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# WITHDRAWAL SHEET

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27

ID Doc Type	Document Description	No of Pages	Doc Date	Restrictions
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218220 MEMO	COBB TO MCFARLANE RE YOUR MEETING WITH BREMER	2	1/25/1985	B1
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218221 CABLE	THE HAGUE 00412	4	1/18/1985	B1
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Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

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RECEIVED 26 JAN 85 12

TO MCFARLANE FROM WALKER, J

DOCDATE 25 JAN 85

KEYWORDS AUSTRIA

EXPORT CONTROLS

TECHNOLOGY TRANSFERS

SUBJECT: EXPORT CONTROLS &amp; ENFORCEMENT IN AUSTRIA

ACTION PREPARE MEMO FOR MCFARLANE DUE. 29 JAN 85 STATUS S FILES ~~PA~~ PA

FOR ACTION

FOR CONCURRENCE

FOR INFO

~~COBB~~

Fortier

FORTIER

ROBINSON

MATLOCK

WIGG

DEGRAFFENREID

LEHMAN, R

COMMENTS

Without a memo  
from Baker, we will not get involved  
in ~~about~~ another inter-agency  
fight between Commerce & Treasury. Close file  
SR.

REF#

LOG

NSCIFID

( CT 15 )

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

C 7/9 OBE per Fortier

DISPATCH

7/9 W/ATTCH

FILE

VH

(C)

MEMORANDUM

NATIONAL SECURITY COUNCIL

July 8, 1985

NOTE TO NSC/S

FROM SALLY SHERMAN

RE: Close Out Actions: OBE

<u>Log #</u>	<u>Subject</u>
4488	Ltr to McF. fm. CSIS re. Appt. Re. Conf. 17-20 June
4182	S-960 - Int'l. Security & Development Cooperation Act of 1985 (SR - no comments)
3536	Ltr. to McF. from CSIS re. Contingency Paper and Bonn Summit
2126	Recom Changes to List of Free World Destinations Perle/Fortier, 3/12/85 and 3/15/85
1891	Ltr. to McF. Fm. Schuler re. Oil Products Refined in Libya
1153	RADM Fontaine Ltr. to JMP Re. Tech. Transfer Seminar and Logicon
1154	COCOM High Level Mtg., 6-7 Feb
846	Cable fm. Amb. Keating re. Reagan Revolution in Development Assistance
690	Export Controls and Enforcement in Austrai
240	Ltr. to McF. from U.S. Defense Cte. re. U.S. Illegal Technological Acquisitions by Soviets
6974	State Draft Bill/ NATO Cooperative Projects
6475	Ltr. to McF. from Robt Gray re. Report on Persian Gulf
3901	HR-5417 Authorizing SecDef to Enter into Agreements w/Member Nations of NATO for Cooperative Projects
3799	Weinberger Memo Re. Korea Stop
3286	Mil. Tech Coop Team Visit to China

NOTE: All these actions were in Steve Rosen's safe; please close them out. Thanks.

## NATIONAL SECURITY COUNCIL

January 29, 1985

Don:

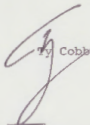
I'm getting tired of the internecine squabbling that is really hampering our technology transfer efforts.

Without commenting on the validity of Walker's assertions, I find the Assistant Secretary of Treasury direct to Bud channel quite unusual.

The Treasury Executive Secretariat tells me that, since it had kicked around for 12 years, it was felt that it could wait until the Baker-Darman team came in. Walker apparently disagreed and, frustrated, went ahead and sent this in.

I'm inclined to send this back to Treasury, Executive Secretariat, and ask if this is a Treasury position. That way, Baker-Darman can take a position.

What do you think?



Ty Cobb



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

ASSISTANT SECRETARY

JAN 25 1985

MEMORANDUM FOR THE HONORABLE ROBERT C. MCFARLANE  
ASSISTANT TO THE PRESIDENT  
FOR NATIONAL SECURITY AFFAIRS  
THE WHITE HOUSE

Subject: Export Controls and Enforcement in Austria

The Departments of Defense, Commerce, State and Treasury (Customs) have reached an impasse regarding a response to an Austrian proposal which would establish an official export enforcement liaison with the Government of that country. On November 26, 1984, the Austrian Government proposed an extension of the scope of the existing Mutual Assistance Agreement between the Austrian and U.S. Customs Services which would have enabled the Austrians to answer many of our export enforcement concerns. On January 22, 1985, the Departments of Treasury (Customs) and Defense agreed to a Department of State prepared draft response to the Austrian proposal. As of the close of official business on January 25, 1985, the Department of Commerce has made no response to this proposal.

Because of the intransigence of Commerce on this issue and the lack of any response from that Department which could be used to resolve the outstanding issues, multi-agency negotiations between the two Governments scheduled for January 29 and 30, 1985, may have to be postponed. As the attached chronology indicates, the two Governments have been engaged in intensive discussions on this matter for much of the past year. U.S. Government concerns regarding the movement of U.S. and Western technology through Austria to the Soviet bloc date back to, at least, 1980 and are unresolvable given the current impasse.

National Security Council action is necessary to establish a clear and firm response by this Government to the Government of Austria. The State draft (also attached) should be accepted as the official U.S. Government position on this matter.

Your immediate attention to this important subject would, in my opinion, be appreciated by all involved Departments.

John M. Walker, Jr.  
Assistant Secretary  
(Enforcement and Operations)

Attachments

- In January of 1984, the Austrian Government requested that it not be denied access to exports from the United States under the Department of Commerce's (DOC) Distribution License (DL) procedures.
- In February of 1984, Assistant Secretary of Defense Richard Perle met with Austrian State Secretary Lacina to discuss the need for an Austrian export enforcement program as a condition for their continued access to DL licensed U.S. exports.
- In June of 1984, Assistant Secretary Perle repeated these concerns to the Austrians.
- During the week of June 25, 1984, multi-agency, bilateral discussions with the Government of Austria occurred relative to DL issuance and U.S. enforcement requirements.
- On September 26, 1985, Austrian Minister of Finance Vranitzky met with U.S. Treasury Secretary Regan and noted that U.S. export enforcement requirements were achievable by means of U.S.-Austrian Customs cooperation.
- In October 1984, the U.S. Government learned of Austrian plans to amend the Austrian Foreign Trade Law to cover unlawful technology exports from that country to the East bloc.
- On November 15, 1984, Assistant Treasury Secretary Walker and Commissioner of Customs von Raab met with Austrian Government officials relative to export enforcement cooperation between the two Customs Services.
- On November 26, 1984, the Austrian Ambassador delivered to the U.S. Department of State a letter containing a proposed extension of the scope of the existing agreement between the U.S. and Austria concerning mutual assistance between our Customs Services.
- In December 1984, the Austrian Legislature passed their amended Foreign Trade Law which provided for enforcement by Austria against the reexportation of U.S. licensed technology.
- In December 1984, and January 1985, the Departments of Commerce, Treasury (Customs) and State had several meetings on the proposed wording for the diplomatic note which would modify the U.S.-Austrian Customs Mutual Assistance Agreement to cover violations of the Austrian Foreign Trade Law.
- On January 22, 1985, Treasury (Customs) agreed to a State prepared draft response to Austria's November 26, 1984, proposal to extend the scope of the U.S.-Austrian Customs Mutual Assistance Agreement.

- ° On January 23, 1985, Acting Department of Commerce Assistant Secretary Archey advised Customs Assistant Commissioner Shaver that his Department had "severe problems" with the State draft and concerns that agreement with that language allowed no latitude for future U.S. DOC/Austrian Trade Ministry negotiations on export enforcement. The DOC would not agree to the draft absent such assurances.
- ° Nothing in the proposed State draft would prohibit the DOC from concluding their own arrangements with the Austrian Ministry of Trade.
- ° The Departments of Defense and Treasury (Customs) have agreed that negotiations with the Austrians scheduled for January 29, and 30, 1985, in Vienna should not take place without a forthright U.S response to the Austrian proposal of November 26, 1984.



The Ministry of Foreign Affairs of the Republic of Austria refers to the Agreement between the Republic of Austria and the United States Regarding Mutual Assistance Between Their Customs Services (signed September 15, 1976), which the Ministry proposes be supplemented to expressly involve the Federal Ministry for Commerce and Industry in the scope of assistance activities contemplated thereunder, particularly by Articles 2 and 6(2). Specifically, the Ministry proposes the following supplementary understandings with respect thereto:

(i) In addition to the areas of mutual assistance between the Customs Services of the United States and the Republic of Austria as provided for in Article 2 of said Agreement, the scope of such assistance shall include assistance pursuant to regulations that are enforced in Austria by the Federal Ministry for Commerce and Industry in the framework of the Austrian Foreign Trade Law.

(ii) If a request according to Article 6(2) of said Agreement is transmitted to the Federal Ministry for Commerce and Industry, the Ministry shall execute this request according to the provisions of the Agreement and communicate the results to the <sup>requesting</sup> ~~regulating~~ Party.

If this supplement is acceptable to the Government of the United States, the Ministry of Foreign Affairs proposes that this note and the reply of the Embassy of the United States affirming this modification shall constitute an agreement supplementing the above-mentioned 1976 Customs Agreement, which shall enter into force on the date of the Embassy's reply.

cc: Steve Rosen  
395-3354  
Rm 368<sup>2</sup> OEOB

JAN 31 1985

INV 6-03 E:INV:S

Dear Mr. Archey:

Pursuant to your telephone conversation of January 30, 1985, with Assistant Treasury Secretary John M. Walker, Jr., I have instructed my staff to prepare the following language relative to export enforcement in Austria. As you are well aware, we view arrangements for the improvement of export controls and enforcement in that country very seriously due to our concerns that U.S. technology is continuing to move illegally to and through Austria to the Soviet bloc.

We agree, and will inform the Departments of State and Defense and our own Customs Attache in Bonn, Germany, that nothing in the draft language proposed by the Department of State as an enclosure to their letter of January 17, 1985, relative to an: "Amendment to the U.S.-Austrian Customs Cooperation Agreement" shall be interpreted as precluding the continued contact by Department of Commerce officers in Austria with the Austrian Ministry of Trade. Commerce shall maintain the lead in the conduct of pre-license and post-shipment checks in that country and we will make no effort whatsoever to impinge upon Commerce discussions with the Government of Austria at senior levels relative to trade between our country and theirs and U.S. foreign policy controls.

We now expect Commerce concurrence to our proposal to establish an office in Vienna first requested of you in my letter of December 21, 1984. The stationing of Customs officers in Vienna offers the best chance the U.S. Government has of making the most of the opportunity presented us to improve export controls and enforcement in that country.

Yours faithfully,

/s/

Mr. William T. Archey  
Acting Assistant Secretary  
for Trade Administration  
Department of Commerce  
Washington, D.C. 20501  
1/31/85

RRU 013085/1-SID3

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**International Trade Administration**  
Washington, D.C. 20230  
ASSISTANT SECRETARY FOR TRADE ADMINISTRATION

February 1, 1985

**MEMORANDUM FOR:** John M. Walker, Jr.  
Assistant Secretary of Treasury  
(Enforcement and Operations)

**FROM:** William T. Archey *W.T. Archey*  
Acting Assistant Secretary  
for Trade Administration

**SUBJECT:** Austria-Export Control Enforcement Arrangements

Pursuant to our phone call of Wednesday, January 30, and your memorandum (undated) to Mr. McFarlane on the same matter, I want to explain the position of the Commerce Department regarding the proposed amendment of the Mutual Assistance Agreement between the Austrian and U.S. Customs Services. I am also in receipt, as of late yesterday morning, of Commissioner von Raab's letter to me on the same subject.

As I mentioned to you on the phone, your memo to Mr. McFarlane disturbed us. It noted that the Agreement amendment has not been able to go forward because of the intransigence of Commerce. In addition, you attach a chronology that ignores the Commerce Department's pioneering and key role, and the State Department's strong support in persuading the Austrian Government to tighten up its export controls and to pass laws that would accomplish that.

Under Secretary Olmer, Deputy Assistant Secretary Ted Wu, and myself have been pivotal actors in the negotiations with the Austrian Government on this matter. Indeed, as our chronology indicates (attached), it was at a lunch on February 27, 1984, in the Commerce Department that Under Secretary Olmer and I told the then Austrian State Secretary Ferdinand Lacina that the lack of any progress by

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BY LN NARA DATE 7/26/18

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- 2 -

the Austrian Government in tightening its export controls may require that the Commerce Department not permit any U.S. companies to sell any U.S. technology to Austria on a distribution license. This point was then specifically stated in Vienna by Tom Niles, the Deputy Assistant Secretary of State for European Affairs, and myself to senior Austrian officials. Representatives from U.S. Customs were also at that meeting. Our chronology also does not include at least three other trips made by Under Secretary Olmer to Austria in the last year whereby he conveyed to Ambassador von Damm and to very senior Austrian officials the U.S. Government's concern and resolve in this matter and that we were serious about eliminating Austria from distribution license privileges.

The above is preliminary, but nonetheless very important to the discussion of the Mutual Assistance Agreement. As you know, we have had several interagency meetings over the past month or month and a half where I have explicitly stated that the Commerce Department encourages amendment of the Mutual Assistance Agreement and increased flow of information between our Customs Services. However, our concern was, and remains, that Customs channels not be the sole conduit or vehicle by which export control enforcement related information or assistance is exchanged between the two countries. Our position is based on a desire to have the best possible program for enforcement cooperation in this area between the two countries. Amendment of the Mutual Assistance Agreement should go forward, but should explicitly allow the direct exchange of information and assistance between the Federal Ministry for Commerce and Industry in Austria and the U.S. Department of Commerce. Our position, which is a reasoned one, is based on the following considerations:

- o The January 1984 Memorandum of Understanding between Commerce and Customs lists Austria as one of the six countries in which Commerce would deal directly with foreign export control authorities, in this case, the Federal Ministry for Commerce and Industry, the export control policy arm of the Austrian Government.
- o Commerce has had an investigator on-site in our Embassy for more than a year in Vienna who is presently working very closely with Austrian officials and who has received the endorsement and praise of our Ambassador. Consistent with the enforcement MOU between Customs and Commerce, he is the person primarily responsible for ensuring that U.S.-Austrian export control enforcement cooperation succeeds at the working level.
- o In a number of the cases we are presently investigating, the information is being provided by the Federal Ministry for Commerce and Industry.

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- o We presently have 15 open investigations directly targeting Austrian companies, all of which represent the probable diversion of significant high technology. We have a substantial number of additional cases which implicate Austrian firms.
- o Our analysis, attached, of the proposed amendment to the Agreement would make U.S. Customs the sole channel for the exchange of information and assistance under the Agreement and would prohibit direct contact by not just Commerce investigators here in the United States, but by our Commerce investigator resident in Vienna. Not only would extensive coordination be required to receive or provide information, it would then delay that flow and would further undermine an already proven and productive relationship between this Department and the Austrian Government.

As you know, John, the MOU between Customs and Commerce required protracted and difficult negotiations. Austria is one of six countries in which Commerce deals directly with its counterpart in the export control area. The amendment to the Agreement would undermine the spirit and thrust of the MOU and would not serve the U.S. Government's interest in enhancing export control cooperation between the United States and Austria.

In order to enhance both the Customs role in Austria and to maintain our excellent working relationship in the export control area with the Austrian Government, we feel it is critical that the enforcement cooperation relationship already established between the Department of Commerce and the Federal Ministry for Commerce and Industry be placed within the legal framework of the Agreement. Our amendment to the Agreement allows the counterpart export control enforcement agencies, i.e., U.S. Department of Commerce and Federal Ministry for Commerce and Industry, to request and provide enforcement assistance information directly, rather than through an intermediary, and to deal with one another on the same practical and legal footing as the two Customs Services.

The body of our amending note would read as follows:

1. In addition to the areas of mutual assistance provided for in the Agreement with respect to Customs laws enforced by the Customs Services referred to in Article 1(2) of the Agreement, the scope of such assistance shall include assistance with respect to regulations that are enforced in Austria by the Federal Ministry for Commerce and Industry in the framework of the Austrian Foreign Trade Law and with respect to the enforcement by the United States Department of Commerce of its Export Administration Regulations.

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2. For purposes of assistance with respect to the laws and regulations referred to in the foregoing paragraph, requests may be made directly by and assistance and information rendered directly to the United States Department of Commerce and to the Austrian Federal Ministry for Commerce and Industry in all respects as is provided in the Agreement with respect to Customs Services and customs laws.

I believe the above language satisfies your interests and ours. In its practical application, it enhances the U.S. and Austrian Governments' ability to enforce its respective export control laws and to aggressively and effectively work together in ensuring that the United States and other COCOM countries' technologies are not diverted to the Soviet Union or other prohibited destinations. I think we can resolve this matter quickly, and I look forward to meeting with you in the very near future.

Attachments

cc: D. Fortier  
S. Rosen  
T. Niles  
S. Bryen  
T. Wu  
C. Hunt

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Commerce Export Control and Enforcement  
Initiatives Involving Austria

- o On October 26, 1982, Commerce's DAS for Export Administration met in Vienna with Austrian authorities to discuss obtaining a written agreement from the GOA that would provide protection against the diversion of sensitive U.S. technology. This meeting was also specifically related to the pending AMI/Voest Alpine joint venture which represented a proposed transfer to Austria of strategic U.S. technology for a semiconductor manufacturing plant.
- o In February 1983, after considerable negotiation by Commerce and State, the GOA and the USG exchanged letters formalizing an agreement whereby Austria would implement procedures for protecting and supervising the import, export, and reexport of sensitive U.S. technology.
- o Commerce also negotiated with the GOA a revision to the Austrian Import Certificate for the AMI/Voest Alpine project that provided for strengthened GOA protection against illegal diversion.
- o On May 4 and 5, 1983, a U.S. delegation headed by Commerce DAS for Export Enforcement Theodore W. Wu met with Austrian officials in Vienna to discuss USG export control and enforcement concerns. DAS Wu obtained GOA agreement to a written statement that outlined procedures for the conduct of pre-license and post-shipment transaction checks, to include on-site visits by Commerce and other personnel at Embassy Vienna in connection with U.S. exports to Austria under validated licenses and covered by an Austrian Import Certificate. The GOA stated that information from these checks would assist the Federal Ministry of Trade and Commerce in determining compliance with the terms of Austrian Import Certificates.
- o On October 5, 1983, DAS Wu met in Vienna with Austrian Trade Ministry officials to obtain their agreement to widen the scope of pre-license and post-shipment checks to include proposed transactions under the Distribution License procedure.

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- o On December 30, 1983, Otto Masche, Austrian Ministry of Foreign Affairs, Economic Affairs Section, informed the Deputy Chief of Mission at Embassy Vienna of a change in GOA policy with regard to the conduct of Commerce pre-license and post-shipment checks. Masche stated that this GOA policy, cleared at the highest levels of the Ministry of Foreign Affairs, would allow pre-license and post-shipment checks for transactions under the Distribution License procedure which do not require an Austrian Import Certificate.
- o In January 1984, U.S. Ambassador to Austria, Helene von Damm, established an Export Control Unit at Embassy Vienna, staffed by Commerce FCS and Office of Export Enforcement (OEE) personnel, to handle the increasing export control and enforcement workload in Austria. It was the Embassy Export Control Unit that conducted the post-shipment check and inspection at the AMI/Voest Alpine plant to assess compliance with the special terms and conditions governing the transfer and use of U.S. technology. At the request of the Ambassador, Commerce posted a permanent Special Agent to Embassy Vienna as the Export Control Attache.
- o On February 27, 1984, then-Austrian State Secretary Lacina met at Commerce with Under Secretary Olmer and other DOC officials to discuss our concerns regarding technology transfer and other export control issues. Commerce identified the export control and enforcement shortcomings in the Austrian export control structure and obtained Lacina's agreement to hold bilateral discussions on ways to improve the system.
- o On March 21, 1984, Commerce Deputy Under Secretary Wethington met in Vienna with GOA State Secretary Lacina and stressed our concerns over Austria's absence of a sound legal basis for the control of sensitive goods. In response, Lacina stated that the GOA was considering procedures that would satisfy U.S. concerns.
- o On June 27, 1984, Commerce Acting Assistant Secretary William Archey met with GOA officials in Vienna, as part of a U.S. delegation, to discuss our export control concerns. It was made clear to the GOA that changes would have to be made to the Austrian system of export controls in order for Commerce to give favorable consideration to Austria under the proposed amendments to the Distribution License procedure.

- 3 -

- o On July 6, 1984, Under Secretary Olmer met in Vienna with State Secretary Lacina and stated that the GOA needed to make new commitments to safeguard U.S. technology. Lacina was optimistic that Austria would be able to meet U.S. concerns.
- o In August 1984, after repeated Commerce criticism of Austrian laxity in the area of Import Certificates, the Austrian Trade Ministry requested Embassy Vienna's FCS officer to assist the Ministry in checking into the legitimacy of an Austrian firm seeking an Import Certificate. The Ministry also asked the FCS officer to accompany a Ministry official to the Austrian firm's business premises on a pre-IC issuance check. This was the first instance where the Ministry offered to involve the U.S. in the Import Certificate procedure.
- o Over the past year, Commerce's Export Control Attache in Vienna has made substantial progress in supporting U.S. export control enforcement interests in Austria. Examples of his success are:
  - In coordination with Austrian officials, the Attache discovered an elaborate scheme to disguise the diversion of critical semiconductor and testing equipment to the East. Previous inquiries by both Embassy and Austrian officials had not detected the ruse.
  - At least two critical informants were developed through persuasion, knowledge of the Export Administration Regulations, and dealing with attorneys for both the U.S. Government and the informant. The information obtained will be beneficial in preventing future violations of the EAA.
  - One suspect interview elicited the names of 48 firms alleged to be involved in illegal export activity.
  - Before our Attache was in Vienna, very little information was received from private individuals on potential export control violations. Now, however, the "walk-in" traffic has increased substantially. Our man knows about export control and thus is sought out by members of the Austrian business community.
  - Our Export Control Attache meets twice a month with GOA officials to discuss export enforcement problems and methods to enhance mutual cooperation.

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~~CONFIDENTIAL~~Assessment of Proposed Amendment

The Austrian Government has proposed a modification of the customs Mutual Assistance Agreement\* with the U.S. (1) to bring assistance pursuant to regulations enforced by the Austrian Ministry of Commerce and Industry under the Foreign Trade Law within the scope of the Agreement and (2) to provide that the Ministry of Commerce and Industry can respond directly to requests made under the Agreement. For the reasons given below, the proposed exchange of notes must be further modified to assure the full benefit of the Agreement in support of the Department of Commerce export enforcement role with respect to Austria.

Article 1-2 of the Agreement defines "Customs Services" to mean, in the U.S., the United States Customs Service. Under Article 2-1, the parties agree to assist each other "through their Customs Services" to prevent, investigate and repress any customs law offense. Article 6-1 specifies that assistance shall be carried out "in direct communication between the Customs Services." Article 6-2 says that if a Customs Service is not the appropriate agency to comply with a request, it (the Customs Service) shall transmit the request to the appropriate agency.

A January 17, 1985 State Department memorandum says L/EUR believes Article 6-2 provides "sufficiently" for the "involvement" of federal agencies other than the U.S. Customs Service in the assistance contemplated. We do not agree. Any indirect involvement would appear to be limited to having certain Austrian requests referred by U.S. Customs to other U.S. agencies such as U.S. Commerce. This would be far short of making the Agreement fully effective to enhance the export control enforcement cooperation relationship between counterpart trade agencies contemplated by the January 1984 Commerce-Customs MOU.

The MOU designates Austria as a country where the government "has designated the counterpart agency of the Department of Commerce as its export control enforcement agency and that agency

\*Agreement between the United States of America and the Republic of Austria Regarding Mutual Assistance Between their Customs Services, signed September 15, 1976.

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DATE: 2/26/18

has a significant role in the conduct of export control investigations in that country." In such a country, the MOU provides that Commerce may conduct liaison directly with "those agencies necessary for its investigations," except when Commerce requests support from that country's customs services in which event such requests shall be transmitted through U.S. Customs.

It has been suggested that Commerce could retain some working relationship with the Federal Ministry of Commerce and Industry outside the Agreement, but informal working relationships will not suffice. For example, if a Commerce investigator in California learns from an informant that a piece of sensitive U.S.-origin equipment is about to be diverted from Austria, the Commerce export control attache in Vienna should be able to call immediately and directly for preventive action by the Federal Ministry pursuant to Article 2-1 of the Agreement. Commerce should also be able to invoke the assistance of the Federal Ministry pursuant to Article 2-3 of the Agreement in obtaining, in accordance with Austrian law (including the Data Protection Law), documentary evidence for use in Commerce's administrative enforcement proceedings.

To confirm that the Agreement permits (1) direct requests from the Department of Commerce to Austrian authorities for assistance in investigations and enforcement activities involving the export control laws it administers and (2) direct response by the Department of Commerce to Austrian requests for assistance in the enforcement of their export control laws, changes must be made in the Agreement that correspond to what the Austrians have proposed with respect to their laws and agency responsibilities.

~~CONFIDENTIAL~~



*S. Rosen*  
UNITED STATES DEPARTMENT OF COMMERCE, 9  
International Trade Administration

Washington, D.C. 20230

ASSISTANT SECRETARY FOR TRADE ADMINISTRATION

February 1, 1985

MEMORANDUM FOR: John M. Walker, Jr.  
Assistant Secretary of Treasury  
(Enforcement and Operations)

FROM: William T. Archey *W.T. Archey*  
Acting Assistant Secretary  
for Trade Administration

SUBJECT: Austria-Export Control Enforcement Arrangements

Pursuant to our phone call of Wednesday, January 30, and your memorandum (undated) to Mr. McFarlane on the same matter, I want to explain the position of the Commerce Department regarding the proposed amendment of the Mutual Assistance Agreement between the Austrian and U.S. Customs Services. I am also in receipt, as of late yesterday morning, of Commissioner von Raab's letter to me on the same subject.

As I mentioned to you on the phone, your memo to Mr. McFarlane disturbed us. It noted that the Agreement amendment has not been able to go forward because of the intransigence of Commerce. In addition, you attach a chronology that ignores the Commerce Department's pioneering and key role, and the State Department's strong support in persuading the Austrian Government to tighten up its export controls and to pass laws that would accomplish that.

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CN

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the Austrian Government in tightening its export controls may require that the Commerce Department not permit any U.S. companies to sell any U.S. technology to Austria on a distribution license. This point was then specifically stated in Vienna by Tom Niles, the Deputy Assistant Secretary of State for European Affairs, and myself to senior Austrian officials. Representatives from U.S. Customs were also at that meeting. Our chronology also does not include at least three other trips made by Under Secretary Olmer to Austria in the last year whereby he conveyed to Ambassador von Damm and to very senior Austrian officials the U.S. Government's concern and resolve in this matter and that we were serious about eliminating Austria from distribution license privileges.

The above is preliminary, but nonetheless very important to the discussion of the Mutual Assistance Agreement. As you know, we have had several interagency meetings over the past month or month and a half where I have explicitly stated that the Commerce Department encourages amendment of the Mutual Assistance Agreement and increased flow of information between our Customs Services. However, our concern was, and remains, that Customs channels not be the sole conduit or vehicle by which export control enforcement related information or assistance is exchanged between the two countries. Our position is based on a desire to have the best possible program for enforcement cooperation in this area between the two countries. Amendment of the Mutual Assistance Agreement should go forward, but should explicitly allow the direct exchange of information and assistance between the Federal Ministry for Commerce and Industry in Austria and the U.S. Department of Commerce. Our position, which is a reasoned one, is based on the following considerations:

- o The January 1984 Memorandum of Understanding between Commerce and Customs lists Austria as one of the six countries in which Commerce would deal directly with foreign export control authorities, in this case, the Federal Ministry for Commerce and Industry, the export control policy arm of the Austrian Government.
- o Commerce has had an investigator on-site in our Embassy for more than a year in Vienna who is presently working very closely with Austrian officials and who has received the endorsement and praise of our Ambassador. Consistent with the enforcement MOU between Customs and Commerce, he is the person primarily responsible for ensuring that U.S.-Austrian export control enforcement cooperation succeeds at the working level.
- o In a number of the cases we are presently investigating, the information is being provided by the Federal Ministry for Commerce and Industry.

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- o We presently have 15 open investigations directly targeting Austrian companies, all of which represent the probable diversion of significant high technology. We have a substantial number of additional cases which implicate Austrian firms.
- o Our analysis, attached, of the proposed amendment to the Agreement would make U.S. Customs the sole channel for the exchange of information and assistance under the Agreement and would prohibit direct contact by not just Commerce investigators here in the United States, but by our Commerce investigator resident in Vienna. Not only would extensive coordination be required to receive or provide information, it would then delay that flow and would further undermine an already proven and productive relationship between this Department and the Austrian Government.

As you know, John, the MOU between Customs and Commerce required protracted and difficult negotiations. Austria is one of six countries in which Commerce deals directly with its counterpart in the export control area. The amendment to the Agreement would undermine the spirit and thrust of the MOU and would not serve the U.S. Government's interest in enhancing export control cooperation between the United States and Austria.

In order to enhance both the Customs role in Austria and to maintain our excellent working relationship in the export control area with the Austrian Government, we feel it is critical that the enforcement cooperation relationship already established between the Department of Commerce and the Federal Ministry for Commerce and Industry be placed within the legal framework of the Agreement. Our amendment to the Agreement allows the counterpart export control enforcement agencies, i.e., U.S. Department of Commerce and Federal Ministry for Commerce and Industry, to request and provide enforcement assistance information directly, rather than through an intermediary, and to deal with one another on the same practical and legal footing as the two Customs Services.

The body of our amending note would read as follows:

1. In addition to the areas of mutual assistance provided for in the Agreement with respect to Customs laws enforced by the Customs Services referred to in Article 1(2) of the Agreement, the scope of such assistance shall include assistance with respect to regulations that are enforced in Austria by the Federal Ministry for Commerce and Industry in the framework of the Austrian Foreign Trade Law and with respect to the enforcement by the United States Department of Commerce of its Export Administration Regulations.

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2. For purposes of assistance with respect to the laws and regulations referred to in the foregoing paragraph, requests may be made directly by and assistance and information rendered directly to the United States Department of Commerce and to the Austrian Federal Ministry for Commerce and Industry in all respects as is provided in the Agreement with respect to Customs Services and customs laws.

I believe the above language satisfies your interests and ours. In its practical application, it enhances the U.S. and Austrian Governments' ability to enforce its respective export control laws and to aggressively and effectively work together in ensuring that the United States and other COCOM countries' technologies are not diverted to the Soviet Union or other prohibited destinations. I think we can resolve this matter quickly, and I look forward to meeting with you in the very near future.

Attachments

cc: D. Fortier  
S. Rosen  
T. Niles  
S. Bryen  
T. Wu  
C. Hunt

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Commerce Export Control and Enforcement  
Initiatives Involving Austria

- o On October 26, 1982, Commerce's DAS for Export Administration met in Vienna with Austrian authorities to discuss obtaining a written agreement from the GOA that would provide protection against the diversion of sensitive U.S. technology. This meeting was also specifically related to the pending AMI/Voest Alpine joint venture which represented a proposed transfer to Austria of strategic U.S. technology for a semiconductor manufacturing plant.
- o In February 1983, after considerable negotiation by Commerce and State, the GOA and the USG exchanged letters formalizing an agreement whereby Austria would implement procedures for protecting and supervising the import, export, and reexport of sensitive U.S. technology.
- o Commerce also negotiated with the GOA a revision to the Austrian Import Certificate for the AMI/Voest Alpine project that provided for strengthened GOA protection against illegal diversion.
- o On May 4 and 5, 1983, a U.S. delegation headed by Commerce DAS for Export Enforcement Theodore W. Wu met with Austrian officials in Vienna to discuss USG export control and enforcement concerns. DAS Wu obtained GOA agreement to a written statement that outlined procedures for the conduct of pre-license and post-shipment transaction checks, to include on-site visits by Commerce and other personnel at Embassy Vienna in connection with U.S. exports to Austria under validated licenses and covered by an Austrian Import Certificate. The GOA stated that information from these checks would assist the Federal Ministry of Trade and Commerce in determining compliance with the terms of Austrian Import Certificates.
- o On October 5, 1983, DAS Wu met in Vienna with Austrian Trade Ministry officials to obtain their agreement to widen the scope of pre-license and post-shipment checks to include proposed transactions under the Distribution License procedure.

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- o On December 30, 1983, Otto Masche, Austrian Ministry of Foreign Affairs, Economic Affairs Section, informed the Deputy Chief of Mission at Embassy Vienna of a change in GOA policy with regard to the conduct of Commerce pre-license and post-shipment checks. Masche stated that this GOA policy, cleared at the highest levels of the Ministry of Foreign Affairs, would allow pre-license and post-shipment checks for transactions under the Distribution License procedure which do not require an Austrian Import Certificate.
- o In January 1984, U.S. Ambassador to Austria, Helene von Damm, established an Export Control Unit at Embassy Vienna, staffed by Commerce FCS and Office of Export Enforcement (OEE) personnel, to handle the increasing export control and enforcement workload in Austria. It was the Embassy Export Control Unit that conducted the post-shipment check and inspection at the AMI/Voest Alpine plant to assess compliance with the special terms and conditions governing the transfer and use of U.S. technology. At the request of the Ambassador, Commerce posted a permanent Special Agent to Embassy Vienna as the Export Control Attache.
- o On February 27, 1984, then-Austrian State Secretary Lacina met at Commerce with Under Secretary Olmer and other DOC officials to discuss our concerns regarding technology transfer and other export control issues. Commerce identified the export control and enforcement shortcomings in the Austrian export control structure and obtained Lacina's agreement to hold bilateral discussions on ways to improve the system.
- o On March 21, 1984, Commerce Deputy Under Secretary Wethington met in Vienna with GOA State Secretary Lacina and stressed our concerns over Austria's absence of a sound legal basis for the control of sensitive goods. In response, Lacina stated that the GOA was considering procedures that would satisfy U.S. concerns.
- o On June 27, 1984, Commerce Acting Assistant Secretary William Archey met with GOA officials in Vienna, as part of a U.S. delegation, to discuss our export control concerns. It was made clear to the GOA that changes would have to be made to the Austrian system of export controls in order for Commerce to give favorable consideration to Austria under the proposed amendments to the Distribution License procedure.

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- o On July 6, 1984, Under Secretary Olmer met in Vienna with State Secretary Lacina and stated that the GOA needed to make new commitments to safeguard U.S. technology. Lacina was optimistic that Austria would be able to meet U.S. concerns.
- o In August 1984, after repeated Commerce criticism of Austrian laxity in the area of Import Certificates, the Austrian Trade Ministry requested Embassy Vienna's FCS officer to assist the Ministry in checking into the legitimacy of an Austrian firm seeking an Import Certificate. The Ministry also asked the FCS officer to accompany a Ministry official to the Austrian firm's business premises on a pre-IC issuance check. This was the first instance where the Ministry offered to involve the U.S. in the Import Certificate procedure.
- o Over the past year, Commerce's Export Control Attache in Vienna has made substantial progress in supporting U.S. export control enforcement interests in Austria. Examples of his success are:
  - In coordination with Austrian officials, the Attache discovered an elaborate scheme to disguise the diversion of critical semiconductor and testing equipment to the East. Previous inquiries by both Embassy and Austrian officials had not detected the ruse.
  - At least two critical informants were developed through persuasion, knowledge of the Export Administration Regulations, and dealing with attorneys for both the U.S. Government and the informant. The information obtained will be beneficial in preventing future violations of the EAA.
  - One suspect interview elicited the names of 48 firms alleged to be involved in illegal export activity.
  - Before our Attache was in Vienna, very little information was received from private individuals on potential export control violations. Now, however, the "walk-in" traffic has increased substantially. Our man knows about export control and thus is sought out by members of the Austrian business community.
  - Our Export Control Attache meets twice a month with GOA officials to discuss export enforcement problems and methods to enhance mutual cooperation.

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~~CONFIDENTIAL~~Assessment of Proposed Amendment

The Austrian Government has proposed a modification of the customs Mutual Assistance Agreement\* with the U.S. (1) to bring assistance pursuant to regulations enforced by the Austrian Ministry of Commerce and Industry under the Foreign Trade Law within the scope of the Agreement and (2) to provide that the Ministry of Commerce and Industry can respond directly to requests made under the Agreement. For the reasons given below, the proposed exchange of notes must be further modified to assure the full benefit of the Agreement in support of the Department of Commerce export enforcement role with respect to Austria.

Article 1-2 of the Agreement defines "Customs Services" to mean, in the U.S., the United States Customs Service. Under Article 2-1, the parties agree to assist each other "through their Customs Services" to prevent, investigate and repress any customs law offense. Article 6-1 specifies that assistance shall be carried out "in direct communication between the Customs Services." Article 6-2 says that if a Customs Service is not the appropriate agency to comply with a request, it (the Customs Service) shall transmit the request to the appropriate agency.

A January 17, 1985 State Department memorandum says L/EUR believes Article 6-2 provides "sufficiently" for the "involvement" of federal agencies other than the U.S. Customs Service in the assistance contemplated. We do not agree. Any indirect involvement would appear to be limited to having certain Austrian requests referred by U.S. Customs to other U.S. agencies such as U.S. Commerce. This would be far short of making the Agreement fully effective to enhance the export control enforcement cooperation relationship between counterpart trade agencies contemplated by the January 1984 Commerce-Customs MOU.

The MOU designates Austria as a country where the government "has designated the counterpart agency of the Department of Commerce as its export control enforcement agency and that agency

\*Agreement between the United States of America and the Republic of Austria Regarding Mutual Assistance Between their Customs Services, signed September 15, 1976.

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has a significant role in the conduct of export control investigations in that country." In such a country, the MOU provides that Commerce may conduct liaison directly with "those agencies necessary for its investigations," except when Commerce requests support from that country's customs services in which event such requests shall be transmitted through U.S. Customs.

It has been suggested that Commerce could retain some working relationship with the Federal Ministry of Commerce and Industry outside the Agreement, but informal working relationships will not suffice. For example, if a Commerce investigator in California learns from an informant that a piece of sensitive U.S.-origin equipment is about to be diverted from Austria, the Commerce export control attache in Vienna should be able to call immediately and directly for preventive action by the Federal Ministry pursuant to Article 2-1 of the Agreement. Commerce should also be able to invoke the assistance of the Federal Ministry pursuant to Article 2-3 of the Agreement in obtaining, in accordance with Austrian law (including the Data Protection Law), documentary evidence for use in Commerce's administrative enforcement proceedings.

To confirm that the Agreement permits (1) direct requests from the Department of Commerce to Austrian authorities for assistance in investigations and enforcement activities involving the export control laws it administers and (2) direct response by the Department of Commerce to Austrian requests for assistance in the enforcement of their export control laws, changes must be made in the Agreement that correspond to what the Austrians have proposed with respect to their laws and agency responsibilities.

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NSC/S PROFILE

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ID 8500694

RECEIVED 26 JAN 85 13

TO LINHARD

FROM KIMMITT

DOCDATE 26 JAN 85

*612/28/8*

KEYWORDS SDI

USSR

SUBJECT: PEARSON NOTE RE IZVESTIYA ATTACK ON SDI

ACTION: PREPARE MEMO FOR MCFARLANE DUE: 29 JAN 85 STATUS S FILES PA

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LINHARD

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COMMENTS PER KIMMITT

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**National Security Council  
The White House**

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John Poindexter	<u>3</u>	<u>J</u>	
Paul Thompson			
Wilma Hall			
Bud McFarlane			
Bob Kimmitt			
NSC Secretariat	<u>4</u>		<u>N</u>
Situation Room			

I = Information

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D = Dispatch

N = No further Action

cc: VP Meese Baker Deaver Other \_\_\_\_\_

COMMENTS

Should be seen by: \_\_\_\_\_

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MEMORANDUM

NATIONAL SECURITY COUNCIL

INFORMATION

February 1, 1985

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: *Bill* BILL WRIGHT / *Bob* BOB LINHARD / *Steve* STEVE STEINER

SUBJECT: Izvestiya Attack on SDI

In response to Admiral Poindexter's PROF note of January 26, a first-cut analysis of the January 25, Izvestiya article on SDI, in claim/comment format, is at Tab A. The article itself is at Tab B. Although the article failed to raise much public attention, many of the themes also appeared in the January 31, CNN "interview" with Chernenko.

The paper will continue to be worked in Steve and Sven's newly formed arms control public diplomacy group.

Concurrence: *Rm* R. Lehman, *Holman* S. Kraemer

Attachment:

Tab A Draft Critical Summary  
Tab B Article dtd 1/25/85



## Izvestiya Article Attacking SDI: A Critical Summary

On January 25th, Izvestiya published a lengthy article attacking SDI. It purports to refute specific points made in our January publication, "The President's Strategic Defense Initiative," devoting considerable space to countering claims that we did not make. It states that "talks on the problem of nuclear arms would be devoid of meaning and prospect without preserving the ABM Treaty and without banning the militarization of space." In effect, our linkage from last June -- that space weapons cannot be discussed without considering ballistic missiles -- is used in reverse.

The article makes the following principal claims:

Claim. SDI is intended to create an all-embracing territorial defense. It thus represents a U.S. attempt at strategic superiority, which the Soviet Union will never allow. Parity in offensive forces led to strategic arms limitation talks, in which both sides agreed that "the acquisition of additional defensive potential by either side would be tantamount to the acquisition by it of the potential for a preemptive first strike."

Comment. Insofar as we maintain that SDI is a research program with no specific goal of an "all-embracing territorial defense," much of the Soviet argument can be dismissed. The claim that "any" differential in defensive capability means the favored side has a "preemptive nuclear strike" potential seems both overstated and ill-advised: the Soviet Union has such a defensive advantage, so it must, at a minimum, be seeking such a potential. In fact, it is preposterous to say that any differential has such an effect; that some defensive differential could threaten stability is precisely our point -- the Soviets have an advantage and are working hard to increase it.

Claim. The ABM Treaty was premised on the idea that mutual restraint in ABM systems would make limiting and reducing offensive arms possible. SDI is challenging this.

Comment. The statement is true; the implications are where we differ. The Soviet argument is that the achievements of arms control over the past thirteen years will be jeopardized by a greater reliance on defensive systems; as the Secretary noted at length to Gromyko at Geneva, the failure to reach a comprehensive, indefinite-duration agreement limiting (let alone reducing) offensive arms calls into question the

assumption that drastic limits on defense was a good idea. We explicitly noted this when we agreed to the ABM Treaty (May 9, 1972 unilateral statement by Ambassador Smith): "if an agreement providing for more complete strategic offensive arms limitations were not achieved within five years,...it would constitute a basis for withdrawal from the ABM Treaty."

Claim. The interrelationship between offense and defense codified in the ABM Treaty "is of a permanent nature and exists objectively."

Comment. This is clearly not true. The particular relationship of unquestioned offense-dominance is the direct result of technological circumstances: the existence of nuclear weapons and (to a lesser extent) ballistic missiles. It is obviously possible that changes in technology can change the nature of the offense/defense relationship; SDI is intended to explore just this question.

Claim. SDI cannot be intended to make ballistic missiles obsolete -- the U.S. is spending billions on MX, Trident, Midgetman, etc. It can thus only be for a first strike.

Comment. Our counterargument is already on the record: For the near term, comprehensive modernization of our strategic forces is necessary to replace older systems, to compensate for years of unilateral restraint, and to provide incentives for the Soviets to agree to arms reduction agreements leading to more stabilizing force postures. Unlike the Soviets, we do not plan to deploy forces with anything like a "first-strike" capability.

SDI is a research program designed to tell us more about the possibilities for BMD over the longer term, and to provide a hedge against a possible Soviet breakthrough in defensive technologies.

Claim. The U.S. has no plans to defend Europe with SDI; instead the U.S. openly admits that BMD would make it possible to fight a nuclear war limited to Europe.

Comment. This is pure disinformation.

Claim. SDI per se violates the ABM Treaty. In any case, it undermines it, and the momentum of the research and experimental work will make the decision to go beyond treaty limits inevitable. This jeopardizes the entire system of international law, thus making arms control agreements impossible.

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Comment. No basis at all is provided for the claim that SDI as such violates the treaty. (As our January publication notes, the Soviets have avoided this charge, since it would also apply to their own research program.) Their other points are buttressed by selective quotes from Secretary Weinberger and General Abrahamson on the potential future need to "go beyond" or "modify" the ABM treaty. In fact, our policy is as set forth in the January publication: SDI is a treaty-compliant research program which will provide the basis for a decision in the early 1990s on whether to proceed further. The January publication deals thoroughly with the ABM Treaty question (p. 8), noting that "the United States does not and will not violate its treaty obligations."

Claim. SDI also threatens the Limited Test Ban Treaty, the Outer Space Treaty, and the Environmental Modification Treaty.

Comment. The Test Ban and Space treaties would only apply if we were to test or deploy a nuclear BMD system; the arguments about the ABM Treaty apply a fortiori to them. The reference to Enmod is too cryptic for comment.

Claim. The U.S. falsely claims the Soviet Union has programs for ABM territorial defense. "Every unbiased person" knows that the Soviet air defense system has no relation to ABM defense.

Comment. The article's denials are understandably short on detail. Krasnoyarsk is not mentioned, nor are Soviet R&D on a rapidly deployable ABM system, or research efforts into advanced BMD-related technologies. The BMD potential of Soviet air-defense missiles is discussed, inter alia, in Soviet Military Power.

Claim. The U.S. simultaneously asserts that both sides' having defenses would be stabilizing, but seeks a unilateral BMD advantage.

Comment. The quotes of U.S. officials which the Soviets cite to support the claim that we believe a U.S. unilateral defense would be good in fact say that a Soviet unilateral defense would be bad.

Claim. U.S. and Soviet scientists recognize that an "absolute ABM defense" is impossible.

Comment. Nothing new is provided to substantiate this claim; its inconsistency with the alarmist tone of the earlier part of the article (any BMD differential means "preemptive nuclear strike potential") is striking.

Claim. With SDI, the U.S. has made the militarization of space a priority task for the rest of the century. This will only bring war nearer; instead, we should ban forever the use of force in space as well as all "space-strike" weapons (anything which can hit something in or from space). Only then can substantial nuclear reductions be negotiated.

Comment. We have long noted that "preventing the militarization of space" is a propaganda phrase that disregards the historical record. The Soviet definition of "space-strike" weapons is hopelessly broad. Some categories of these weapons are operational in the Soviet Union alone (ASAT, FOBS, ABMs). Moreover, all strategic ballistic missiles fit the definition of "space attack" weapons, logically meaning that they must be banned before nuclear arms can be reduced.

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'DEFENSE INITIATIVE' AIMS TO UNDERMINE STABILITY

PM241634 Moscow IZVESTIYA in Russian 25 Jan 85 Morning Edition p 5

[Editorial article: "On the United States' So-Called 'Strategic Defense Initiative'" -- capitalized passages published in boldface]

[Text] The results of the Geneva meeting between A.A. Gromyko, CPSU Central Committee Politburo member, first deputy chairman of the USSR Council of Ministers, and USSR foreign minister, and U.S. Secretary of State G. Shultz generated a broad positive response throughout the world. The path has been opened toward concrete and purposeful talks on the formulation of effective measures which aim to prevent an arms race in space and end it on earth.

It is a question of new talks encompassing a package of organically interconnected questions concerned with preventing the space militarization and reducing nuclear arms -- both strategic and medium-range. In view of the conditions that have objectively taken shape at this time, any other approach to the matter is impossible. A precise reflection of this was provided by the Soviet-U.S. joint statement recently published. During the upcoming talks only strict observance, in all its parts, of the accord reached can ensure real progress along the path of ending the arms race, eliminating the threat of nuclear war, and ultimately eliminating nuclear weapons, the report on the CPSU Central Committee Politburo examination of the question of the results of the Geneva talks stresses.

The path toward the adoption of the agreed decisions will not be easy, of course. But the Soviet Union is ready to go its part of the way. It has a right to expect the same from the United States.

At the same time attention is attracted by the fact that in the United States not only the mass media but also administration spokesmen are not ceasing to make statements whose central theme consists of appeals not to abandon plans for extending the arms race into space, to move toward the creation of a large-scale antimissile defense system, and to attempt to use the upcoming talks to legalize such schemes. Incidentally, at the beginning of January the White House distributed a special brochure entitled "Presidential Strategic Defense Initiative" (this is the official name given in the United States to the "star wars" program advanced by the President in March 1983) in which the militarization of space is elevated to the rank of a priority task of U.S. state policy through the end of the century.

The most important objective of the "strategic defense initiative" is proclaimed to be the creation of an all-embracing antimissile defense system which, according to Washington's assurances, could protect the whole of U.S. territory from "enemy" strategic ballistic missiles. A considerable part of this system is to be based in space and incorporates means for destroying missiles based on new physical principles (lasers, particle beam weapons, and so forth).

Sums running into many billions have already been allocated to reach this objective. Intensive scientific research and design work is under way to develop experimental samples of individual elements of an all-embracing antimissile defense system. There are future plans to test them to demonstrate that the system will "work." Plans are being drawn up to deploy the system in sequential parts as the corresponding technological problems are solved. Special commands and control centers are being set up for space systems for military purposes.



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Encountering resistance to the so-called "defense initiative" both from the American public and from abroad, a broad propaganda campaign has been launched in Washington in which attempts are being made to provide every kind of justification in people's eyes for the White House's course which aims to militarize space. The publication of the above-mentioned brochure was just one such attempt. Complaining that they are simply not understood on this question, people in Washington have served up a new helping of propaganda inventions, fact juggling, and even overt falsification designed to awaken the "uncomprehending" and wavering to the "advantages" of the "star wars" program advanced by the U.S. Administration.

THE FIRST INVENTION. Realizing that people all over the world are deeply worried by the ever-increasing avalanche of U.S. war preparations, the creators of the "strategic defense initiative" place the main emphasis on portraying the creation of an all-embracing ABM system with space-based elements as a means of strengthening strategic stability. U.S. leaders declare that they have opened up "encouraging prospects that it will be possible to defend ourselves effectively" with an all-embracing ABM system and, they claim, to switch "from a strategy based on the threat of offensive might to a strategy that threatens no one." This, they say, will ensure the possibility of achieving "a more stable deterrence."

What is the real situation with respect to this question? The U.S. and USSR strategic nuclear forces have existed for over 30 years, and throughout this time, ever since their appearance, the Soviet Union has been forced in their creation and subsequent deployment to respond to the challenge of the United States, which has been seeking military superiority. The strategic parity achieved in the early seventies deprived the United States of the possibility of blackmailing the USSR with the nuclear threat and forced it to embark on strategic arms limitation talks.

The USSR and the United States then reached a clear understanding that under conditions of parity in strategic offensive forces the acquisition of an additional defensive potential by either side would be tantamount to the acquisition by it of the potential for a preemptive nuclear strike.

The logic of nuclear confrontation is such that the creation of a ramified ABM system by no means pursues defensive aims but is an integral element of a course toward securing military superiority. Such a system would undermine the strategic parity of forces and would destabilize the strategic situation as a whole. In order to restore the disrupted parity under these conditions, in response the other side would be forced to strengthen its own strategic potential either by directly building up its own offensive forces or by supplementing them with means of defense. In either case all this would lead ultimately to an unlimited arms race.

The recognition by the USSR and the United States of the interconnection between offensive and defensive strategic systems was expressed in the simultaneous signing on 26 May 1972 of the unlimited-duration treaty on the limitation of ABM systems and the interim agreement on certain measures with respect to the limitation of strategic offensive arms. The ABM treaty became the cornerstone of the whole process of limiting and reducing nuclear armaments. "The sides," the treaty says, "consider that effective measures to limit ABM systems would be a substantial factor in curbing the race in strategic offensive arms and would lead to a decrease in the risk of an outbreak of war involving nuclear weapons." In other words, only mutual restraint in the sphere of ABM systems makes it possible to advance along the path of limiting and reducing offensive arms.

It is precisely this key tenet regarding the interconnection between strategic offensive and defensive arms that the American advocates of "star wars" are now undermining.

They are making out that the sides earlier arrived at this tenet not as a result of a recognition of the role of ABM systems as catalysts in the arms race, but merely as a result of the absence at that time of the technical potential for creating effective ABM systems.

Actually, such an interrelationship between strategic offensive and defensive systems is of a permanent nature and exists objectively. It does not disappear, either, with the emergence of the possibility of developing technically more sophisticated and more effective ABM systems. On the contrary, the development of such systems would affect the correlation of the sides' strategic forces even more tangibly and would render it extremely unsteady and unstable. Furthermore, the danger of a nuclear war being unleashed, with all its consequences for mankind, would increase sharply. Expert calculations indicate that, even if both sides possessed approximately equivalent large-scale ABM systems, even the most insignificant differences in their efficiency would be likely to substantially undermine strategic parity and destabilize the entire strategic situation. In addition to this, sober-minded scientists in the United States itself correctly point out that the actual work on implementing the program Washington announced is in itself of a provocative and destabilizing nature, regardless of its ultimate results.

SECOND INVENTION. U.S. Administration spokesmen argue a great deal that the development of an all-embracing ABM system with space-based components supposedly pursues the "humanitarian" goal of rendering strategic nuclear missile weapons "unnecessary" and "obsolete" and almost opens the way to the liquidation of nuclear weapons. Nevertheless, all actions by the U.S. Administration provide evidence that in reality, something completely different is intended. In embarking on the implementation of its "space wars" program, Washington by no means intends to abandon its multibillion [dollar] programs to build up all components of its so-called strategic triad, primarily ballistic missiles. What "obsolescence" of missiles can they be talking about when the U.S. Administration is developing, in parallel with the large-scale ABM system, six new types of strategic offensive weapons. The Pentagon intends to have the new MX ICBM's by 1986, the Midgetman by the early nineties, and the new sea-launched Trident II strategic missiles by 1989 it is developing 2 new types of heavy bombers and is planning to deploy over 12,000 long-range cruise missiles of all basing modes.

When Washington talks about "giving up ballistic missiles," it has in mind the Soviet ICBM's which form the foundation of the USSR's strategic might. It thinks that, by significantly reducing their numbers, it would substantially weaken the potential for a retaliatory strike by the Soviet Union. And all this is taking place while the U.S. missile-carrying submarine fleet is being reequipped with ballistic missiles carrying the potential for a nuclear first strike (Trident II), while the United States has its first-strike nuclear missiles in West Europe, and while there is unrestricted deployment around the USSR of long-range cruise missiles of all basing modes and of new conventional weapons whose efficiency approximates that of nuclear means.

Things are no better as regards the American leaders' assurances that the United States intends, by means of its future ABM system, to supposedly "defend" its European allies. In actual fact, Washington is not very much concerned with the fate of Europeans. The advantages of deploying American space weapons are frankly argued in the United States since this would make it possible to conduct a nuclear conflict over Europe and not over the United States.

The real purpose of the U.S. "initiative" in "strategic defense" is not to strengthen but to undermine strategic stability. The "reliable ABM shield," of which people in Washington are dreaming, is nothing but a desire to create an opportunity to carry out a nuclear attack from behind this shield and deflect a retaliatory strike of retribution by the USSR.

It is therefore a question not of weapons for defense against nuclear means but of new weapons to back up nuclear aggression.

But the people in Washington are forgetting that the person [tot] against whom these decisions are made will not be sitting idly by. He will do everything to thwart the aggressor's adventurist plans. And they will undoubtedly be thwarted. The United States will never acquire military superiority over the socialist countries, even if they perch their new arms up in space. In that case they would achieve just one thing -- the sharp intensification of the danger of a nuclear catastrophe and a pointless squandering of the material and intellectual resources of their country and all mankind. The U.S. "star wars" plans are by no means a boon, but a deadly threat to the peoples.

THIRD INVENTION. In an attempt to mislead people, the U.S. leaders state that the "strategic defense initiative" is being implemented exclusively within the framework of scientific research and experimental design work and that this work allegedly poses no real threat of the deployment of a comprehensive ABM system and does not violate any existing U.S. arms limitation commitments, above all none stipulated by the ABM treaty.

~~Not one word of these claims is true.~~ It is clear that billions of dollars are not being spent on scientific research and experimental design work out of love for science and technical discoveries. The tests on components of the large-scale ABM system which are both already under way and envisaged by the Pentagon are directly aimed at creating conditions in which it would just be necessary to take a decision on the practical deployment of the relevant means. They want to present the USSR with the fait accompli of the already predetermined appearance in the United States in the near future of comprehensive ABM defenses, and, if possible, to obtain the Soviet side's consent to such actions.

It is understandable that the Soviet Union will not stand idly by watching to see how the U.S. "research" turns out but will in its turn be forced to take the necessary measures. That is why excuses about "research" do not alter the crux of the matter. The U.S. plans seriously undermine the basis of the process of limiting the arms race. They are not only an obstacle to any agreements on nuclear arms limitation but directly program [programirovat] an arms race.

The commissioning of a comprehensive ABM system with space-based elements is only possible at the cost of scrapping [likvidatsiya] the ABM treaty. The carrying out of extensive scientific research and experimental design work and the conducting of practical tests of individual components of the system will objectively lead to this most important Soviet-U.S. treaty being undermined. Pentagon representatives themselves have been forced to admit that this is so. "At the present stage...we are conducting research work aimed at determining whether an entirely reliable system can be created. If it can we will have to go beyond the framework of the ABM treaty," U.S. Defense Secretary C. Weinberger stated unapologetically on 12 September 1984. Not even General Abrahamson, the leader of the ABM program, tries to hide the Pentagon's true intentions; on 17 December 1984 he stated that "when ever part of a comprehensive ABM system has been developed and is ready for use, the United States will have to come to an agreement with the USSR on modifying the ABM treaty, since certain of its provisions will be at odds with the system's tasks."

Washington figures are not embarrassed that the creation of a comprehensive ABM system with space-based elements negates the basic provision of the ABM treaty -- the sides' commitment not to create ABM defenses of a country's territory.



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Nor are they embarrassed by the fact that the ban enshrined in the treaty on the creation of components and space-based ABM systems and the restrictions on the creation of such systems based on new physical principles are also being violated. They ~~also~~ want to derail many other multilateral agreements currently in force, such as the 1963 treaty prohibiting nuclear tests in the three environments, the 1967 treaty on the principles governing the activities of states in the exploitation and use of outer space, and the 1977 convention on the prohibition of hostile influences on the environment.

Continuing the line toward the violation of its international commitments, the United States is vainly counting on hiding behind unfounded accusations against the USSR alleging that it is not observing the ABM treaty and other agreements. It is clear why these accusations are being leveled. It is also clear who is burdened by the agreements that have been signed and who is seeking ways of avoiding their fulfillment and, indeed, of directly violating them.

The United States' so-called "research" in the field of the development of ABM defense with space-based elements is leading to the creation of a situation in which the entire system of international law, which for the time being is still curbing the states' military activeness, might be jeopardized, a situation in which it would become completely impossible to achieve constructive accords on arms limitation and reduction.

**THE FOURTH INVENTION.** In seeking to persuade Americans of the need for the United States to create an all-embracing ABM system, the Washington leaders would like to ascribe to the Soviet Union some programs for creating ABM defense for the country's territory. The Soviet Union has no such plans, and Washington is well aware of the fact. That is why it is deliberately obscuring the issue, as the saying goes: Either the Russians are on the point of creating an all-embracing ABM system or they have already created it. Inasmuch as there is no proof of this, for greater "persuasiveness" mention is made of the Soviet Union's possession of a limited ABM system and of an air defense system.

The Authors of these fabrications aimed at the uninitiated are obviously not in the least embarrassed by the fact that the limited ABM system (one-region ABM defense) has been created in the USSR in accordance with the provisions of the ABM treaty (The United States had previously created a similar system) and does not even remotely resemble the broad-scale ABM system with space-based elements thought up in the United States. It is also clear to every unbiased person that the Soviet Union's air defense system bears no relation to ABM defense.

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In addition the arguments used on this issue by the defenders of the "strategic defense initiative" are blatantly inconsistent. On the one hand they seem to believe that to obtain the promised "stabilizing effect" both antagonistic sides — the United States and the USSR — should have all-embracing ABM systems. Nonetheless Washington officials state without a trace of embarrassment that the situation will be "stable" if only the United States has such a system on a unilateral basis, and the sooner the better. If the Russians are the first to create such a system then, according to Weinberger, "it would be very, very dangerous in the world... It would be very powerfully reminiscent of a world in which the Russians had nuclear weapons and the United States had none."

There's the defensive armaments "stabilizing" role which Washington is hypocritically discussing. U.S. militarists have a good idea of the consequences of the creation of an all-embracing ABM system by one side and it is for precisely that reason that they are persistently seeking this for the United States.

Also clear in light of this is the point of attempts to unfoundedly attribute their own dangerous intentions in this field to the Soviet Union and to conceal their own efforts to undermine equilibrium and acquire strategic superiority over the USSR.

Despite the propaganda efforts the Washington administration is making to justify the creation of an all-embracing ABM system with space-based elements, the opposition to this "initiative" is growing both in the United States itself and beyond. The opponents of the U.S. Administration's plans include eminent military and political specialists who have held leading posts in previous U.S. Administrations, the leaders of a number of NATO countries, and representatives of the public.

The U.S. leaders are being cautioned — they are being persistently warned that the "star wars" idea is a very dangerous blunder.

A blunder from the political viewpoint. It is impossible to lay claim to the pursuit of a realistic and responsible policy and at the same time to gamble on creating ever new weapons, to reject the arms limitation accords which have been reached, and to disregard the interests of the security of the peoples, including their own people.

A miscalculation from a scientific and technical viewpoint. This was stated very clearly by members of the USSR Academy of Sciences in their appeal to all the world's scientists. Their opinion concurs with the authoritative statement by the presidents and representatives of 36 academies of sciences of various countries. It is shared by American scientists who describe the assertions about the possibility of creating an "absolute ABM defense" as "the U.S. Administration's most irresponsible statements of late."

Finally, a very dangerous miscalculation from a military viewpoint: The development of work on creating a new ABM system does not strengthen America's security but is a step taking us closer to the threshold of nuclear war, for which the United States will not escape retribution. Attempts to militarize space will inevitably result just in a still more threatening twist to the arms race spiral, for which all responsibility will lie with the present U.S. Administration.

The rapid development of space technology, the opportunities that have emerged for using space for military purposes, and the efforts which the United States is stubbornly undertaking in this direction have made the problem of preventing the space militarization the most urgent task of the present time. The creation of space strike armaments — if they cannot be banned — would be an extremely destabilizing factor and serve as an impetus for an essentially uncontrolled arms race.

The problem of the nonmilitarization of space affects the vital interests of all mankind. A fatal mistake will have been made if space becomes an arena of the arms race, a bridgehead for aggression. Everything must be done to prevent such a development of events.

The USSR advocates banning forever the use of force in space and from space with regard to the earth, as well as from the earth with regard to objects in space. No kinds of weapon — conventional, nuclear, laser, beam, or any other — must be launched into space or deployed there, whether in manned or unmanned systems. No space strike arms based on any principles of operation and any kind of basing must be created, tested, or deployed either for use in space or for use from space against targets on the earth, in the air, or at sea. Such means which have already been created must be destroyed.

Given a radical solution of the problem of the nonmilitarization of space, the way would be opened up to substantial reductions of nuclear arms on a reciprocal basis, right down to their total destruction, with, of course, strict observance of the principle of equality and identical security.

On the other hand, it is obvious that it is now impossible to resolve the problem of nuclear arms in isolation from a ban on space strike arms. Questions of nuclear and space arms are organically interconnected, and they must be examined and resolved precisely as a package at the talks. The resolution of the question of space strike arms is of key, priority significance here. Talks on the problem of nuclear arms would be devoid of meaning and prospect without preserving the ABM treaty and without banning the militarization of space. This was stated very clearly and firmly in A.A. Gromyko's conversation with Soviet political observers.

The Soviet initiative, as a result of which talks on a whole range of questions relating to nuclear and space arms have been made possible, is an expression of the USSR's principled policy of ensuring real progress in the matter of lessening the danger of an outbreak of nuclear war and improving the entire international situation. We would like to hope that understanding of the responsibility which lies with the United States in connection with the upcoming talks will prevail in Washington, and the necessary practical conclusions will be drawn with regard to the task of ensuring their constructive development and achieving weighty concrete results for the benefit of the cause of peace and of reducing the threat of nuclear war.

It is not deception of one's partner and of public opinion that must be the aim of the talks — we cannot agree with such morality, K.U. Chernenko emphasized — but the search for mutually acceptable solutions which would accord with the interests of peace. The opportunity to elaborate such solutions must not be missed.

#### Possible Geneva 'Detonator'

PM251027 Moscow NEW TIMES in English No 3, Jan 85 p 1

#### [Editorial: "Start In Geneva"]

[Text] And so, a new start has been made in Geneva. The talks between Soviet Foreign Minister Andrey Gromyko and U.S. Secretary of State George Shultz were not yet negotiations proper, but rather the prelude to negotiations. The purpose of the meeting was to lay the groundwork for the achievement of mutually acceptable accords on a whole body of interconnected problems — to prevent an arms race in outer space and at the same time ensure progress towards the radical reduction of nuclear armaments. The desirable, and more, vitally necessary ultimate objective is the abolition of nuclear weapons. The Soviet Union is ready to go the whole way to general and complete disarmament.

Big things often begin with smaller ones. Time and again since the war the U.S.S.R. has displayed good will, taken the initiative, expecting the other side to reciprocate, hoping that the example will be followed. It voluntarily refrained from seeking military bases, unilaterally reduced its own armed forces, ended the testing of nuclear weapons and the deployment of missiles. Absence of reciprocity can never discourage those who are certain that they are in the right, who believe in the triumph of common sense which demands that a stop be put to the insane and costly race in which there can be no winners and which could reach a point where all human development is brought to an end. Faith in reason dictated also the Soviet Union's decision not to be the first to use nuclear weapons. And now, when people the world over are increasingly coming to realize how great a threat to peace and all humanity looms from outer space, it has made another constructive move, unilaterally undertaking the commitment not to put anti-satellite weapons into orbit (the commitment also extends to test launchings).

The Soviet Union is ready to ban nuclear tests altogether. It is ready also to freeze nuclear arsenals. There are no real measures for limiting the arms race and bringing about actual disarmament that the Soviet Union is not ready to accept.

For System I

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MSG FROM: NSWRP --CPUA TO: NSGVE --CPUA  
To: NSGVE --CPUA GEORGE VAN ERON

01/26/85 12:12:26

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NOTE FROM: BOB PEARSON

Subject: Forwarding Note 01/26/85 11:40 Izvestiya Attack on SDI  
please task per kimmitt instructions.

\*\*\* F O R W A R D E D N O T E \*\*\*

To: NSWRP --CPUA

~~SECRET~~

NOTE FROM: Robert M. Kimmitt

Subject: Forwarding Note 01/26/85 11:28 Izvestiya Attack on SDI  
please pass to linhard as a sys1 tasking.comment rlehman, steiner, and matloc  
k.c nsgve

\*\*\* F O R W A R D E D N O T E \*\*\*

To: Bob Linhard

~~SECRET~~

NOTE FROM: JOHN POINDEXTER

SUBJECT: Izvestiya Attack on SDI

I think it would be useful to have an analysis of the subject article in an  
"assertion -- fact" format.

copy to: Ron Lehman

cc: NSRMK --CPUA BOB KIMMITT

Clean it up.

DECLASSIFIED  
Dec 04/08, E.O. 12958, as amended  
V. 1.0, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 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35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2, 68.3, 68.4, 68.5, 68.6, 68.7, 68.8, 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NOTE FROM: JOHN POINDEXTER  
SUBJECT: Izvestiya Attack on SDI

DEC 1985  
Classified  
Dec 11, 2006  
BY NAME CU DATE 7/28/18

I think it would be useful to have an analysis of the subject article in an  
"assertion -- fact" format.

copy to: Ron Lehman

cc: NSRMK --CPUA BOB KIMMITT

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GENEVA FOR USDC; STOCKHOLM ALSO FOR CDE;  
HQ SPACE CMD FOR POLAD

E.O. 12356: DECL: OADR

TAGS: PARM, SDI

SUBJECT: IZVESTIYA ARTICLE ATTACKS SDI

1. (C - ENTIRE TEXT).

2. SUMMARY: A LENGTHY, UNSIGNED ARTICLE IN IZVESTIYA JANUARY 25 REBUTS US ARGUMENTS IN SUPPORT OF THE STRATEGIC DEFENSE INITIATIVE AND GIVES PRIORITY TO THE PROHIBITION OF SPACE WEAPONS IN THE UPCOMING US-USSR NEGOTIATIONS. THE ARTICLE APPEARS TO BE AN AUTHORITATIVE FONSE TO THE WHITE HOUSE BOOKLET "THE PRESIDENT'S STRATEGIC DEFENSE INITIATIVE" AND OTHER OFFICIAL STATEMENTS EXPLAINING THE PROGRAM. IZVESTIYA PROVIDES BOTH A SUMMARY OF THE US JUSTIFICATION FOR THE PROGRAM -- THE MOST EXTENSIVE YET GIVEN SOVIET READERS -- AND A SUMMARY OF FAMILIAR SOVIET COUNTER-ARGUMENTS. IT THREATENS UNSPECIFIED SOVIET

COUNTERMEASURES TO SDI AND SAYS PROGRESS IN NUCLEAR ARMS CONTROL DEPENDS ON PREVENTING THE MILITARIZATION OF SPACE. END SUMMARY.

3. IZVESTIYA ALLEGES THAT THE US USES FOUR MAIN "INVENTIONS" TO JUSTIFY SDI:

- THAT IT WILL ENHANCE STRATEGIC STABILITY,
- THAT IT WILL MAKE NUCLEAR WEAPONS OBSOLETE,
- THAT THE PROGRAM IS MERELY RESEARCH, AND
- THAT THE SOVIET UNION HAS SIMILAR PROGRAMS.

DESTABILIZING EFFECT

4. FAR FROM INCREASING STABILITY, IZVESTIYA ARGUES, THE SDI IS DESTABILIZING. IT ALLEGEDLY UPSETS THE SYSTEM OF MUTUAL RESTRAINT IN STRATEGIC DEFENSES WHICH WAS CODIFIED IN THE ABM TREATY -- THE "CORNERSTONE" OF THE STRATEGIC ARMS CONTROL PROCESS. BOTH SIDES USED TO RECOGNIZE, ACCORDING TO THE ARTICLE, THAT UNDER CONDITIONS OF PARITY IN OFFENSIVE WEAPONS, THE EXPANSION OF STRATEGIC DEFENSES BY ONE SIDE "WOULD BE TANTAMOUNT TO ACQUIRING THE POTENTIAL FOR A PRE-EMPTIVE STRIKE." TO MAINTAIN PARITY, THE OTHER SIDE WOULD BE FORCED TO STRENGTHEN ITS STRATEGIC POTENTIAL, "EITHER BY DIRECTLY BUILDING UP ITS OFFENSIVE FORCES OR BY ADDITIONAL DEFENSIVE MEASURES." THE RESULT -- AN "UNRESTRAINED ARMS RACE."

SDI LINKED TO MODERNIZATION OF US OFFENSIVE ARMS

5. IZVESTIYA CLAIMS THAT, FAR FROM WANTING TO MAKE NUCLEAR WEAPONS OBSOLETE, "ALL ACTIONS OF THE US ADMINISTRATION DEMONSTRATE THAT IN FACT THEY INTEND EXACTLY THE REVERSE." THE ARTICLE POINTS TO US PLANS TO MODERNIZE US OFFENSIVE NUCLEAR WEAPONS AS PROOF. IT CLAIMS THAT "WASHINGTON" IS REALLY INTERESTED ONLY IN REDUCING SOVIET ICBM'S IN ORDER TO WEAKEN A SOVIET RETALIATORY ATTACK.

6. IZVESTIYA ALSO CLAIMS THE UNITED STATES IS NOT REALLY INTERESTED IN DEFENDING ITS EUROPEAN ALLIES WITH THE AID OF SDI. "IN THE USA, THEY OPENLY DISCUSS BT

DECLASSIFIED

Authority: *MS Walker*  
BY: *CH* NARA DATE: *2/28/18*

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GENEVA FOR USDC; STOCKHOLM ALSO FOR CDE;  
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E.O. 12356: DECL: OADR  
TAGS: PARM, SDI  
SUBJECT: IZVESTIYA ARTICLE ATTACKS SDI

THE BENEFITS OF DEPLOYING SPACE WEAPONS BECAUSE THAT  
WOULD ALLOW THE CONDUCT OF A NUCLEAR WAR PRECISELY  
OVER EUROPE AND NOT OVER THE USA."

7. THE ARTICLE CHARGES THAT THE EFFORT TO CREATE A  
"RELIABLE NUCLEAR SHIELD" IS NOTHING MORE THAN AN  
ATTEMPT TO CREATE THE POSSIBILITY OF CARRYING OUT A  
NUCLEAR ATTACK FROM UNDER THAT SHIELD AND AVOID A  
RETALIATORY STRIKE FROM THE USSR."

DANGEROUS RESEARCH

8. THERE IS "NOT A WORD OF TRUTH" IN US CLAIMS THAT

SDI IS MERELY A RESEARCH PROGRAM WHICH ACCORDS WITH  
US LEGAL OBLIGATIONS AND DOES NOT YET INVOLVE ANY  
THREAT OF ACTUAL DEPLOYMENT, ACCORDING TO IZVESTIYA.  
BILLIONS OF DOLLARS ARE NOT BEING SPENT "OUT OF LOVE  
FOR SCIENCE AND TECHNOLOGICAL DISCOVERIES." THE  
SOVIET UNION WILL NOT AWAIT THE RESULTS OF THE  
"RESEARCH," BUT WILL BE FORCED TO TAKE "THE NECESSARY  
MEASURES."

9. A COMPREHENSIVE BALLISTIC MISSILE DEFENSE WITH  
SPACE-BASED ELEMENTS IS IMPOSSIBLE WITHOUT THE "LIQUIDA-  
TION" OF THE ABM TREATY, IZVESTIYA WRITES. THE ARTICLE  
QUOTES BOTH SECRETARY WEINBERGER AND GENERAL ABRAHAMSON  
TO SHOW THAT US OFFICIALS RECOGNIZE THE INCOMPATIBILITY  
OF SUCH A SYSTEM WITH THE TREATY. IZVESTIYA CLAIMS  
THAT THE US ALSO WANTS TO "DERAIL" OTHER AGREEMENTS,  
SUCH AS THE LIMITED TEST BAN TREATY, THE OUTER SPACE  
TREATY AND THE ENVIRONMENTAL MODIFICATION CONVENTION.

10. IZVESTIYA CLAIMS "IT IS CLEAR" WHY THE UNITED  
STATES, ITSELF FOLLOWING A POLICY OF VIOLATING ITS  
INTERNATIONAL OBLIGATIONS, ACCUSES THE USSR OF  
VIOLATING THE ABM TREATY AND OTHER AGREEMENTS. THE  
ARTICLE MAKES NO MENTION OF SPECIFIC COMPLIANCE ISSUES,  
LIKE THE KRASNOYARSK RADAR.

11. ACCORDING TO IZVESTIYA, SDI IS LEADING TO A  
SITUATION WHICH THREATENS "THE ENTIRE INTERNATIONAL  
LEGAL SYSTEM" AND IN WHICH "IT WOULD BE IMPOSSIBLE  
TO ACHIEVE CONSTRUCTIVE AGREEMENTS ON THE LIMITATION  
AND REDUCTION OF ARMAMENTS."

NO COMPARABLE SOVIET PROGRAMS

12. IZVESTIYA FLATLY DENIES THAT THE SOVIET UNION  
HAS PLANS TO CREATE A TERRITORIAL BALLISTIC MISSILE  
DEFENSE. THE ARTICLE CLAIMS THAT THE "LIMITED"  
SOVIET ABM SYSTEM ACCORDS WITH THE ABM TREATY AND THAT  
THE SOVIET AIR DEFENSE SYSTEM "HAS NO CONNECTION  
WITH ANTI-MISSILE DEFENSE."

THREE MISCALCULATIONS

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HQ SPACE CMD FOR POLAD

E.O. 12356: DECL: OADR

TAGS: PARM, SDI

SUBJECT: IZVESTIYA ARTICLE ATTACKS SDI

13. SUMMING UP, IZVESTIYA SAYS THE US IS TRYING TO UPSET PARITY AND ACHIEVE STRATEGIC SUPERIORITY OVER THE SOVIET UNION. QUOTING A STATEMENT BY SECRETARY WEINBERGER ABOUT THE DANGEROUS CONSEQUENCES FOR THE UNITED STATES IF THE SOVIET UNION WERE TO ACHIEVE A TERRITORIAL BALLISTIC MISSILE DEFENSE FIRST, IZVESTIYA SAYS THAT US LEADERS NEVERTHELESS BELIEVE THAT SUCH A SYSTEM IN THE HANDS OF THE UNITED STATES ALONE WOULD PROMOTE "STABILITY."

14. THE US POSITION IS ALLEGEDLY BASED ON THREE MIS-CALCULATIONS:

-- POLITICALLY IT IS NEITHER "REALISTIC" NOR "RESPONSIBLE"

TO BASE A POLICY ON "CREATING NEVER AND NEVER WEAPONS, REJECTING PAST ARMS CONTROL AGREEMENTS, AND DIS-REGARDING THE SECURITY OF PEOPLES."

-- FROM A SCIENTIFIC-TECHNICAL VIEWPOINT, THE EFFORT TO CREATE AN "ABSOLUTE" BALLISTIC MISSILE DEFENSE IS FUTILE.

-- MILITARILY, SDI WILL ONLY UNLEASH A NEW, MORE THREATENING ROUND IN THE ARMS RACE. IZVESTIYA CALLS IT "A STEP TOWARD THE THRESHOLD OF NUCLEAR WAR."

UPCOMING NEGOTIATIONS

15. THAT ARTICLE CONCLUDES BY EMPHASIZING THE IMPORTANCE OF BANNING "SPACE STRIKE WEAPONS" IN THE UPCOMING ARMS CONTROL TALKS:

-- "...IT IS OBVIOUS THAT IT IS NOW IMPOSSIBLE TO SOLVE THE PROBLEM OF NUCLEAR WEAPONS SEPARATELY FROM THE PROHIBITION OF SPACE STRIKE WEAPONS."

-- "WITHOUT PRESERVING THE ABM TREATY, AND WITHOUT FORBIDDING THE MILITARIZATION OF SPACE, NEGOTIATIONS ON THE PROBLEM OF NUCLEAR WEAPONS WOULD BE DEVOID OF MEANING AND PROSPECTS."

COMMENT

16. THE ARTICLE PROVIDES THE SOVIET AUDIENCE WITH THE FULLEST EXPLANATION YET OF THE US RATIONALE FOR

SDI. AT THE SAME TIME, IT MAKES CHARACTERISTIC DISTORTIONS ABOUT THE US POSITION, SUCH AS THE CLAIM THAT SDI IS INTENDED TO PERMIT NUCLEAR AGGRESSION AGAINST THE USSR WITHOUT FEAR OF RETALIATION. IN SUM, THE ARTICLE IS THE MOST SOPHISTICATED REPACKAGING WE HAVE SEEN OF MOSCOW'S CASE AGAINST SDI. AS SUCH, IT IS LIKELY TO BECOME THE "BIBLE" OF SOVIET SPOKESMEN IN THE GROWING SOVIET PROPAGANDA CAMPAIGN AGAINST THE US SPACE ARMS CONTROL POSITION. HARTMAN  
BT

~~CONFIDENTIAL~~



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TO

MCFARLANE

FROM COBB

C1 4/24/18  
POC DATE 25 JAN 85 47

KEYWORDS BELGIUM

INF

BREMER, J

AM

SUBJECT MCFARLANE MTG W/ AMB BREMER

ACTION: FOR DECISION

DUE: 28 JAN 85 STATUS X FILES PA

FOR ACTION

FOR CONCURRENCE

FOR INFO

MCFARLANE

COMMENTS

REF#

LOG

NSC/FID

( CL )

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

C 29 JAN 1985

McFarlane approved

Cobb

DISPATCH

W/ATTCH FILE

(C) fi

National Security Council  
The White House

System #

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E

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1543

	SEQUENCE TO	HAS SEEN	DISPOSITION
Bob Pearson	1	P	
Bob Kimmitt	2	K	
John Poindexter	3		
Paul Thompson	4		
Wilma Hall	5	✓	
Bud McFarlane	6	m	A
Bob Kimmitt	7		
NSC Secretariat			N
Situation Room			

☒ Information   
 ☒ Action   
 R = Retain   
 D = Dispatch   
 N = No further Action

cc: VP Meese Baker Deaver Other

COMMENTS

Should be seen by:

1/28 1:30 pm  
(Date/Time)

Brewer Mtg

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