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There's More Than 'Turf' at Stake

"Turf" is a word intuitively understood by bureaucrats, whether in Washington, Tokyo, Paris or Bora Bora. But some strange and wondrous fungi seem to grow particularly well in our own Washington turf. Why they flourish so vigorously here could be a good subject for a doctoral thesis—suffice it to say they do, and as the accompanying leaks, innuendos, and charges they bring grow, it is difficult to keep the basic objectives of any policy from being sidetracked.

Our policy against any transfer to the Soviet bloc of strategic technology, goods, or information is quite clear. But the implementation of that policy has brought with it too many turf struggles that unnecessarily slow the progress we need.

Part of this problem comes with any major changes in government policy—in this case, the change from the former arangements on détente—as the gray areas endemic in bureaucratic accountability and responsibility are sorted out. But the major part of this problem can be solved only by willing cooperation; cooperation not only within the U.S. government but also with our allies. One affects the other; both have to be worked on constantly and assiduously. This is the only way to achieve policy success on controlling strategic exports of technology or goods. We are talking about national security, not some minor political rumble.

As the government official charged by law with the duty to administer our nation's export controls and enforcement, I believe that the following objectives must be addressed:

First, we must stop the flow to the Soviet bloc of sophisticated goods and technologies that pose a threat to our national security. This means a tough enforcement program and a vigilant licensing system, each with the resources to catch those who would seek to divert controlled items.

Second, we must continue to bring under control any sensitive new technologies and commodities that are not currently subject to regulation. This means putting an end to the massive giveaway program that permits the Soviets to acquire tens of thousands of unclassified and previously classified scientific and technical studies produced by or for the departments of Denfense, Energy and NASA, and submitted by them to the National Technical Information Service. NTIS, which is in Commerce, serves as a clearing house for such studies but has no authority to reclassify the documents. By law we must release them if they are not reclassified.

Third, we must ensure that in the implementation of an export control system to protect national security, we are not unduly inhibiting legitimate trade. We must keep private industry in this country—which is responsible for most advances in military as well as other technology—economically competitive and technologically superior. And we must remember that economic security is part and parcel of national security.

Fourth, we should make an intensive effort to decontrol those goods and technology that have little strategic significance or for which controls are effectively meaningless. We must recognize the limits of our ability to control that which is commonly available outside the United States. In so doing, we not only foster greater trade, but, more importantly, we strengthen U.S. security by focusing our resources on the export of the goods and technology that are truly strategic and by continuing to keep private industry competitive and technologically superior. This is an initiative to which we should give the highest priority during the second term.

Decontrol of the plethora of items which are no longer state-of-the-art technology but are still carried on the COCOM list is the best way to get the complete cooperation of our allies in effectively controlling the truly high-technology end. We still haven't accomplished this job, although some progress has been made.

Last, we should understand that the Soviets have shown they will use any means of acquisition. Some of these means, like espionage and the diversion of U.S.-origin exports, are illegal. Some, like purchase of U.S. government source data on formerly classified technical studies, are legal. The intelligence community tells us the latter could be of greater value to them than illegal trade.

Since 1981, we have taken some significant steps to improve our ability to combat illegal trade. Commerce, which administers the Export Administration Act, had 12 employees in enforcement in 1981 and referred no cases to the Justice Department for criminal prosecution of export control violations. In 1984 we had 51 experienced criminal investigators and referred 39 criminal cases to Justice, along with 12 more carried out jointly. In 1981 criminal fines were $100,000. In 1984 they were $7 million. As a result of pre-license checks alone, in 1984 over $5 million in license applications were turned down because of the risk of diversion.

There should be close cooperation between the licensing and enforcement arms for obvious reasons. Yet Congress is considering splitting them between Commerce and Customs, just as Congress considered giving the Defense Department complete review of trade licensing between the United States and Western nations last year. One of the wonderful aspects of the proliferation of fungi growth in the Washington turf I have observed is this corrolary: If Department A, with a primary responsibility, shares it with Department B, inevitably the bureaucracy in Department B will grow to equal that in Department A.

Even after four years in Washington, I can't quite overcome my experience outside the Beltway. A little voice from deep inside keeps repeating, "Fix the responsibility, fix the accountability, and then reach out for all the cooperation and help you can to get the job done."

And with the cooperative effort of the other agencies involved, our businessmen and our allies we can get the job done.

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