee). U.S. approval, consistent with the written stipulations, may be conveyed to participants from Warsaw-Pact countries by appropriate U.S. representatives, including the U.S. side of joint committees or commissions, designated U.S. executive agents or lead agencies, or designated U.S. executive secretaries or coordinators. U.S. representatives to all meetings of joint commissions and joint committees must operate on the basis of written instructions that incorporate such written stipulations.
18. Participant Obligations and Limitations. The executive agent, lead or proposing agency will notify U.S. participants of their obligations and limitations with respect to specific cooperative activities and take appropriate steps to see that they are implemented.

C. GOSSAT and GEESAT.

1. Role of GOSSAT. The Working Group on Soviet Science and Technology (GOSSAT) of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs provides a mechanism for interagency review of proposed science or science and technology agreements and activities with the Soviet Union. In addition, the GOSSAT provides a forum for interagency consideration of issues and developments related to science or science and technology cooperation with the Soviet Union.
2. Role of GEESAT. The Working Group on Eastern European Science and Technology (GEESAT) of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs similarly provides a mechanism for interagency review of proposed science or science and technology agreements and activities with Warsaw-Pact countries other than the Soviet Union. In addition, the GEESAT provides a forum for interagency consideration of issues and developments related to science or science and technology cooperation with Warsaw-Pact countries other than the Soviet Union.
3. Participation in GOSSAT and GEESAT. Any agency of the U.S. Government may participate in the work of the GOSSAT and the GEESAT, including review of proposed agreements and specific cooperative activities, and regular meetings, special meetings and policy level meetings.
4. Regular Meetings. The Director of the Office of Cooperative Science and Technology Programs, Bureau of Oceans and International Environmental and Scientific Affairs (Director, OES/SCT) chairs regular meetings of the GOSSAT and the GEESAT to review science or science and technology issues and developments in U.S. relations with Warsaw-Pact countries. An agenda will be circulated in advance of such meetings to each member of the GOSSAT and the GEESAT, and any member may propose items for discussion.
5. Special Meetings. The Director, OES/SCT also chairs special meetings of the GOSSAT and the GEESAT to resolve differences among agencies with respect to proposals for agreements or specific cooperative activities. Such meetings may be co-chaired by other offices within the OES Bureau or by the agency proposing the agreement or the specific cooperative activities.

6. When Convened. If agencies differ with respect to proposed agreements or specific cooperative activities, and are unable to resolve these differences directly with the proposing agency, the Department of State (OES/SCT) will convene a special meeting of interested GOSSAT or GEESAT members to review the issues involved and to resolve interagency differences. Such meetings are convened following receipt of agencies written views under Sections A and B. In addition, the Department of State (OES/SCT) will convene a special meeting of interested GOSSAT or GEESAT members at the request of any agency that has submitted written views raising specific concerns with a proposed agreement or a proposal for specific cooperative activities. The Department of State (OES/SCT) will maintain a permanent file of decisions taken at each special working group meeting.
7. Senior Level Meetings. If a special meeting of the GOSSAT or the GEESAT is unable to resolve interagency differences with respect to proposed agreements or specific cooperative activities, the OES Deputy Assistant Secretary for Science and Technology Affairs will convene a senior level meeting of interested GOSSAT or GEESAT members, or, alternately, will refer interagency differences directly to the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs, for resolution of the issues.
8. Purpose of Senior Level Meeting. The senior level meeting normally will seek to resolve interagency differences. However, if it is clear that differences are unlikely to be resolved at such a meeting, participants will identify specific options, including the specific rationale for each option, and the views of each agency with regard to the options. Prior to a senior level meeting, each agency will be asked to provide written views.
9. Submission to the NSC/PCC. Subsequent to the special or senior level meeting, the Director, OES/SCT, will ensure preparation of a written report, including the written views of each agency, on any issues left unresolved by such meeting. Such reports will be cleared in draft with participants in the special or senior level meeting or will attach agencies' written views. The report will be transmitted to the Chairman of the NSC Policy Coordinating Committee (PCC) on International Oceans, Environment and Science Affairs requesting that the PCC resolve the issues.

D. Space Agreement

Issues involving the Agreement between the United States of America and the Union of Soviet Socialist Republics Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes, which entered into force on April 15, 1987, and cooperative activities under this Agreement are the subject of separate review procedures established on an interagency basis and approved by the NSC on July 27, 1987. Those procedures are implemented through the National Space Council. They include TTIC/COMEX review of all proposals for specific cooperative activities.

E. Quasi-Governmental and Non-Governmental U.S. Organizations

Quasi- and non-governmental U.S. organizations may have extensive collaborative science or science and technology activities with Warsaw-Pact counterparts that complement or reinforce activities performed by agencies of the U.S. Government. The activities of such organizations may be funded in whole or in part by the U.S. Government. Some government-funded activities between quasi- and non-governmental U.S. organizations (such as those of the National Academy of Sciences) and Warsaw Pact counterparts are submitted voluntarily for review by TTIC/COMEX for technology transfer concerns. In addition, the GOSSAT and the GEESAT should be given the opportunity to hear presentations on these activities, especially when they involve new or expanded programs, to facilitate coordination with U.S. government activities and policy.

F. Conformity with Applicable U.S. Laws and Regulations

1. General Requirements. All science or science and technology agreements and specific cooperative activities must conform with applicable U.S. laws and regulations.
2. Foreign Relations Authorization Act of 1979 and Executive Order 12591. All science or science and technology agreements and specific cooperative activities must conform with sections 501-504 of the Foreign Relations Authorization Act, Fiscal Year 1979, as amended (22 U.S.C. 2656a-d) and with Executive Order 12591 of April 10, 1987, Facilitating Access to Science and Technology (52 F.R. 13414).

3. Export Administration Act and Regulations. All exports, including disclosures to foreign nationals in the United States, of goods and technology (including technical data) must be made in accordance with the Export Administration Act of 1979, as amended (50 U.S.C. 2401 et seq.) and the Export Administration Regulations (15 CFR 768 et seq.).
 4. Arms Export Control Act and Regulations. All exports of defense articles and defense services must be made in accordance with the Arms Export Control Act of 1976, as amended (22 U.S.C. 2778) and the International Traffic in Arms Regulations (22 CFR 120 et seq.).
 5. Nuclear-Related Export Activities. The conduct of nuclear-related export activities must be made in accordance with existing nuclear export policy, laws and regulations, including, inter alia, the Atomic Energy Act of 1954, as amended (42 USC 2011 et seq.), and Department of Energy regulations, "Assistance to Foreign Atomic Energy Activities" (10 CFR 810) as well as the Export Administration Regulations.
- G. Visa Requirements for Warsaw-Pact Visitors
1. Special Exchange Procedures. Nationals of Warsaw-Pact countries visiting the United States under any agreement will be processed under Special Exchange (SPLEX) Procedures.
 2. Timing of Visa Applications. Applications for U.S. visas of nationals of Warsaw-Pact countries must be made to a U.S. embassy or consular office, normally the U.S. embassy in the capital of the country involved. A complete visa application and the cable from the U.S. embassy or consular office transmitting it should normally be received no less than four weeks in advance of the visit.
 3. Complete Itinerary. In providing support for such applications, each U.S. host will verify as necessary the full name of the proposed visitor, his or her institutional affiliation, and the complete itinerary and program planned for the visit, especially non-governmental and industrial stops, to allow for appropriate screening and planning. This information also will allow the Departments of State and Commerce to make notifications needed to ensure compliance with export control and other requirements.

- . Related Access Procedures. Implementing agencies (e.g., the Department of Energy) will begin their own access procedures in parallel with the visa application process.

H. Reporting

1. U.S. Side of Joint Commissions or Committees. Each executive agent or lead agency must submit a written record of decisions taken at internal meetings of the U.S. side of joint commissions or joint committees to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries), and must maintain a permanent file of such records. Apart from providing such records to the Department of State, executive agents or lead agencies may provide copies, upon request, directly to other agencies.
2. Joint Commission or Committee Meetings. Each executive agent or lead agency must prepare a reporting cable with respect to each meeting of joint commissions or joint committees. When such meetings take place outside of the United States, reporting cables must be sent through the U.S. embassy in the capital of the country in which the meeting takes place to the Department of State; when such meetings take place within the United States, reporting cables must be sent through the Department of State to the U.S. embassy in the capital of each Warsaw-Pact country involved. In addition, each executive agent or lead agency must maintain a permanent file of such reporting cables.
3. Results of Cooperation. U.S. agencies will provide appropriate reporting, including annual reports and reports on completed projects, concerning the results of their work with counterpart agencies, organizations and institutions in Warsaw-Pact countries to the Department of State (EUR/SOV in the case of the Soviet Union; OES/SCT in the case of other Warsaw-Pact countries), TTIC/COMEX and, as requested, other interested agencies. To the extent possible, these reports should be written to permit an assessment of transfers of technology to and from the United States.

I. Amendments

Amendments to these procedures may be adopted as necessary using the mechanisms described herein.

Attachments:

- TAB A - Annex I - Current or Proposed Science or Science
and Technology Agreements with
Warsaw-Pact Countries
- TAB B - Annex II - Members of GOSSAT and GEESAT

ANNEX I

Current or Proposed Science or Science and Technology Agreements with Warsaw-Pact Countries August 1989

Soviet Union

- 1) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Medical Science and Public Health, signed at Moscow, May 23, 1972 (23 UST 836; TIAS 7344). Executive Agent: Department of Health and Human Services, U.S. Public Health Service, Office of International Health.
- 2) Agreement on Cooperation in the Field of Environmental Protection between the United States of America and the Union of Soviet Socialist Republics, signed at Moscow, May 23, 1972 (23 UST 845; TIAS 7345). Coordinator (Executive Agent): Environmental Protection Agency.
- 3) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Agriculture, signed at Washington, June 19, 1973 (24 UST 1439; TIAS 7650). Executive Agent: Department of Agriculture.
- 4) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in Studies of the World Ocean, signed at Washington, June 19, 1973 (24 UST 1452; TIAS 7651). Amendment and extension: December 15, 1978 (30 UST 2504; TIAS 9349); November 23 and December 9, 1987; December 14, 1988. Executive Agent: Department of Commerce, National Oceanic and Atmospheric Administration.
- 5) Agreement between the United States of America and the Union of Soviet Socialist Republics on Scientific and Technical Cooperation in the Field of Peaceful Uses of Atomic Energy, signed at Washington, June 21, 1973 (24 UST 1486; TIAS 7655). Extension and Amendment: July 5 and August 1, 1983 (TIAS 10757); June 20, 1988. Executive Agent: Department of Energy (formerly, U.S. Atomic Energy Commission).

- A) Protocol between the U.S. Atomic Energy Commission and the U.S.S.R. State Committee for the Utilization of Atomic Energy on Joint Projects in Controlled Thermonuclear Fusion and Plasma Physics, signed at Washington, February 6, 1974. Lead Agency: Department of Energy (formerly, U.S. Atomic Energy Commission).
- B) Protocol on Cooperation in the Field of Research in Fundamental Properties of Matter between the United States and the Union of Soviet Socialist Republics, signed at Washington, December 5, 1975. Lead Agency: Department of Energy.
- C) Protocol on Cooperation in the Field of Fast Neutron Breeder Reactors between the U.S. Atomic Energy Commission and the U.S.S.R. State Committee for Utilization of Atomic Energy, signed at Moscow, October 8, 1974. Lead Agency: Department of Energy (formerly, U.S. Atomic Energy Commission).
- D) Memorandum of Cooperation between the United States of America and the Union of Soviet Socialist Republics in the Field of Civilian Nuclear Reactor Safety, signed at Washington, April 26, 1988. Lead Agency: Nuclear Regulatory Commission.
- 6) Agreement between the United States of America and the Union of Soviet Socialist Republics on Cooperation in Artificial Heart Research and Development, signed at Moscow, June 28, 1974 (25 UST 1331; TIAS 7867). Executive Agent: Department of Health and Human Services, U.S. Public Health Service, National Institutes of Health, National Heart, Lung and Blood Institute.
- 7) Agreement between the United States of America and the Union of Soviet Socialist Republics on Cooperation in the Field of Housing and Other Construction, signed at Moscow, June 28, 1974 (25 UST 1592; TIAS 7898). Executive Agent: Department of Housing and Urban Development.

Protocol on Cooperation in the Field of Construction Relating to Extreme Climatic and Unusual Geological Conditions, signed at Washington, January 14, 1988 (entered into force April 11, 1988). Lead Agency: Department of Defense, Department of the Army.

- 8) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in Transportation Science and Technology, signed at Moscow, May 31, 1988 (___ UST ___; TIAS ___). Executive Agent: Department of Transportation.
- 9) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Cooperation in the Field of Basic Scientific Research, signed at Paris, January 8, 1989 (___ UST ___; TIAS ___). Executive Agent: Office of Science and Technology Policy.
 - A) Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Academy of Sciences of the Union of Soviet Socialist Republics, signed at Washington and Moscow, May 6, 1989. Lead Agency: National Science Foundation.
 - B) Memorandum of Understanding on Cooperation in Geoscience between the Department of the Interior of the United States of America and the Ministry of Geology of the Union of Soviet Socialist Republics, initialled January 26, 1989. Lead Agency: Department of the Interior, U.S. Geological Survey.
- 10) Memorandum of Understanding between the National Institute of Standards and Technology of the United States of America and the Academy of Sciences of the Union of Soviet Socialist Republics on Cooperation in the Physical, Chemical and Engineering Sciences (proposed). Lead Agency: Department of Commerce, National Institute of Standards and Technology.

Poland

1. Memorandum of Understanding between the Department of Transportation of the United States of America and the Ministry of Transportation of the Polish People's Republic concerning Research Cooperation in the Field of Transportation, signed at Warsaw, November 3, 1971 (29 UST 5642; TIAS 9139). Extension and Amendment October 16, 1978 (29 UST 5649; TIAS 9139); February 28 and June 22, 1979 (30 UST 7287; TIAS 9586). Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

2. Agreement between the Government of the United States of America and the Government of the Polish People's Republic on Cooperation in the Field of Health, signed at Washington, October 8, 1974 (25 UST 2750; TIAS 7943). Coordinating Agency: Department of Health and Human Services (formerly Department of Health, Education and Welfare).

3. Agreement between the Environmental Protection Agency of the United States of America and the Ministry of Environmental Protection and Natural Resources of the Polish People's Republic on Cooperation in the Field of Environmental Protection, signed at Washington, September 10, 1987 (___ UST ___; TIAS ___). Executive Agent: Environmental Protection Agency.

4. Agreement on Cooperation in Science and Technology and Its Funding, signed at Warsaw, September 28, 1987 (___ UST ___; TIAS ___). Executive Agent: Department of State.

5. Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Polish Academy of Sciences of the Polish People's Republic, signed at Warsaw, June 13, 1988 (___ UST ___; TIAS ___). Coordinator: National Science Foundation.

German Democratic Republic

None

Czechoslovakia

1. Agreement on Cooperation in Culture, Education, Science and Technology and Other Fields, signed at Prague, April 15, 1986 (___ UST ___; TIAS ___).

2. Program of Cooperation and Exchanges between the Government of the United States of America and the Government of the Czechoslovak Socialist Republic in Culture, Education, Science, Technology and Other Fields for 1986 and 1987, signed at Prague, April 15, 1986 (___ UST ___; TIAS ___).

3. Memorandum of Understanding on Cooperation in the Basic Sciences between the National Science Foundation of the United States of America and the Czechoslovak Academy of Sciences, signed at Prague, June 27, 1988 (___ UST ___; TIAS ___).
Coordinator: National Science Foundation.

4. Arrangement between the United States Nuclear Regulatory Commission and the Czechoslovak Atomic Energy Commission for the Exchange of Technical Information and Cooperation in Nuclear Safety Matters, signed at Washington, April 14, 1989 (___ UST ___; TIAS ___).

Hungary

1. Agreement between the Government of the United States of America and the Government of the Hungarian People's Republic on Cooperation in Culture, Education, Science and Technology, signed at Budapest, April 6, 1977 (___ UST ___; TIAS ___).

2. Understanding between the Department of Transportation of the United States of America and the Ministry of Communications and Posts of the Hungarian People's Republic Concerning Research Cooperation in the Field of Transportation, signed at Budapest, October 11, 1978 (30 UST 743; TIAS ___).
Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

3. Memorandum of Understanding between the Geological Survey of the Department of the Interior of the United States of America and the Central Office of Geology of the Hungarian People's Republic for Scientific and Technical Cooperation in the Earth Sciences, signed at Reston and Budapest, January 6 and 20, 1984 (entered into force January 20, 1984) (___ UST ___; TIAS ___). Extension March 17 and April 21, 1986 (___ UST ___; TIAS ___).

4. Agreement on Scientific and Technological Cooperation between the National Science Foundation of the United States of America and the Hungarian Academy of Sciences of the Hungarian People's Republic, signed at Washington, March 23, 1987 (___ UST ___; TIAS ___).

5. Program of Cooperation and Exchanges between the Government of the United States of America and the Government of the Hungarian People's Republic in Culture, Education, Science and Technology for 1988 and 1989, signed at Budapest, November 13, 1987 (entered into force January 1, 1988) (___ UST ___; TIAS ___). Executive Agents: United States Information Agency and Department of State.

6. Joint Statement on the Development of Agricultural Trade and Cooperation between the United States of America and the Hungarian People's Republic (proposed).

7. Agreement between the Government of the United States of America and the Government of the Hungarian People's Republic for Scientific and Technological Cooperation (under negotiation).

Romania

1. Understanding between the Department of Transportation of the United States of America and the Ministry of Transport and Telecommunications of the Socialist Republic of Romania Concerning Research Cooperation in the Field of Transportation, signed at Bucharest, November 1, 1971 (___ UST ___; TIAS ___). Program Coordinator: Deputy Director, Office of International Transportation and Trade, Department of Transportation.

A) Agreement between the Department of Transportation of the United States of America and the Ministry of Transport and Telecommunications of the Socialist Republic of Romania for Cooperative Activity in Specified Areas, signed at Bucharest, May 11, 1980.

2. Memorandum of Understanding on Scientific and Technological Cooperation between the National Science Foundation of the United States of America and the National Council for Science and Technology of the Socialist Republic of Romania, signed at Bucharest, September 21, 1973 (renewed 1979, 1982, and 1985) (___ UST ___; TIAS ___).

3. Agreement between the Government of the United States of America and the Government of the Socialist Republic of Romania on Cooperation and Exchanges in the Cultural, Educational, Scientific and Technological Fields, signed at Bucharest, December 13, 1974 (entered into force January 1, 1975) (26 UST 31; TIAS 8006).

4. Protocol on Cooperation in Agriculture between the Department of Agriculture of the United States of America and the Ministry of Agriculture and Food Industry of the Socialist Republic of Romania (proposed).

Bulgaria

1. Agreement between the Government of the United States of America and the Government of the People's Republic of Bulgaria on Exchanges and Cooperation in Cultural, Scientific, Educational, and Technological Fields, signed at Washington, June 13, 1977 (entered into force March 23, 1978) (29 UST 3419; TIAS 9020). Extension June 13, 1977; April 9, 1980; November 19, 1982; April 9, 1984; December 10, 1986; January 1, 1989.

2. Agreement on Scientific and Technical Cooperation between the National Science Foundation of the United States of America and the Ministry of Economics and Planning (prior to June 1988, the State Committee for Scientific and Technical Progress) of the People's Republic of Bulgaria, signed at Washington, February 2, 1978. Renewed 1983 and 1988.

3. Memorandum of Understanding between the National Institutes of Health of the United States of America and the Medical Academy of the People's Republic of Bulgaria, signed at Washington, November 4, 1986.

4. Joint Statement on the Development of Cooperation between the Department of Agriculture of the United States of America and the Ministry of Agriculture and Forestry of the People's Republic of Bulgaria (under negotiation).

ANNEX II

MEMBERS OF GOSSAT and GEESAT
August 1989

- 1) Central Intelligence Agency
- 2) Department of Agriculture
- 3) Department of Commerce
- 4) Department of Defense
- 5) Department of Energy
- 6) Department of Health and Human Services
- 7) Department of Housing and Urban Development
- 8) Department of the Interior
- 9) Department of Justice
- 10) Department of State
- 11) Department of Transportation
- 12) Department of the Treasury
- 13) Environmental Protection Agency
- 14) National Aeronautics and Space Administration
- 15) Nuclear Regulatory Commission
- 16) National Science Foundation
- 17) Office of Management and Budget
- 18) Office of Science and Technology Policy
- 19) Office of the U.S. Trade Representative
- 20) Subcommittee on Exchanges
Technology Transfer Intelligence Committee
- 21) Other U.S. Government Agencies, as appropriate