

-- A 40 million dollar ceiling on the purchase, lease or procurement of any product or service which involves research or exploration for fossil fuel energy resources.

-- No financial support for the purchase, lease or procurement of any product or service for production (including processing and distribution) of fossil fuel energy resources (the Church Amendment).

-- A 300 million dollar ceiling on aggregate financial support extended after the date of enactment of the Export-Import Bank Amendments of 1974, unless the President determines that a higher ceiling is in the national interest, and Congress adopts a concurrent resolution approving such determination. Under this procedure, restrictions may be waived on financial support for the research, exploration, and production of fossil fuel energy resources (the Stevenson Amendment).

Approximately 455 million dollars in Export-Import Bank financial support to the Soviet Union, extended before the Stevenson Amendment restrictions became effective, is being repaid.

Presently pending before Congress is a bill introduced by Senator Adlai Stevenson (D.-Ill.) to revise his original amendment and certain provisions of the Trade Act, and a similar Amendment by Rep. Les AuCoin (D.-Oreg.). Their bills would essentially substitute limitations imposed on credits to the Soviet Union with a two billion dollar limitation on bank loans to any non-market economy, would eliminate the other credit restrictions for the Soviet Union, and would revise Section 402's waiver provisions to empower the President to make his own determination without requiring formal assurances from the foreign government.

Other Trade Questions

General

In the context of the Multilateral Trade Negotiations in Geneva, the U.S. negotiated separate bilateral agreements with Romania, Hungary and Poland covering tariffs and non-tariff measures not dealt with in the multilateral context. These agreements will lead to the removal of several obstacles to trade. They will result not only in lower tariffs but also will address such non-tariff barriers as a lack of commercial and economic information and statistics, import quotas, exchange rates, and restrictions on hiring of personnel.

Export Controls

The United States, like all countries with an inherent interest in promoting exports, must consistently strive to maintain a proper balance between the need to increase exports

generally and to control those exports which might harm national security or foreign policy interests. The two concerns are often contradictory, and both the legislative and executive branches of the U.S. Government strive to periodically review and revise the laws and procedures governing U.S. export controls to ensure that they best meet the requirements of both these interests. Such a review is presently underway in the Congress, which is examining ways of reforming the legislation authorizing export controls for national security, foreign policy and short supply purposes.

Basic statutory authority for controlling the export of most products with both civilian and military applications from the United States is contained in the Export Administration Act of 1979, which recently replaced the Export Administration Act of 1969. Controls on all exports to communist countries were originally established in the Export Administration Act of 1949. The 1979 Act emphasizes the need to encourage trade. It also sets criteria by which exports may be controlled: to protect United States national security interests, to further U.S. foreign policy objectives and international responsibilities, and to protect the domestic economy from exports of scarce materials.

Responsibility for administering the Act has been delegated by the President to the Department of Commerce, with the support and consent of the Department of Defense (which evaluates the military applicability of proposed exports) and the Department of State (which reviews control for foreign policy purposes and coordinates multilateral export controls).

The great majority of U.S. manufactured exports -- 95 percent -- fall under a "general license" category which does not require a specific license application by the exporter. Only specified commodities to particular countries require so-called "validated licenses" which U.S. companies must obtain from the Commerce Department and which specify the type, quantity and destination of the export. The categories of goods which require these licenses and the countries to which these exports are restricted are published in a Commodity Control List. Such products include:

1. Civilian products "with significant potential military applications, whose use for military purposes...is judged to endanger U.S. security."
2. Thirty-eight high technology items which are not available elsewhere.

3. Goods relating to nuclear facilities and weapons, and crime control and detection equipment, that are controlled for foreign policy reasons. Procedures and criteria for control of nuclear items are contained in the Nuclear Non-Proliferation Act of 1978.

4. Short supply products, such as petroleum.

5. Recently, petroleum equipment has been controlled for foreign policy considerations.

In addition, technical data relating to the production of these items are subject to controls.

Government procedures for reviewing validated license applications, particularly to East bloc countries, are complex and involve several government agencies. The exporter submits his application to the Commerce Department's Office of Export Administration. There it is reviewed by the Operations Division, which numbers each application and the Licensing Division which decides whether applications should be sent to the Policy Planning Division. Policy Planning decides whether to issue final approval or to refer the application to individual agencies, to the Defense Department or to a multi-agency Operating Committee. The Operating Committee, composed of representatives from the Department of Commerce, Defense, State, Treasury, Energy, National Aeronautics and Space Administration, the National Security Council, the Arms Control and Disarmament Agency, and the CIA (as advisor), meets weekly to review license applications. All decisions must be approved unanimously. In the case of an impasse, the application is reviewed by a Deputy Assistant Secretary-level Advisory Committee on Export Policy. If that Committee fails to reach a unanimous decision, the decision is appealed to an Assistant Secretary-level Advisory Committee and then to a Cabinet-level Export Administration Review Board and finally to the President, if necessary.

In general, the principal criteria for reaching a decision on controlling a product have been: the nature of the export; its real or potential military uses, the end-user, its suitability for the proposed use and the risk of its being diverted for other purposes; the consequences of diversion should it occur; the advanced technology incorporated within the product; its availability within the country of destination or abroad; and the economic and commercial benefits of the transaction.

There have been, since Helsinki, a number of well-publicized decisions in the area of national security export controls, especially regarding computers and oil field equipment. In June of 1977, the U.S. Department of Commerce denied a license to a U.S. firm seeking to sell an advanced computer to the Soviet Union. Denial was based on potential military applications for the equipment. Also in July of 1978, after the trials of Helsinki monitors Shcharansky, Orlov and Ginzburg in the Soviet Union, another U.S. firm was denied a license to sell a computer to the

Soviet news agency TASS on the grounds that the computer had excess capacity which could be diverted to other uses. That decision has since been reversed. In August of 1978, the U.S. announced a new special control procedure governing sales to the USSR of items used for exploration or production of petroleum or natural gas. Under the new procedures, the U.S. exporter must obtain a validated license from the Commerce Department, but no such cases have yet been disapproved under the new regulations. In December of 1978, during the meeting of the joint U.S.-USSR Commission, then Commerce Secretary Juanita Kreps announced the approval of 22 deals for sales of oil field equipment to the Soviet Union valued at 65 million dollars.

While procedures are sometimes cumbersome due to efforts to make the best decisions regarding critical national questions, attempts have been made to expedite the process. Despite an ever-growing workload (65,000 validated license applications were received in 1978 compared to 54,000 in 1977; applications are being received at a current rate of 77,000 for 1979), the Commerce Department has been processing 75 percent of all applications in 10 days or less; 96.7 percent are being processed in 90 days or less. This is a significant improvement over last year's processing times, but still indicates that exporters had to wait over three months for decisions on several thousand applications.

The Commerce Department has also attempted to decrease the need for interagency review of certain cases and to institute administrative deadlines for case review. In 1978, for example, 7,823 cases out of 65,432 received, required an interagency review. Out of those interagency cases, 2,435 involved exports to countries of Eastern Europe and the Soviet Union, out of which only 374 required a full multiagency review by the Operating Committee. The Office of Export Administration has also been reorganized and its staff increased to enable a more rapid handling of license applications.

Congress has also attempted, in its periodic reviews of the Export Administration Act, to improve the decision-making procedures involved in U.S. export control policies by clarifying and limiting specific licensing criteria, by reducing licensing delays and by minimizing unilateral U.S. controls. The 1977 Amendments to the Act called for a limitation of export regulations and commodity control lists, for a periodic reassessment of export policies toward individual countries, and for a more expeditious handling of individual applications. The 1979 amendments to the Export Administration Act have recently passed the Senate and House (introduced by CSCE Commissioner Jonathan Bingham (D.-N.Y.)) Commissioner Bingham's bill is the first major reform of export control legislation in 10 years. It amends the Export Administration Act to (1) to make a clear distinction between foreign policy and national security

criteria; (2) reduce the number of categories requiring validated licenses by encouraging the periodic removal of goods as they become obsolete and by allowing one application for multiple exports; (3) improve the efficiency of the licensing process by setting time limits on an agency's decisions, by continuously reviewing items controlled for national security reasons, and by requiring greater consideration of foreign availability; and (4) strengthen coordination of controls with other countries.

The voluntary, multilateral export Control Coordinating Committee (COCOM) was formed in 1949 to coordinate the national export controls of strategic commodities from member countries -- in recognition of the fact that effective controls required the agreement of the major producing states. COCOM periodically reviews and updates an embargo list it maintains of items which are mutually agreed to be of strategic significance. Individual transactions of items on the embargoed list may be approved for export after rather lengthy consultations with, and the unanimous approval of, the other member states. The present list includes 149 items divided under three categories -- international, international atomic energy, and international military. All transactions are secret, and there are no multilateral enforcement mechanisms. Each country unilaterally decides whether to submit an export request for COCOM approval and what enforcement measures to take.

Market Disruption and Other Safeguards

U.S. trade with the Soviet Union and Eastern Europe has generally increased (with a small decline in 1977) without serious or abrupt fluctuations. The greatest variation has been in U.S. agricultural exports, particularly wheat and corn, which depend on the needs of the importing countries. In order to ensure stability in international grain markets, the U.S. and the USSR, in October of 1975, signed an agreement on the supply of grain and informal understandings have also been reached with Poland and the German Democratic Republic on the purchase of U.S. agricultural commodities.

Because most Eastern European countries and the Soviet Union maintain complex import licensing and foreign exchange allocation systems to regulate imports, it is unlikely that a surge in U.S. exports could be interpreted as leading to market disruption in those countries. For its part, the United States maintains laws to safeguard against market disruption, dumping, and foreign subsidies. These laws are in keeping with the spirit of the Helsinki Final Act and are within our General Agreements on Tariffs and Trade (GATT) obligations.

Four basic legal provisions govern the investigation of market disruption or injury complaints against imports from

non-market economies: the Anti-Dumping Act of 1921, the market disruption provisions and the escape clause provisions of the 1974 Trade Act, and the countervailing duty provisions of the 1930 Tariff Act. Except for the market disruption provisions of the Trade Act, these laws are non-discriminatory and may involve imports from any country. While the market disruption provisions apply only to Communist countries, they are generally consistent with the measures permitted under the GATT protocols.

(The following sections are taken primarily from analyses provided by the U.S. International Trade Commission):

Antidumping

The Antidumping Act of 1921, as amended, is intended to counter unfair foreign competition created by price discrimination. Whenever the Secretary of the Treasury determines that a class or kind of foreign merchandise is being imported into the United States at less than fair value, thereby injuring, threatening injury to, or preventing the establishment of, an industry in the United States, a special dumping duty, equal to the amount by which the imported merchandise is sold below "fair value," is levied and paid on all such imported merchandise. This is applicable to all countries.

Normally, sales at less than fair value are determined to exist if the price of goods exported to the United States is less than the price at which such or similar goods are sold in the exporting country for internal consumption. Where there are insufficient home market sales, fair value determinations are based on sales for export to countries other than the United States or sales outside the exporting country by facilities of a related company, as appropriate. If there is insufficient or inadequate information to determine fair value under one of the above methods, fair value is based on a "constructed value" of the products' costs, expenses and shipping fees, determined in accordance with Section 206 of the Act. Section 205(b) of the Act, added by the Trade Act of 1974, provides that sales in the home market at less than the cost of production are to be disregarded in determining foreign market value where such sales have been made over an extended period and in substantial quantities and are not at prices that permit recovery of all costs within a reasonable period of time in the normal course of trade. If there are insufficient home market sales above the cost of production, constructed value must be used.

Within six months after the initiation of an investigation (nine in complicated cases), a preliminary determination as to whether sales at less than fair value exist is made by the Secretary of the Treasury. If the determination is affirmative, appraisement of imports is withheld, and future shipments may

enter only under a bond sufficient to cover possible future dumping duties. The final determination is made within three months thereafter. If the final determination is affirmative, the case is forwarded to the U.S. International Trade Commission (USITC) for a determination of whether the imports at less than fair value are injuring, threatening injury to, or preventing the establishment of a U.S. industry. An affirmative determination of injury by the USITC is followed by a formal Dumping Finding, after which all imports covered by the Finding are subject to the assessment of duties to offset any dumping margins that exist on each entry of the merchandise following the date at which appraisal was withheld.

In April of 1978, the Treasury Department issued new regulations on the calculation of fair value of imports from state-controlled economies -- imports which cause particular problems because prices of goods in such economies are determined by the state and not by free market forces. In general, the determination of fair value will be made on the basis of the normal cost, expense and profit as reflected by either (1) prices at which such or similar merchandise of a non-state-controlled economy country or countries is sold either for home consumption or to other countries; or (2) the constructed value of such or similar merchandise in a non-state-controlled-economy country or countries.

Since Helsinki, several cases have been brought to the International Trade Commission charging that CMEA countries have been selling goods at less than fair value. Given the size of the trade, however, relatively few findings of injury have been made and only rarely have duties been assessed. Since 1970, only four antidumping cases were initiated against CMEA countries, and only one resulted in the final assessment of duties. On September 16, 1975, the USITC notified the Secretary of the Treasury that an industry in the United States was being injured by reason of imports from Poland of electric golf carts sold at less than fair value. As a result of that determination, special dumping duties were imposed by the Treasury Department.

On April 12, 1977, the International Trade Commission reported to the Secretary of the Treasury that no domestic industry was being or was likely to be injured by imports of clear sheet glass from Romania found by Treasury to be sold at less than fair value, and dumping duties were not imposed.

On August 7, 1978, the Department of the Treasury instituted an antidumping investigation with respect to standard household incandescent light bulbs from Hungary. Treasury, doubtful that an industry in the United States was being, or was likely to be, injured by the Hungarian imports, referred this question to the USITC, and on September 5, the Commission found that there was no reasonable indication of injury, or

likelihood thereof. Treasury thereupon terminated its investigation. An investigation was also instigated with respect to the dumping of carbon steel plate from Poland which resulted in a finding of no injury on June 18, 1979.

Market Disruption

The market disruption provisions (Section 406) of the Trade Act give the President authority to restrict imports from non-market economy countries if such imports cause or threaten to cause material injury to the U.S. domestic industry. The provisions apply only to communist countries and were included in the Act in order to provide an alternative means of dealing with the problem of applying existing safeguards, such as the Anti-Dumping Act, to the products of communist countries. Procedures and criteria used by the International Trade Commission to make a determination of market disruption with regard to imports from non-market economy countries parallel those used to determine domestic injury in escape clause cases by imports from both market and non-market economy countries.

Under Section 406 of the Act, in order to conclude the existence of market disruption, imports must be: (1) the products of a Communist country, (2) increasing rapidly, and (3) a significant cause of or threat of material injury to the industry. Similar provisions apply to all countries under the escape clause mechanism of the 1974 Trade Act. When determinations of market disruption are made, the President may take immediate actions to restrict imports or he may decide to take no action if he determines that such relief would not be in the national economic interest.

From 1976 to the present, two investigations with respect to two CMEA countries have been conducted under Section 406 of the Trade Act, neither of which has resulted in the limitation of imports.

On May 16, 1978, following the receipt of a petition for relief from clothespins imported from Poland and Romania, the International Trade Commission determined that these imports did not disrupt the market for clothespins produced by a domestic industry.

In July of 1979, U.S. ammonia producers filed a petition with the USITC for relief from Soviet ammonia imports, which increased rapidly in 1978 as a result of a compensation agreement between Occidental Petroleum and the Soviet Union.

The USITC has recommended that the President impose a three year quota on the importation of anhydrous ammonia. If accepted, the quota would limit imports to one million tons in 1980, 1.1 million tons in 1981 and 1.3 million in 1982.

In the sensitive area of textile imports, the U.S. has eliminated quantitative restrictions against Hungary and Czechoslovakia in return for commitments from each country to consult with the U.S. in the event of rapidly rising U.S. imports and possible market disruption.

Escape Clause

Section 201 of the Trade Act of 1974 ("escape-clause") provides a means whereby relief may be sought for the purposes of facilitating orderly adjustment to import competition. When petitioned, or on their own initiative, the Commission is required to determine whether an article is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article similar to or directly competitive with the imported article. This provision closely parallels the market disruption provisions of the Trade Act except that it applies to imports from all countries.

Countervailing Duty

Pursuant to Section 303 of the Tariff Act of 1930 ("Countervailing Duty Law") as amended, the International Trade Commission determines with respect to any duty-free article on which the Secretary of the Treasury has determined that a bounty or grant is being paid, whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of importation of such article. If an affirmative determination is made, duties, in the amount of the bounty or grant are assessed and collected except where the Secretary of the Treasury determines that adequate steps have been taken to reduce or eliminate the adverse effect of the bounty or grant, or that the imposition of an additional duty would not be in the national interest of the United States. In recent years there have been no countervailing duty investigations with respect to any of the non-market economy signatories to the Helsinki Final Act.

Conclusions

U.S. restrictions on granting the USSR and several other East European nations most-favored-nation treatment and an offering of U.S. Government credits under the conditions set forth by Section 402 of the 1974 Trade Act are, strictly speaking, not a violation of Basket II provisions. The Final Act states only that signatories should "recognize the beneficial effects" of granting MFN treatment, which the United States does by granting MFN to almost all the signatory states. Section 402 of the Trade Act was voted into law in 1974, before Helsinki, in an effort to encourage greater compliance by certain CMEA nations with key human rights and emigration

policies later embodied in Principle VII and Basket III of the Final Act. By doing so, U.S. law sets basic conditions for the extension of non-discriminatory trading status and government-backed credits -- conditions which, since Helsinki, both Hungary and Romania have met. As a result, bilateral trade agreements have been concluded with these nations, which have thereby received both MFN benefits and official government credits.

Some members of Congress and key Administration officials have recently been advocating the granting of MFN status to certain countries on the basis of improvements in emigration performance and oral assurances that these improvements will continue. In keeping with their international commitments and with the requirements of U.S. law, those signatory states which do not have a preferred trading status with the U.S. may move significantly closer to acquiring such preference by substantial compliance with the provisions of Principle VII and Basket III of the Final Act.

The United States, like any other nation, can and should exercise export controls over items that affect national security. Nothing in the Final Act suggests otherwise. However, the CSCE Commission suggests, to further our commitment to the trade promotion sections of the Final Act, that Congress continue to reexamine existing export control legislation with an eye toward reducing present controls and streamlining the procedures which govern these controls. Since only less than one-half of one percent of all export control applications received in 1978 were rejected, it becomes clear that too many items are subject to review. For example, curbs on exports of items which are found to be readily available elsewhere ought to be removed or reduced to an absolute minimum. In these cases we are, for no practical reason, inhibiting substantial export sales while giving the impression that the U.S. may be an unreliable supplier. The Commission also notes that our allies in COCOM, one or more of which would be the probable competition for these sales, are much less zealous than we in withholding their high technology products from Eastern markets for security reasons. The Commission generally believes that exports should be controlled only for important national security or foreign policy considerations and we should continue to deny export licenses to American products that are indeed unavailable elsewhere and critical to our national security.

The Congress also should continue to examine ways of streamlining the export control bureaucracy to ensure that such decisions are made as expeditiously and as predictably as possible. Long, indefinite waiting periods for export licenses harm present and future sales and make it more difficult for U.S. industries to compete with foreign firms.

The Commission urges the continued scrutiny, by Congress and the Administration, of U.S. export control laws and procedures to ensure that both national security and national commercial interests are met.

The Commission has noted previously that criticisms raised against U.S. anti-dumping laws, as they are applied to non-market economies and market disruption provisions do, in fact, create some difficulties for CMEA states attempting to increase exports to the U.S. The Final Act does, however, recognize the principle that trade should not be conducted in a manner which could cause injury to domestic markets. Under U.S. procedures, no imports from CMEA states have yet been limited under the Trade Act's market disruption provisions and in only one case have duties been assessed under U.S. antidumping laws. As Karen Taylor and Deborah Lamb from the Department of Commerce noted in a recent article: "In the U.S., in 1977 and the first six months of 1978, some 168 escape clauses, antidumping, countervailing duty, unfair trade practices and market disruption cases were under active investigation. Only 5 percent of these cases involved communist countries as contrasted to the fact that 56 percent of the cases involved industrialized countries and 39 percent involved developing countries."²⁷ In all cases, the Department of Treasury and the International Trade Commission give careful consideration to the evidence submitted by both sides and reconsider decisions in light of new evidence.

Business Contacts and Facilities

The text of the Final Act calls on the signatory states to take measures designed to promote the expansion of business contacts, especially between sellers and users, in order to improve the development of commercial and economic relations. Specifically, the 35 states agreed to take measures that would encourage firms to accelerate the conduct of business negotiations, that would improve vital information on domestic legislation and would facilitate the provision of permanent representation offices, hotel accommodations and residences, and necessary means of communication.

The United States, both privately and officially, has consistently supported the Basket II concept that improved business contacts and facilities are of vital importance to the development of trade between nations, particularly nations with differing social and economic systems. In the U.S. view, personal contacts between businessmen who negotiate contracts are the most effective means of ensuring successful trade

27. Karen Taylor and Deborah Lamb, "Communist Exports to the West in Import Sensitive Sectors," Issues in East-West Commercial Relations: Joint Economic Committee (GPO, Jan. 1979), p. 129.

relations. While some problems remain in U.S. compliance with these provisions, particularly in the granting of U.S. entry visas, significant progress has been made by the United States since the signing of the Final Act.

Business Contacts: Commercial Commissions

Because of their frequency, it is virtually impossible to report the exact number of trade contacts made between U.S. businessmen and their East European counterparts since the Conference on Security and Cooperation in Europe. There can be little doubt, however, that this largely unofficial and private network of trade contacts -- which, because of the free enterprise nature of the American economy, continues and expands primarily on the basis of private initiatives -- has increased since August of 1975 and has been one indication of the positive U.S. attitude toward East-West trade.

A further indication of that positive attitude in official U.S. policies may be found in the four joint Commercial Commissions which the United States has established with the USSR, Poland, Hungary and Romania. Three of these Commissions -- with the Soviet Union, Poland, and Romania -- were established as a result of summit meetings with the respective leaders in the early 70's and were viewed as a way of expanding trade by creating an institutionalized, governmental framework for resolving mutual economic problems. The U.S./Hungarian Economic Committee was formed as a result of the Trade Agreement signed in March of 1978 by the two countries to meet the same purposes as the other Commissions. The Commissions essentially set trade goals, facilitate commercial relations and open significant channels for the expansion of business contacts and industrial cooperation. They are chaired by senior officials on both sides, and include lower-level working groups operating in specific problem areas. Each Commission meets annually, alternating between Washington and the foreign capital, where discussions are held at the cabinet level.

The joint Commissions have been especially active in examining problems regarding the availability of business facilities and improved operating conditions in the CMEA nations. They also have been responsible for improvements in bilateral exchanges of commercial information. Foreign trade laws and regulations on both sides have been studied and explained, as have foreign investment conditions, tariff structures and domestic regulations and standards. The Commissions have, in addition, served as channels for relaying information on specific trade and investment opportunities. They have also considered questions of trade agreements, trade targets, trade promotion and industrial cooperation.

Highlights of the activities of the various joint Commissions since the signing of the Helsinki Final Act include:

U.S.-USSR Joint Commercial Commission

-- A seminar on the organizational and legal aspects of U.S.-USSR trade, initiated under the auspices of the Joint Commission, was held in Moscow in December of 1975. The U.S. side made presentations on export controls, tariffs and customs, market disruption, Food and Drug Administration requirements, financing regulations, laws governing foreign investments in the United States, U.S. commercial law, product liability and contract problems.

-- During the fourth quarter of 1975, the Commission's Working Group of Experts instituted an exchange of information on economic, industrial and trade trends in the United States and the USSR for the first half of that year.

-- The Sixth Session of the Commission was held in Washington in June of 1977. Prospects for greater use of medium and short term credit and possible cooperation in large-scale industrial projects in the USSR were reviewed. Members considered ways to facilitate the work of businessmen and agreed to conduct regular informal meetings in Washington D.C. and Moscow. In addition, the Commission's Working Group of Experts exchanged information on plans and projections for the U.S. and Soviet economies. Both sides agreed to continue to exchange economic, commercial and trade data, and to hold two seminars on trade-related subjects.

-- The Seventh Session of the Commission, co-chaired by then U.S. Treasury Secretary Michael Blumenthal and then U.S. Commerce Secretary Juanita Kreps, met in Moscow in December of 1978. Participants reviewed implementation of the long-term Agreement of 1974, which called for economic, industrial and technical cooperation between the United States and the USSR. They also considered possible U.S.-USSR cooperative projects and discussed problems of financing and business facilitation. The Working Group of Experts discussed further exchanges of economic information and continuation of seminars on economic cooperation. At the session, then Commerce Secretary Kreps announced the approval of 73 outstanding export license requests for oil and gas production equipment.

U.S.-Polish Joint Trade Commission

-- At the October of 1975 meeting, the Polish delegation submitted a specific list of projects offering the best opportunities for joint cooperation which was subsequently disseminated to the American business community.

-- The 1976 Commission discussions held in Washington D.C. identified areas of Polish industry deemed highly suitable for industrial cooperation.

-- Potential cooperation in third country projects was a feature of the 1978 Commission meeting. Joint bidding on power, food and wood processing projects was discussed. The American side subsequently publicized these opportunities for American business.

-- A Working Group on Industrial Cooperation was established by the Commission and it plans to meet in 1979.

-- At the conclusion of the Eighth Session of the Commission in Washington, then Commerce Secretary Kreps and Polish Vice Chairman Mieczyslaw Jagielski signed an agreement on the Participation of Small and Medium-sized Firms and Economic Organizations in Trade, Economic and Industrial Cooperation.

U.S.-Hungarian Economic Committee

-- The United States and Hungary established a Joint Economic and Commercial Commission which met for the first time in March of 1979. As in other such groups, the Commission is designed to provide a forum for the discussion of possibilities and problems in the future development of U.S.-Hungarian trade. U.S. Assistant Secretary of Commerce for Industry and Trade Frank Weil (and a member of the U.S. Helsinki Commission) and Deputy Minister of Foreign Trade Istvan Torok served as co-chairmen. Industrial cooperation, business facilitation, trade relations and agricultural trade were discussed, with the Hungarian side providing a list of areas for potential cooperation with U.S. firms.

U.S.-Romania Economic Commission

-- The Second and Third Sessions of the Joint Commission (November of 1975, November of 1976) set and reaffirmed specific trade targets for bilateral trade.

-- The 1976 Session also reviewed a study of Romanian joint venture regulations and their practical applications for interested businesses.

-- The 1979 meeting of the Joint Commission, attended by then Secretary of Commerce Kreps, explored questions of trade, industrial cooperation and business facilitation at plenary and special working group sessions. Four contracts and agreements between U.S. and Romanian firms were signed at the session totaling 35 million dollars worth of business.

Business Contacts: Trade and Economic Councils

In addition to the four joint governmental Commissions, seven private bilateral trade and economic councils have been established to assist in problems of trade development between the U.S. and the CMEA nations. These councils, which on the U.S. side are made up of leading businessmen, actively seek to improve commercial relations and contacts between the U.S. business community and that of the CMEA states. They carry

out a broad range of activities to meet these goals, including: annual meetings of all members; smaller meetings and symposia on individual topics or specific problem areas; guidance and logistical support for individual businessmen; advice on doing business in each other's countries; assisting in contracts, negotiations and disputes settlement; supplying economic data and information on regulations and procedures; developing lists of common commercial terminology; identifying trade opportunities; researching trade-related issues; participating in exhibitions and fairs; and liaison services with the respective governments.

Edward T. Wilson and Donald J. Hasfurther of the U.S. Chamber of Commerce remarked in an article on the councils:

"The councils are...demonstrable evidence that American business, despite other pressures and conflicting worldwide commitments, is actively interested in maintaining the dialogue with Eastern Europe -- that it wants to pursue not just specific deals but an improvement in the entire framework of commercial relations with economic systems radically different from our own."²⁸

Trade and economic councils are presently in effect between the U.S. and the USSR, Czechoslovakia, Hungary, the German Democratic Republic, Poland, Bulgaria and Romania. All councils, except those with the USSR and the GDR, operate under the administrative aegis of the U.S. Chamber of Commerce, but retain autonomy in questions of policy. U.S. government agencies, principally the Department of Commerce, advise and assist the councils on request. They provide speakers for meetings, informational materials and an Honorary Director, the Secretary of Treasury for the U.S.-USSR Council. They do not, however, seek to set council policy or influence council operations. The councils, in turn, supply advice on East/West trade policy questions to both the executive and legislative branches of government.

Major undertakings and accomplishments of these councils since the signing of the Helsinki Final Act include:

U.S.-USSR Trade and Economic Council

(Established in 1973 to facilitate expansion of U.S.-USSR trade. Membership includes 250 U.S. companies and 114 Soviet organizations. U.S. Secretary of the Treasury is an honorary director).

28. Edward T. Wilson and Donald J. Hasfurther, "Bilateral Business Councils with East European Countries," East European Economies Post-Helsinki: Joint Economic Committee (GPO, Aug. 1977), p. 1346.

-- At the 1976 Annual Directors Meeting, council committee members discussed new forms of economic cooperation, sale of Soviet licenses, means of promoting tourism and expansion of financing for bilateral trade. Seminars were also held on scientific and technological subjects.

-- The Council's meeting of directors and members in Los Angeles in November of 1977 reviewed questions of trade opportunities, new forms of economic cooperation, financial aspects of U.S.-USSR trade, legal problems and the development of scientific and technological cooperation.

-- At the Council's 1978 annual Executive Committee meeting in New York, the committee discussed the future work of the Council in actively promoting Soviet-American business cooperation and developing trade and economic relations.

-- The Council held its sixth annual meeting of directors and members in Moscow in December of 1978 which Treasury Secretary Blumenthal attended. Council participants discussed technological cooperation between U.S. and Soviet organizations, financing of U.S.-USSR trade, problems of smaller U.S. companies in trading with the Soviet Union and proposed major projects involving cooperation between U.S. and Soviet organizations.

-- The Council has established offices in New York and Moscow offering a wide range of business facilitation services to its members. Services include counseling businessmen, scheduling appointments, arranging seminars, and assisting with special events and delegation visits.

Czechoslovakia-U.S. Economic Council

(Created on October 17, 1975, by an agreement between presidents of the U.S. and Czechoslovak Chambers of Commerce).

-- The first council meeting took place in Prague in mid-1976 and reviewed ways of resolving outstanding legal and structural issues restricting bilateral trade.

-- In April of 1979, a council-sponsored seminar, "Trade and Industrial Cooperation with Czechoslovakia," was held in Boston. The meeting, attended by leading Czechoslovak bankers and foreign trade officials, was designed to acquaint American business with cooperative and trade opportunities in Czechoslovakia. A meeting of the Council's Working Group on Industrial Cooperation was held following the seminar.

U.S.-Hungarian Economic Council

(Established by an agreement between the two chambers on March 14, 1975).

-- The first two council meetings focused on possibilities for industrial and technical cooperation and on procedures for improving bilateral commercial communications.

-- The Department of Commerce and the U.S. Section of the Hungarian-U.S. Economic Council assisted the Hungarian Chamber of Commerce in organizing a series of promotional seminars in November of 1977. The seminars, titled "Hungary, 1978 - Expanding Trade and Cooperative Ventures," took place in Washington, Chicago, San Francisco and New York and featured leading Hungarian government officials, bankers and business leaders. Trade opportunities with Hungary were discussed. The Commerce Department's Bureau of East-West Trade and District Offices assisted in the planning, scheduling and execution of the events.

-- In October of 1978, a council seminar titled "Trading and Investing in Hungary: Opportunities Under MFN," was held in Chicago. The seminar publicized trade and investment opportunities in Hungary in light of the mutual extension of most-favored-nation tariff treatment.

U.S.-GDR Economic Council

(A 15-member Council created in June of 1977).

-- In May of 1978, the Council aided the GDR in staging the first GDR Economic Technological Congress, which was presented in New York, Chicago and Los Angeles. Economic, scientific and technological progress in the GDR and its relation to U.S.-GDR trade prospects were discussed. Presentations on various key high technology industries in the German Democratic Republic were also featured.

U.S.-Polish Economic Council

-- A May of 1976 workshop titled "Doing Business with Poland," provided 83 American firms with information from Polish authorities and East-West traders.

-- Another seminar was held in Chicago during April of 1979, co-sponsored by the U.S.-Polish Council and the Illinois State Chamber of Commerce.

U.S.-Bulgarian Economic Council

(Created by the two Chambers of Commerce on September 24, 1974).

-- The Council has held annual meetings, the last of which took place on March 5, 1979. A delegation of 16 U.S. businessmen visited Bulgaria this year under the aegis of the council and held productive meetings with Bulgarian Chief of State Zhivkov and Minister of Foreign Trade Christov.

Romania-U.S. Economic Council

(Created on December 4, 1973 by the two Chambers of Commerce).

-- Council meetings have been held annually since the first session in 1974. The bilateral Council has been able to play a central role in securing Congressional approval of the U.S.-Romanian Trade Agreement in July of 1975 and in the growth in U.S.-Romanian trade that has followed.

-- In December of 1976, the Council co-sponsored a workshop on U.S.-Romanian trade and on the problems that have arisen in the course of that trade.

Yet another indication of the U.S. business community's active interest in furthering business contacts with their counterparts in the CMEA nations is the community's effective participation in the work of the International Chamber of Commerce's (ICC) East-West Liaison Committee. The Committee is a unique multilateral forum which allows non-governmental business circles from the industrialized market and non-market economy states to meet regularly and discuss mutual problems in their trading relations. The Committee has been discussing issues such as financing, marketing, trade facilitation and industrial cooperation in East-West trade and is currently seeking ways to facilitate ICC arbitration of disputes involving firms in member states.

Trade Promotion

Since the signing of the Helsinki Final Act, the U.S. Government has been carrying out an active program of official trade promotional events ranging in scope from major commercial exhibitions, technical sales seminars, catalogue shows and seminar exhibits.

The U.S. Department of Commerce, since August of 1975, has sponsored official American participation in 36 major commercial exhibitions in every CMEA country -- many in traditional East European marketplaces such as Poznan, Plovdiv, Brno and Leipzig. Still other events were staged in Moscow, Bucharest and Budapest. These exhibits brought over 600 U.S. exhibitors to Eastern Europe, many of them for the first time. Show themes were technical and provided opportunities for new and significant contacts and exchanges of information in their respective areas.

Official American commercial events in Eastern Europe and the USSR since Helsinki have included the organization of 36 technical sales seminars, covering each country of the region. Here again, the emphasis has been on high-technology products and the promotion of commercial and technically oriented con-

tacts between U.S. and East European industry officials. Official trade promotion efforts during the post-Helsinki period have also included 13 exhibits of American industrial and scientific catalogues. They were presented as a way of acquainting Soviet and East European ministries, purchasing organizations and enterprises with U.S. products and technology.²⁹

In addition, the U.S. Government continues to operate a U.S. Commercial Office in Moscow, a Trade Development Center in Warsaw and a Business Facilitation Center in Prague to provide businessmen with on-the-spot information and assistance, technical support services, liaison assistance with government officials and facilities for staging small sales presentations. Since 1975, 33 seminar/exhibits have been held in the Commercial Office in Moscow, while nearly one hundred firms have presented their products at the Warsaw Trade Development Center. U.S. trade promotion events in Eastern Europe were attended by approximately 2,650 American firms during the period under discussion.

Additionally, as part of its domestic activities, the U.S. Department of Commerce has organized an Advisory Committee on East-West Trade, composed of leading members of the business and academic communities. It meets quarterly to advise the Commerce Department on ways to facilitate the expansion and promotion of East-West trade.

Visa Issuance

While no provision in this Basket II section speaks specifically to the question of entry visa issuance, the question does naturally arise in the "spirit" of promoting individual contacts among businessmen. Criticisms have been raised regarding U.S. visa laws and procedures which, it is alleged, discriminate against businessmen from the CMEA nations -- making it more difficult and time-consuming for them to obtain U.S. entry visas and thus impairing conditions for the expansion of individual contacts and the development of trade. Specifically, in addition to broader U.S. visa restrictions on the entry of Communist Party members, Basket II-related complaints have focused on U.S. Final Act non-compliance in refusing visas to several businessmen from CMEA countries on national security grounds and in the lengthy delays many Eastern businessmen have experienced in obtaining entry visas. (See Basket III section on U.S. visa policies for more detailed discussion of the problem).

29. See Appendix IV, Chart 3 for a one year summary example of these various events.

In fact, several businessmen from the CMEA states -- who had previously entered the U.S. on numerous occasions -- have been denied visas on national security grounds over the past year primarily as a result of new stricter U.S. procedures recently established to review such cases. There also have been, in some instances, lengthy delays in reaching decisions on particularly difficult cases.

All countries, of course, maintain the right to refuse entry permission to individuals whose presence may damage national security interests. The occasional delays some businessmen experience may be attributed to the fact that the procedures are still new and to the fact that prudent decisions must be carefully considered. For the large majority of Eastern businessmen, U.S. visas are granted promptly and with few or no difficulties. The United States has attempted to ease that process by proposing the extension of multiple entry visas to resident businessmen from the CMEA states on a reciprocal basis (agreements have already been signed with the Soviet Union and Romania in 1977 and the GDR in 1978). The U.S. also has proposed the reciprocal abolition of restricted travel areas.

Nevertheless, for those few who must wait months for a response to their visa request or who are suddenly denied a visa when they had had no prior difficulties, U.S. visa policies may appear to delay the flow of trade and the expansion of business contacts. Under existing legislation regarding those policies, however, economic or foreign policy concerns may not be considered in making decisions on visa applicants who may pose a national security risk. The Commission therefore recommends that the appropriate bodies in Congress re-examine the relevant legal provisions (Sections 212(a) (27) and (29) of the Immigration and Nationality Act) and amend the law to allow for consideration of other criteria in decisions rendered under those provisions. The Commission also recommends that the relevant government agencies work to streamline present procedures to ensure that visa requests from applicants who may fall under Sections 27 or 29 are processed as expeditiously as possible and that applicants are informed as soon as possible of the status of their cases. (See Basket III visa section for more detailed discussion of recommendations).

Business Facilities and Working Conditions

Few, if any, other signatories of the Helsinki accords offer comparable opportunities for the favorable working conditions and facilities called for in Basket II of the Final Act. The same laws apply to firms from any foreign nation wishing to establish representation offices in the United States. Over 20 Soviet and East European-owned companies currently operate in the United States, most of them out of New York City.

Since the signing of the Final Act, the United States has acted favorably on several requests by East European commercial organizations to expand and facilitate their operations in the U.S., both in terms of personnel and scope of activity. For example, the U.S. has allowed the foreign partners of Soviet-U.S. contracting or joint venture firms, such as Belarus Machinery and the U.S.-USSR Marine Resources Company, to reside and work in the United States. The U.S. has also granted 20 other Soviet requests for long term commercial visitors. In addition, the Soviet Union was recently invited to establish a representative banking office in New York to improve mutual banking and commercial interests.

The U.S. Government has also granted approval to Hungary to establish a branch office of its New York Commercial Office in Chicago, and to open an office of the Hungarian National Bank in New York, to the GDR foreign trade organization WMW Export-Import to open a commercial office in New York, and to Bulgaria to establish a branch of its commercial office in San Francisco. Approval was given for the Romanian Bank of Foreign Trade to establish an office in New York this year. Romania also plans to apply for permission to open commercial offices in Atlanta and Houston. To date, 10 offices outside Washington have been established to promote Eastern commercial interests in the United States. In addition, because there is no tax discrimination to impede their activities, these firms and offices face the same tax laws as any other foreign office or firm. Similarly, there are no restrictions on use of telex or other normal business communication practices by these firms. As in the case of other countries, few restrictions or limits are placed on rental or purchase of office or dwelling space by these firms.

In addition to commercial offices, the United States has assented to the establishment of a number of official trade and tourist promotion offices representing the various CMEA states. Both governmental and non-governmental offices must comply with all U.S. laws and regulations, such as the Foreign Agents Registration Act. These laws are applied on a non-discriminatory basis, as are applicable state and local laws.

Economic and Commercial Information

Basket II commits the Final Act signatories to "promote the publication and dissemination of economic and commercial information at regular intervals and as quickly as possible" in order to contribute to "the continuing flow of trade and better utilization of commercial possibilities." Specifically noted in this section is the need for the dissemination of data on the national economy (production, national income, budget,

consumption and productivity); foreign trade statistics and laws; information on national economic plans and forecasts; and foreign trade organizational data.

The availability of relevant, detailed and widespread economic and commercial information has always been considered by the U.S. as a cornerstone for the long-term, stable and mutually beneficial development of East-West trade. U.S. firms are accustomed to operating on the basis of easily accessible information detailing all aspects of a proposed transaction. The frequent dearth of such information in many of the signatory countries has been a problem of increasing concern to U.S. businessmen and the U.S. Government, especially since some countries, in particular the Soviet Union, have significantly reduced their output of economic data in recent months.

To help fill that information gap, the U.S. Commerce Department's Bureau of East-West Trade publishes numerous pamphlets and monthlies to assist U.S. businessmen in their Eastern transactions. The Bureau disseminates monthly trade statistics, semi-annual analyses, market surveys and annual reports on East-West trade, as well as special reports on specific topics of mutual interest. These include, since the signing of the Helsinki Final Act: country background reports, selected market surveys, analytical studies, monthly summaries of "U.S. Trade Status with Communist Countries," 13 guides in the "Overseas Business Reports" series on specific countries and on trading in the CMEA countries, a regular flow of economic trends reports intended to inform American business of commercial conditions and opportunities in these countries, and periodic publications such as "The Helsinki Final Act - A Guide for the U.S. Business Community," "Foreign Trade Organizations in the USSR" and "U.S.-USSR Trade: Selected List of Sources."

The U.S. East-West Foreign Trade Board, created as a result of the 1974 Trade Act, also publishes a quarterly report on the status of U.S. trade with non-market economies, as does the International Trade Commission in its "Report to the Congress and the East-West Foreign Trade Board on Trade Between the U.S. and Non-Market Economy Countries."

In addition, the U.S. Government publishes a vast quantity of information regarding the U.S. economy,³⁰ foreign trade statistics and foreign trade regulations.

Basic sources for statistical information on the U.S. economy are available to those living in the United States, as well as to foreigners, and include:

30. See Appendix V for examples of types of publications issued by one agency, the Department of the Treasury.

-- Survey of Current Business, published monthly by the U.S. Department of Commerce's Bureau of Economic Analysis. The Survey contains approximately 2,500 statistical series on all aspects of the U.S. economy.

-- Business Statistics, published by the U.S. Department of Commerce's Bureau of Economic Analysis. This source contains detailed notes on the statistical series found in the Survey of Current Business.

-- 1972 Census of Manufacturers, Annual Survey of Manufacturing, Current Industrial Reports, all published by the U.S. Department of Commerce's Bureau of Census.

-- U.S. Industrial Outlook for 1979, published annually by the U.S. Department of Commerce's Industry and Trade Administration. It analyzes trends in production in over 200 U.S. industries.

-- Foreign Trade of the U.S. series, published by the U.S. Department of Commerce's Census Bureau.

-- Business Conditions Digest, a monthly issue of economic indexes most useful to business forecasters and analysts.

-- Federal Reserve Bulletin, a monthly publication of the Federal Reserve System which gives monthly information on U.S. finances and capital markets.

-- Bureau of the Census Catalog, published by the U.S. Department of Commerce.

In the area of foreign trade data, the United States provides extensive trade statistics in nomenclatures which are convertible into many other classification schemes, including the Standard International Trade Classification (SITC). Monthly data to the seven digit level on exports and imports by commodity and country are published by the Census Bureau as series FT 410 and FT 135 respectively. Detailed annual data are available in seven different publications.

U.S. foreign trade regulations are published by a variety of sources and are all publicly available; they are not, however, collected in one central publication. The sources include: the Federal Register; administrative guidelines published by federal, state and local governments; trade and professional journals; Tariff Schedule of the United States Annotated; U.S. Food and Drug Administration; National Bureau of Standards; U.S. Department of Agriculture; Internal Revenue Service; Office of Export Administration; Customs Bureau; U.S. Patent Office; and the Securities and Exchange Commission. All sources are widely available, and many are on hand at U.S. commercial libraries throughout East and West Europe.

A great deal of economic information is also gathered and distributed through the bilateral joint commercial commissions and economic councils.

The United States has pursued its goal of improving the flow of commercial information in multilateral forums as well, particularly through its efforts within the United Nation's Economic Commission for Europe (ECE). In 1977, the U.S. developed and provided the ECE Trade Committee with a comprehensive list of data needed to improve conditions for East-West trade development -- an ECE project which the U.S. initially proposed. The U.S. submission included an illustrative list of sources of U.S. statistical information on production, national income, budget, consumption, productivity, agriculture and finance, as well as foreign trade. An addendum to the ECE document provided an organizational chart of the U.S. Department of Commerce, outlining the structure of the bureaus responsible for East-West and West-West trade, and a list of widely available trade directories.

Also within the framework of the ECE, U.S. delegates to the Senior Economic Advisors and the Committee on the Development of Trade have participated in seminars designed to develop long-term forecasts for the economic growth of the ECE region in general, and specifically, long-term trade aspects of the region's development.

The U.S. has supported the ECE's mandated study of possibilities for establishing a multilateral system of notification of foreign trade laws and regulations (MUNOSYST). Unfortunately, lack of an effective definition of "laws and regulations" affecting trade has kept the U.S. from participating directly in the trial runs. The U.S. has, however, actively participated in the Conferences of European Statisticians for more than two decades, and in March of 1977, the U.S. hosted a seminar for the Chief Statisticians of the ECE member countries on statistics of the coming decade. The U.S. has strongly supported the work of the Conference, as well as the OECD and the GATT, on harmonization of statistical nomenclature and development of national statistics in important fields.

Marketing

The importance of "adapting production to the requirements of foreign markets" is highlighted in this Basket II section by calling on the signatories to encourage trade promotion efforts in the areas of marketing techniques and knowledge. Market research and advertising, establishment of a spare parts

and supply network, after sales services and the training of technical personnel are cited among the specific areas where trade promotion efforts could be improved. Encouragement of multilateral cooperation in trade promotion, including marketing, is also specified, particularly within the ECE.

Implementation of this section is closely tied to the previous two sections, since solid knowledge of a particular market requires solid information about, and good contacts in, that market. The U.S. Government, through the Bureau of East-West Trade (BEWT), has been actively involved, since the signing of the Final Act, in organizing marketing seminars, promotional events and facilitative services to acquaint U.S. businessmen with the Eastern market and Eastern businessmen with the U.S. market.

Within the period under discussion, the Bureau of East-West Trade sponsored 14 outreach seminars in various American cities to inform U.S. companies, mainly exporters, of trade opportunities, markets and business practices in Eastern Europe. There has also been a measure of official assistance for promotional events staged by East European governments in the United States, such as "Hungary 1978" and the GDR Economic-Technological Congress.

Additionally, the U.S.-USSR Joint Commercial Commission in 1977 and 1978 sponsored two seminars on marketing in the United States and the Soviet Union respectively. The 1977 seminar, "How to Market in the USSR," was held in Washington and Chicago and was attended by approximately 250 American businessmen. The "How to Market in the United States" seminar held in Moscow during May of 1978 reviewed advertising, market research, U.S. import laws and regulations and other topics of interest to Soviet exporters. The other joint Commissions and Councils have, as well, sponsored numerous workshops and seminars relating to questions of marketing research and techniques.

BEWT also provides extensive facilitative services for U.S. businessmen who need advice or information on the markets of the CMEA states and for visiting Eastern trade mission delegations who need to arrange appointments with U.S. buyers and sellers.

Moreover, the U.S. has been very supportive of multilateral ECE projects to improve marketing knowledge. The ECE sponsors annual seminars aimed at increasing East-West trade by improving marketing knowledge, and the U.S. has been an active participant in these activities. Five such seminars have been held to promote better marketing arrangements, closer business contacts, broader business representation and a more extensive exchange of trading information. U.S. participants at the most recent seminar, held in April of 1979 in Poznan, Poland, on

methods and techniques of market entry for industrial products, presented a paper on "Advertising as a Technique to Introduce New Products into the United States."

INDUSTRIAL COOPERATION AND PROJECTS OF COMMON INTEREST

The Final Act explicitly encourages the participating CSCE states to facilitate and further all forms of industrial cooperation arrangements, as they are deemed instrumental in strengthening economic cooperation, expanding international trade and contributing to economic growth. Such encouragement should include: the conclusion of bilateral and multilateral agreements; the provision of necessary information, such as full project details, economic plans and technical-economic data; and the improvement of conditions for and contacts among partners in industrial cooperation projects. The facilitation of a special subset of arrangements, "projects of common interest," is specifically noted in the areas of energy and transportation.

Industrial Cooperation

While the U.S. Government has generally supported long-term industrial cooperation and viewed it as a useful means of expanding trade, it has also stressed that industrial cooperation must have a valid economic/commercial basis and must be treated as only one of several types of economic interchange.

Although the United States, because of its economic/legal system and business/government relationship, cannot commit its firms to undertake specific industrial cooperation arrangements, considerable progress has been made in compliance with those portions of the Final Act which call for encouraging East-West industrial cooperation projects. Recognizing the essentially private nature of industrial cooperation arrangements and bearing in mind that such transactions must be commercially justifiable, the U.S. Government has, since Helsinki, taken a number of steps to make American firms more aware of business cooperation opportunities in the CMEA nations. These have included: concluding intergovernmental agreements, assisting the joint commissions and councils, and publishing business guides. Over the past few years, more than 30 industrial cooperation arrangements have been negotiated between American companies and their CMEA partners.³¹

Detailed below are a sampling of the programs the U.S. Government has undertaken to create a positive framework for these investments and to provide assistance for businessmen contemplating industrial cooperation arrangements in the CMEA states:

31. A table describing a representative sampling of these arrangements is in Appendix VI, Chart 1.

Intergovernmental Agreements

The U.S. has concluded several bilateral agreements designed to facilitate and encourage industrial cooperation.

In November of 1976 the U.S. and Romanian governments signed a 10-year, Long-Term Agreement on Economic, Industrial and Technical Cooperation. This Agreement provides an extended framework for developing economic and industrial cooperation activities. It formalizes and sets forth the rules of the game for the U.S. business community and provides protection against both expropriation and impairment of contractual rights. An annex to the Agreement is designed to facilitate the establishment of U.S.-Romanian joint ventures and other forms of business cooperation.

The U.S. also signed a Small Business Agreement in November of 1978 with Poland which provides the framework for addressing problems experienced by small and medium sized companies wishing to engage in bilateral trade. This Agreement, which was signed at a meeting of the joint American-Polish Trade Commission, is specifically designed to promote and ease cooperation between small and medium sized firms in both countries.

The U.S.-Hungarian Trade Agreement of 1978, in addition to extending most-favored-nation treatment to Hungary, contains features which improve business and other conditions for U.S. firms cooperating with Hungarian enterprises.

A significant forum for the expansion of industrial cooperation between the U.S. and Soviet Union was provided by the U.S.-USSR Long-Term Agreement for Economic, Industrial and Technical Cooperation signed in June of 1974. Since Helsinki, annual meetings of experts have been held to exchange economic data and forecasts in areas which have included industry, foreign trade, and agriculture. In addition, specialized seminars have examined specific aspects of U.S.-Soviet economic cooperation. In December of 1975, the "Joint Seminar on the Organizational and Legal Aspects of U.S.-USSR Trade" was held under Article III of the Long Term Agreement. Both delegations presented and analyzed industrial cooperation, credit and finance, and other questions related to common ventures. In 1977 and again in 1978, two seminars on marketing in the U.S. and the USSR were held under the aegis of the Long-Term Agreement.

The U.S. has also concluded, since Helsinki, double taxation treaties with Hungary and Poland. These agreements are generally considered to have improved the investment climate for prospective U.S. partners in industrial cooperation arrangements.

Commission and Councils

The official joint commissions between the U.S. and four East European nations have also been instrumental in promoting conditions for industrial cooperation, primarily by serving as a clearinghouse for information on industrial cooperation projects. The Soviet and Polish Commissions, for example, have prepared specific lists of potentially fruitful sectors for industrial cooperation projects which the U.S. Department of Commerce received and subsequently publicized and disseminated among the American business community. The U.S.-Polish Commission has discussed possible cooperation in third countries and has established a special working group on industrial cooperation. The Commissions have also provided a forum for detailed discussions of projects already negotiated (U.S.-USSR) and of regulations and conditions for joint ventures in respective countries (U.S.-Romania). Government-to-government arrangements which facilitate cooperation have been another important item on the agenda of most of the Commissions.

The quasi-official business councils have played an added role in furthering the goal of increased industrial cooperation. Discussions of extended cooperation efforts have, in various ways, become a regular feature of the U.S.-USSR Council session. Seminars on industrial cooperation prospects in Czechoslovakia, Poland and Hungary have been organized within the framework of the Councils and the Czechoslovakia-U.S. Economic Council has formed a working group on industrial cooperation.

U.S. Government Publications

The U.S. Department of Commerce, since the signing of the Final Act, has published several studies concerning East-West industrial cooperation, including:

- "Joint Venture Agreements in Romania," a 97-page comprehensive study and practical guide for American businessmen contemplating joint ventures with Romanian enterprises.
- "American-Soviet Trade," an 118-page compendium of the presentation made at the "Joint Seminar on Organizational and Legal Aspects of U.S.-USSR Trade."
- "East-West Counter-trade Practices," a general guide for U.S. businessmen considering counter-trade arrangements in Eastern Europe.
- "East-West Trade Financing," a 25-page introductory guide.
- "Working On-site in Eastern Europe and the Soviet Union," a 29-page guide for those companies planning to send resident businessmen to the USSR and Eastern Europe.

Within the multilateral ECE forum, U.S. participants have encouraged the various studies the ECE Secretariat has

undertaken concerning the "Promotion of Trade Through Industrial Cooperation." At a recent ECE Trade Committee meeting, the U.S. delegate proposed a further large-scale study, presently being written, of current counter-trade policies and practices in ECE member states.

Projects of Common Interest

Although some projects of common interest to the United States and the Eastern countries are progressing in various stages of implementation or negotiation, activity in these areas since August of 1975 appears to be on a downward trend.

The past four years have not seen economic conditions in either the Eastern countries or the U.S. which have been particularly favorable for undertaking such projects. Political factors have also affected both the trading atmosphere and the possibilities for increased government-backed credits. The U.S. Government has continued, however, to support existing cooperation projects and to lend assistance to U.S. companies where appropriate and useful.

Specific Projects

As the Final Act suggests, most of the projects of common interest concluded between U.S. firms and the CMEA signatory states have been in the areas of energy resources and transportation. As some examples of these projects, A.I.L., a subsidiary of Cutler-Hammer, is installing a complete air traffic control system covering the three major cities in Bulgaria and has provided a smaller one for the Prague area in Czechoslovakia.

Island Creek Coal Company, a subsidiary of Occidental Petroleum Corporation, has concluded a long-term purchase agreement with the government of Romania for the supply of up to 27.3 million tons of high-grade metallurgical coal over the next 40 years. The coal, which will be supplied to the Romanians by Island Creek from a mine now under development in western Virginia, is valued at 840 million dollars and will be used to supply Romania's expanding steel industry. First deliveries are expected at the end of 1979. The new mine's total output is estimated at between 43 and 50 million tons, 14 million tons of which the Romanians are buying at cost and on which Romania is making an advance payment of 5.3 million dollars. The Romanians also have an option to buy an additional 13.3 million tons, with the remainder of the coal to be sold by Island Creek.

American firms have discussed a number of major projects of common interest with the Soviet Union. Only two major compensation projects, however, are in progress at the present time and both of these pre-date Helsinki: Occidental Petroleum

fertilizer agreement under which two-way shipments of fertilizers would begin shortly and the Yakutsk liquefied natural gas project for which reserves are currently being confirmed in the USSR.

In 1973, Occidental Petroleum Corporation and the Soviet Union signed a general agreement which provided for the establishment of a complex in the USSR for production of ammonia and urea. The agreement also called for long-term purchases by Occidental of Soviet ammonia, urea and potash, and for long-term exports by Occidental to the USSR of superphosphoric acid. A 180 million dollar Eximbank loan was obtained in support of the sale of the two ammonia plants, which were constructed in the USSR by Chemical Construction Corporation. The two-way shipments of fertilizer may amount to as much as 20 billion dollars over a 20-year period, with the first deliveries already completed.

Since 1972, a consortia of American firms have been discussing two large liquefied natural gas (LNG) projects with the Soviet Union. Each project would involve development of natural gas resources in the USSR and shipment of LNG to the United States, thus requiring Federal Power Commission approval. The USSR is currently confirming gas reserves for the Yakutsk LNG project, a Soviet-Japanese-American undertaking; the three parties are carrying out on-going discussions concerning the development phase of the project to determine its feasibility. The North Star LNG project is currently in abeyance, but there is some chance that it might be included in future Soviet economic development plans. Also postponed is a plan to develop the large reserves of copper ore at Udokan.

Projects of common interest in the fields of electrical generation and transmission and in surface transportation offer great potential for the nearby states of Western Europe, but U.S. officials are unaware of any major new initiatives in these fields since Helsinki.

PROVISIONS CONCERNING TRADE AND INDUSTRIAL COOPERATION

This section of Basket II concerns the more technical aspects of international trade and recommends that the 35 signatory states take steps to encourage: (1) international cooperation in the harmonization of standards and regulations; (2) the inclusion of arbitration clauses in contracts and agreements; and (3) the conclusion of specific bilateral arrangements concerning specific mutual trade problems.

Harmonization of Standards

Since 1970, the U.S. has participated in ECE-initiated meetings of Government Officials Responsible for Standardization

Policies. These biennial meetings and intersessional experts' meetings are aimed at promoting the use of international standards and harmonization of national standards. As a result of these meetings, lists have been developed of products which should receive priority treatment from international standard-writing organizations. In addition, rosters of central government bodies having authority to prescribe mandatory regulations governing quality, performance, safety, dimensions, and other characteristics of various products have been compiled. The Fifth Meeting of Government Officials Responsible for Standardization Policies, held June 9-13, 1978, adopted a new and expanded program of work toward harmonizing of standards.

The United States has also consistently supported efforts to negotiate an international standards code in the Multilateral Trade Negotiations conducted under the auspices of GATT.

Specific Bilateral Arrangements

The U.S. Government has concluded numerous bilateral agreements with the various signatory states on a variety of trade-related issues, the bulk of which are reviewed throughout this Basket II section. The provisions of this specific section refer, however, to agreements in the areas of double taxation and the transfer of profits and return of invested assets. Double taxation agreements have, in fact, been concluded with Poland in 1979 and with Hungary in 1978. Previous agreements with Romania and the Soviet Union, both signed in 1973, are still in effect for the period since August of 1975. As to bilateral arrangements regarding the transfer of profits and the return of assets, both the 1975 U.S.-Romanian Trade Agreement and the 1978 U.S.-Hungarian Agreement in Trade Regulations contain provisions regarding these questions, as does the U.S.-Romanian Long-Term Agreement in Economic, Industrial and Technological Cooperation.

SCIENCE AND TECHNOLOGY

Highlighting the important contribution that cooperation in the fields of science and technology can make "to the strengthening of security and cooperation among" states, Basket II of the Final Act details the forms, methods and fields of cooperative efforts that should be expanded. While recognizing that potential partners must themselves determine the feasibility of specific cooperative projects, the Final Act also outlines the kinds of measures governments and organizations should take to facilitate such cooperation. These measures include: the improvement of opportunities for information exchanges, the expansion of organizational structures such as conferences and visits, the wider use of commercial channels for research, and the utilization of bilateral and multilateral agreements and organizations to further the aforementioned

aims. Fourteen areas are specifically mentioned as examples of subjects which could be fruitfully explored through expanded cooperative projects in order to assist in "the effective solution of problems of common interest and the improvement of the conditions of human life."

As a country with a large and active community of scientists, the United States has always maintained a particular interest in expanding international scientific and technological cooperation and has sought to increase the scope of international activity and direct contacts among the world scientific establishment. As a result, a considerable number of positive steps have been taken by the United States within these specific fields and methods of cooperation. For example, there are at present over 60 scientific and technical agreements in effect between the United States and the countries of Eastern Europe and the Soviet Union, many of which were negotiated after the signing of the Final Act. Activities encouraged under those agreements signed before Helsinki have, in many cases, increased in frequency, quality, and scope over the past four years. As one example, over twice as many Soviet and American scientists participated in exchange programs under the auspices of the eleven scientific and technical agreements signed with the Soviet Union from 1975 through 1978 as participated from 1972 through 1974. Close to 10,000 Soviet and American scientists have participated in the six years that these agreements have been in effect and about 300 cooperative projects have been operating annually. Similar advances have taken place in official bilateral exchanges with certain of the East European states. There has also been a corresponding increase in the work of and U.S. participation in multilateral facilitation of scientific exchanges and cooperative research, particularly within the ECE.

Much of this increase would have taken place had there been no Final Act since the U.S. Government recognizes that in today's world mutually shared problems require mutually shared solutions. The Final Act has, however, provided a detailed framework and added impetus for overcoming many of the obstacles which may hamper cooperative efforts in these areas.

Fields of Cooperation

Individual departments within the U.S. Government have been involved in the funding and organization, in their respective areas of expertise, of the 14 technical fields enumerated in the Final Act. The following is a summary of some of these initiatives in selected areas. It is by no means a comprehensive listing of all the activities initiated by the U.S. public and private sectors, but it highlights the major government-to-government and noteworthy private activities which have taken

place between the U.S. and the signatory states of the East as well as the most important multilateral activities in which the U.S. Government has been involved.³²

Agriculture

Joint cooperative projects in the field of agriculture should, as suggested in the Final Act, be encouraged in the specific areas of improving the productivity of crop cultivation, the application of chemistry to agriculture, the design and use of agricultural machinery, and the technologies of irrigation. These and other topics have formed the specifics of U.S. cooperative agricultural arrangements initiated with all the countries of Eastern Europe and the Soviet Union, and negotiated and implemented by the U.S. Department of Agriculture.

Bilateral Cooperation

Bulgaria

In April of 1979, the U.S. Department of Agriculture initiated an agency-to-agency Joint Statement on Development of Agricultural Trade with its counterpart body in Bulgaria. Prior to the signing, the Department of Agriculture participated in Joint Council meetings in both countries and hosted several official visits to farms and agro-business industries in the United States. The Department also participates in those joint agricultural activities called for in the science, educational and technological agreements between the two governments.

The Joint Statement on Development of Agricultural Trade is expected to facilitate cooperation and expansion of commercial agricultural relations and research in the areas called for in the Final Act. These include the exchange of germ plasm and breeding materials, exchanges of agricultural specialists and trainees, and the exchange of agricultural and statistical information. Team exchanges will be expanded under this new mechanism, as will the development of joint projects.

Czechoslovakia

There is no official government-to-government protocol on scientific cooperation with Czechoslovakia. However, initiatives to explore technology exchanges have been taken recently by representatives of the agricultural community. In April-May of 1978, a U.S. market development team (cooperators) visited Czechoslovakia and held discussions with the Minister of Agriculture. The team expressed an interest in dairy improvement programs, soybean meal and corn imports, organization of livestock production seminars, and exchanges of scientists and students from respective universities and institutions.

32. A Summary of U.S. Cooperative Activities in Science and Technology appears in Appendix VI, Chart 2.

experts and specialists within the framework of the 4-H Youth Program. This program allows participants to observe and study the practical application of agricultural technology and to promote cross-cultural understanding between the people of the U.S. and Poland. Since 1975 approximately 400 young people have participated in the program.

Initiatives have also been taken to facilitate direct agricultural contacts between U.S. and Polish universities. In 1976, for example, Iowa State University and the Warsaw Agricultural University established a faculty exchange program.

In addition, a Joint Statement on the Development of Agricultural Trade, signed in October of 1974 with Poland, is still in effect. The Statement calls for the formation of a Working Group on Agricultural Trade which meets no less than once a year. The last Working Group meeting took place in Warsaw in May of 1979. Among the Group's activities are exchanges of economic information, consultations on the state of agricultural trade and credit facilities, and problems of scientific technical cooperation. Technical exchanges and joint agricultural trade promotion projects have also increased since the Statement was signed.

Romania

Agricultural cooperation with Romania was somewhat limited in 1975-76 but accelerated with the signing of the Protocols on Development of Agricultural Trade and Cooperation in Agriculture between the U.S. Department of Agriculture and the Ministry of Agriculture and Food Industry of Romania. The Protocols provide for the exchange of agricultural economic information on a regular basis, including stocks and forward estimates on supply and demand and trade in major agricultural commodities; cooperation on the basis of mutual advantage in the fields of plant, animal and soil sciences and mechanization, including exchanges of germ plasm; and cooperation in methods for the application of agricultural chemicals and use of mathematical models in agriculture. The Protocols also call for facilitating direct contacts between governmental organizations, research institutes, universities, firms, enterprises, and individuals, as well as of the exchange of material and information and the organization of symposia and conferences.

There have been some problems with Romania's implementation of the Protocol in the area of information exchange, but progress was made in 1978, and a U.S. request for expanding available data is being considered.

University exchange programs were initiated at the end of 1976 between the Romanian Academy of Agriculture and Forestry Sciences and Iowa State University and the University of

Nebraska. Based on two, two-year Memoranda of Understanding, exchanges have taken place in the areas of plant breeding, animal science and swine research. In 1977, one Romanian participated in the Iowa University program and in 1978, two specialists from each side took part in the Nebraska exchange. Other U.S. universities have, in the meantime, expressed an interest in arranging similar exchanges.

An active and successful farm training program has been in effect since 1972 under the sponsorship of the International Farmer Association for Education in Berkeley, California. The program offers participants direct farm experience, university instruction and opportunities to meet with specialists from universities, experiment stations and extension services. From 1972-1977, 225 Romanian farm specialists participated in the program; in 1978, 59 Romanian specialists took part; and recently, the Romanians have indicated that they would like to increase the program to 60-70 specialists annually.

The Future Farmers of America have also started an exploratory exchange of experts on vocational education in agriculture with the Romanian Ministry of Agriculture. In addition, the International Research Exchange Board (IREX) provides assistance to Romanian scientists for three-month agricultural programs, and the Fulbright-Hays scholarships offer annual grants to four Romanian agricultural scientists for three-month studies in the U.S.

USSR

Cooperative agricultural ventures between the United States and the Soviet Union have been notably facilitated by the Agreement on Cooperation in Agriculture, signed by representatives of both governments, in Washington on June 19, 1973, and extended in June of 1978 for an additional five years. Under the terms of the Agreement, a Joint Committee was formed and split into one Joint Working Group on Agricultural Research and Technological Development and one on Agricultural Economic Research and Information. Cooperation has included the exchange of scientific information, publications and scientists, and the organization of joint research projects, seminars and symposia.

Joint Working group on Agricultural Research and Technological Development: 1973-1978

Plant Science

Considerable exchanges of seed samples and agricultural plants have been carried out during this period. From 1974-1977, both sides introduced over 5,000 samples of plants which

will be used for developing new varieties and should be of great interest for genetic, biochemical phytopathological research. Positive results were also achieved in work on problems of genetic engineering, grain quality, immunity, and winter hardiness of cereals. Wide-ranging cooperation took place in the fields of breeding and the growing of soybean and sunflowers.

In 1978, the U.S. received five Soviet teams and the U.S. sent two delegations to study recent achievements in molecular biology, genetics and methods of breeding, and cotton pest and disease control. During the first five years of the Agreement, 2,029 Soviet publications on introduction of agricultural plants were sent to the U.S. and 1,534 pieces of American literature were sent to the USSR.

Soil Science

Effective bilateral programs have been implemented in the areas of the theory and control of wind erosion of soil; the study of water, gas and salt movements in soil; the utilization of saline soils, and mathematical models for predicting wind erosion.

A delegation of Soviet scientists was sent to the U.S. in 1979 to discuss their research results, to exchange data, and to participate in the American Soil Science Society Meeting at Fort Collins, Colorado. Both sides agreed to convene a symposium in Leningrad in 1980 on heat exchange in soil.

Animal and Veterinary Services

Cooperation has taken place in the fields of animal husbandry, veterinary sciences and animal waste utilization on large farms. The program has been developing satisfactory, and the exchange of publications has generally been more complete than in the past.

Mechanization

Numerous teams have been exchanged as part of a joint program for the development of mutually acceptable standards and methods of testing of agricultural machinery. Soviet "study of experience" teams were sent to the United States to study the management of agricultural science, the mechanization of apples, technical servicing of machines and tractors, and water erosion control; U.S. teams were sent to the Soviet Union to study sheep breeding, management of agricultural science, and the technology of growing sugarbeets.

Joint Working Group on Agricultural Economic Research and Information: 1973-1978

Only limited progress has been made in the area of joint research and the exchange of economic and statistical information: data exchanges on agricultural production in the U.S. and USSR and the inter-library book exchange were expanded and cooperative programs were reviewed and implemented in four project areas.

Agribusiness Project

This project is the most active of the four, focusing on the major directions and organizational schemes of agro-industrial integration. Both sides have agreed to hold a seminar on the topic in the Soviet Union in 1980. In addition, a Protocol on Scientific and Technological Cooperation in the Field of Application of Computers to Agriculture was signed in March of 1978.

Forecasting Project

Soviet delegations have been able, under this project, to study U.S. methods of forecasting production and demand of agricultural commodities and the organization of the Statistical Report Service.

Agricultural Economic Information Exchange Project

This project has led to the promotion of a systematic exchange of agricultural economic and statistical materials and has encouraged periodic discussions on the outlook for agricultural production and trade, livestock and feed utilization. U.S. teams have been studying crop production, storage, processing and livestock and feed utilization, while Soviet teams have been interested in capital investment and in location and specialization of agricultural production.

In 1978, both sides expressed their satisfaction with the exchange of scheduled data; however, the U.S. side noted that additional requests were not met in full and expressed the desire to improve and expand the exchange of information by including forward estimates of production and trade of agricultural commodities.

Inter-Library Exchange

The exchange of books under this project has doubled since 1973. In 1978, a total of 276 titles (1,160 pieces) were received by the U.S., and the USSR received 1,670 pieces of USDA and non-USDA publications.

Forestry Activities

The USDA has, in addition, participated in several forestry exchanges under the Environmental Protection Agreement, and

Forestry Activities

The USDA has, in addition, participated in several forestry exchanges under the Environmental Protection Agreement, and the Agreement for Cooperation in the Fields of Science and Technology. Under the forestry working group of the latter agreement, five active projects are pending in the fields of fire, insect and diseases, biogeocenosis, harvesting, and reforestation. Under the Environmental Protection Agreement, USDA Forest Service scientists have participated in projects on biosphere reserves, on the interactions between forests, plants and pollution, and on the structure, function, and productivity of the taiga and tundra ecosystems.

Multilateral Cooperation

Cooperation between private and agricultural trade associations of the U.S. and respective Soviet organizations has also expanded during this period. Groups of young experts have been exchanged under the 4-H Council Program in order to gain scientific and practical experience in both countries. Between 1974 and 1977, approximately 500 scientists and specialists participated in these exchanges under an agreement of cooperation.

International Institute for Applied Systems Analysis (IIASA), Austria

IIASA, a non-governmental, multi-disciplinary international research institution, was founded in October of 1972 by the academies of sciences and equivalent scientific organizations of 12 nations from both East and West. Its goal is to bring together scientists from around the world to work on scientific and technological problems of common interest.

USDA's Economics, Statistics and Cooperative Service (ESCS) has developed close liaison and expanding cooperative relations with IIASA. Both groups share similar interests in global modeling activities and economists from ESCS have visited IIASA on several occasions to exchange information and technical advice.

Organization for Economic Cooperation and Development (OECD)

In May of 1978, ESCS analysts participated in the OECD's agricultural subcommittee meeting which reviewed the development of indicators of rural social and economic well-being.

Energy, New Technologies, Rational Use of Resources

The importance of cooperation in the field of energy is underscored in several Basket II provisions which place particular importance on cooperation in research for new sources of energy and new technologies to reduce energy consumption.

The United States Government, through the Department of Energy (DOE), has actively pursued the furtherance of these goals in the energy-related activities of the U.N. Economic Commission for Europe (ECE) and through separate bilateral agreements on energy cooperation with both Poland and the Soviet Union.

Bilateral Cooperation

Poland

Energy cooperation with Poland takes place under a 1974 Coal Research Agreement with the U.S. Bureau of Mines. The general areas of cooperation covered by the agreement and, following its creation, with the U.S. Department of Energy (DOE), includes: coal extraction and utilization, including coal liquefaction and gasification; automated longwall mining; coking methods; and magnetohydrodynamics. The Coal Research Agreement has lead to specific cooperative projects in coal-related research, the costs of which are shared equally by the two partners (total U.S. funding has amounted to 10 million dollars in excess Polish currency).

One important project under these agreements is the "Coal Combustion and Gasification for Magnetohydrodynamics Method of Power Generation." The original thrust of this project was to use the exhaust gases from a MHD (magnetohydrodynamics) generator for the chemical regeneration of coals, but efforts have since focused on joint coal combustor development while continuing, but de-emphasizing, coal gasification activities.

During President Carter's December of 1977 visit to Poland, Secretary of State Cyrus Vance and Polish Foreign Minister Emil Wojtaszek agreed to conduct a high-level review of the 1974 Agreement to explore possibilities of expanding the joint studies covered under it. Follow up discussions took place in March of 1978 between the Deputy Minister of the Polish Ministry of Mining, Dr. Glanowski, and DOE officials. The U.S. expressed its concern that it had not yet received certain information called for under the existing Agreement. U.S. officials noted that, while the U.S. maintained a strong interest in pending cooperative arrangements, any proposed future activities would have to prove beneficial to the technical programs of both countries.

USSR

Energy cooperation with the USSR is governed by two government-to-government agreements, one outlining cooperative efforts in the field of energy, and the other involving atomic energy cooperation:

a. U.S.-USSR Agreement on Cooperation in the Field of Energy

The U.S.-USSR Agreement on Energy, signed by then President Nixon and Presidium Chairman Podgorny on June 28, 1974, remained in force until June of 1979, when it was renewed for another three years plus two more if neither side notifies the other 30 days before June of 1982 that it does not wish the Agreement to continue.

The main objectives of the Agreement are to use the scientific and technical potential of the United States and the Soviet Union to accelerate, by cooperative efforts, research and development in the areas of existing and alternative sources of energy as well as to increase effectiveness in the use of energy and its conservation, and to achieve a better mutual understanding of each country's national energy programs and outlook.

There are currently 14 joint projects under the Energy Agreement, most of which involve periodic meetings and exchanges of information and statistics. The Department of Energy has lead responsibility for 10 of them. They include Heat Rejection Systems; Oil Technology; Gas Technology; Coal Technology; Solar Technology; Geothermal Technology; Energy Information and Forecasting; MHD (Magnetohydro-dynamics, a process involving the direct generation of electricity from combustion -- a field in which the Soviet Union is highly advanced; Superconducting Transmission; and Ultra-High Voltage Transmission.

The Tennessee Valley Authority (TVA) has lead responsibility for three projects. They include Thermal Power Stations; Electric Power Stations; and Air Pollution Reduction.

The Department of Interior has lead responsibility for the Hydropower project and the Army Corps of Engineers has lead responsibility for the Hydropower sub-project on Cold Weather Construction Techniques.

b. U.S.-USSR Agreement on Cooperation in the Peaceful Uses of Atomic Energy.

This bilateral Agreement on Atomic Energy was signed by President Nixon and General Secretary Brezhnev on June 21, 1973, for a period of 10 years. It provides for cooperation in three major areas: Controlled Thermonuclear Fusion, Fast Breeder Reactors and Research in Fundamental Properties of Matter. Working Groups have been established in each of these areas. Cooperative efforts in the areas of nuclear spent fuel storage, thermionic energy conversion and light water reactor safety are just getting under way.

Multilateral Cooperation

Recognizing the increasing importance of the energy problem in today's world and the fact that its member nations consume close to 80 percent of the world's energy supply, the U.N. Economic Commission for Europe has been devoting an increasing proportion of its time and resources to the problems of energy supply, demand and cooperation. The U.S. has been an active participant in these discussions which have taken place largely within the three energy-related bodies of the ECE.

Coal Committee

The Coal Committee concentrates on studies of the future role of coal and methods of increasing current coal production and utilization. The U.S. has participated in the activities of the Annual Coal Committee, and the group of Experts on Coal Statistics and Coal Trade. In addition, DOE's staff has participated in study tours of the coal operations in several ECE countries, including a study tour of Coal Facilities in the FRG in September of 1978. The DOE assists in providing statistics published by the U.N./ECE and is currently recommending the computerization of the coal statistics data base to expedite publication of these reports.

In addition to scheduled meetings of the Coal Committee and its group of experts, the Committee has initiated a number of specialized seminars and symposia on specific topics to encourage a discussion among ECE countries on coal-related technology and information. The Symposium on Coal Liquefaction and Gasification met on April 23, 1979, in Katowice, Poland, to which the U.S. provided a rapporteur for one of the specialized sessions and a number of technical papers on coal gasification technology.

Gas Committee

The Gas Committee was established in 1963 to analyze the natural gas market situation, its long-term trends and the potential problems involved in integrating the flow of natural gas within the current energy system. The Committee's world program includes an economic analysis of the gas situation and its short and long-term prospects; the economic and technological aspects of the use of gas by various branches of industry; and the transport, storage and environmental aspects of gas consumption.

Electric Power Committee

The Committee on Electric Power was established in 1947 to eliminate power shortages and bottlenecks in the generation and transmission of electricity and to publish a periodical

report on electric power statistics. The current focus of the Electric Power Committee is the effective utilization of electric power through the interconnection of national power systems and the reduction of problems associated with the interchange of electricity within different power systems. The U.S. continues to follow with interest the activities of this Power Committee. Although currently financial constraints preclude participation in the Committee's activities, it is anticipated that the U.S. will become more intensively involved in the near future.

Transport Technology

(See the Development of Transport Section for a detailed discussion of cooperative efforts in the field of transportation).

Physics and Chemistry

Cooperative research projects in specific areas of physics and chemistry are also called for in the Final Act; those areas include high energy and nuclear physics, electrochemistry and the chemistry of polymers, and the practical application of chemistry to differing economic sectors.

Several agreements, all signed prior to the Final Act but mandating programs which are continuing through the period under discussion, have been negotiated by the United States to encourage greater scientific cooperation in these specific areas. With Hungary, for example, an Agreement on Cooperation in Culture, Education, Science and Technology mandates that the U.S. and Hungarian governments encourage exchanges and joint activities in the fields of pure and applied sciences. Current joint programs include subjects such as ion-implantation in semi-conductors, cationic copolymerization and Mosbauer spectroscopy of passive films.

A similar Agreement, signed in 1974, is in force between the U.S. and Romanian governments and has led to projects in areas such as the transformation of carotenoids and atomic and molecular physics.

Under the U.S.-Polish Agreement on Funding of Cooperation in Science and Technology, cooperative projects have been approved by the Agreement's Joint Board in areas which include reactions of carbonions, crystallization of polymers, mathematical physics, ribonucleic acids and the study of close binary systems.

U.S. scientific cooperation with the USSR takes place under the bilateral Agreement on Scientific and Technical Cooperation, renewed in July of 1977, for an additional five years. Two

working groups formed as a result of the Agreement, one to encourage research in chemical catalysis and the other in physics, have been developing programs for numerous specific projects.

Meteorology and Hydrology

Cooperative research in the areas of hydrology and meteorology, particularly in the collection of data and their use for weather and hydrology forecasting, is another example contained in this section of the types of joint projects the CSCE states should be encouraging.

Most international cooperative work in these fields is taking place within various multilateral forums. Nevertheless, the United States is also actively involved in bilateral research projects in these areas, principally with the Soviet Union. The Working Group on Water Resources, one of several groups formed under the U.S./USSR Agreement for Cooperation in the Fields of Science and Technology, signed in 1972 and renewed in 1977, has been working on projects which include plastics in hydrotechnical construction, planning utilization and management of water resources and methods and means of automation and remote control in water resource systems.

Under the U.S.-USSR Environmental Protection Agreement, one working group devotes its efforts to questions concerning the influence of environmental changes on climate. This group has arranged for numerous exchanges of scientists, meetings and symposia, data exchanges and the intercalibration of environmental monitoring instruments.

Oceanography

Basket II encourages the participating states to promote cooperation in oceanographic research, particularly the study of air/sea interactions. In keeping with that commitment, the United States is participating in several multilateral oceanographic programs, in addition to five bilateral programs initiated with the Soviet Union, Poland and the German Democratic Republic.

Bilateral Cooperation

USSR

Three major programs form the basis of U.S./USSR cooperative efforts in the area of oceanographic research. The largest is a result of the U.S./USSR Agreement on Cooperation in Studies of the World Ocean, signed in Washington, D.C. on June 19, 1973, and extended until December 15, 1981. A Joint Committee on Cooperation in World Ocean Studies was created to implement

the Agreement and it established five working groups to develop and realize cooperative activities. These working groups are on large-scale ocean-atmospheric interaction; ocean currents and dynamics; geology, geophysics and geochemistry of the world ocean floor; intercalibration and standardization of oceanographic instruments and methods; and biological productivity and biochemistry. Each of these groups has actively pursued mutually beneficial exchanges of experts and information, as well as extensive joint research projects.

Another important example of joint U.S.-Soviet cooperation in oceanographic research is the Marine Mammal Project which has evolved out of the U.S./USSR Agreement on Environmental Protection. The objective is "to develop collaborative research into the biology, ecology and population dynamics of marine mammals of interest to both countries and thus contribute to sound management and conservation of these animals," and it is being realized through the exchange of information and current data, coordinated and shared national research projects, and joint research projects. Most of the cooperative studies have concentrated on mammal activities in the North Pacific area.

In a third major oceanographic program with the Soviet Union, U.S. scientists from the Northeast Fisheries Center of the National Oceanographic and Atmospheric Administration's (NOAA) National Marine Fisheries Services have been conducting joint fisheries research with Soviet scientists from the USSR Atlantic Scientific Research Institute of Marine Fisheries and Oceanography (AtlantNIRO). The main focus of the joint research has been to cooperate on life history studies and assessments of major commercial fish species in the fisheries' zone of the Northeast Atlantic U.S. coast, as well as on extensive ecosystem studies.

Poland

A similar program has been established between U.S. and Polish fisheries' scientists who meet periodically to review joint projects in such areas as herring studies, environmental assessment programs, and lining and patch studies. The U.S. has also helped fund and operate a Plankton Sorting and Identification Center in Poland.

GDR

Scientists from the German Democratic Republic's Institute for Deep Sea Fishing and Fish Processing and from NOAA's Northeast Fisheries Center in Woods Hole, Massachusetts are involved in a program of cooperation to investigate marine resources within the 200-mile fishing zone of the United States. Planned activities for the next two years will include herring and

plankton surveys, herring stock samplings and mackerel feeding investigations.

Bilateral fisheries programs have also been implemented between the U.S. and both Spain and the Federal Republic of Germany.

Multilateral Cooperation

Within the United Nations, the U.S., through the National Oceanic and Atmospheric Administration, has taken an active role in oceanographic-related groups including: UNESCO's Intergovernmental Oceanographic Commission (IOC); the United Nations Environment Program; and the Intergovernmental Maritime Consultative Organization, which deals primarily with international maritime safety. The U.S. has also participated in the International Council for the Exploration of the Sea (to encourage and coordinate investigations for the study of the sea), and the International Hydrographic Organization (to make world navigation safer by improving nautical charts). Within NATO, the U.S. has initiated oceanographic programs with France, Canada and the United Kingdom.

Seismological Research

Earthquake studies have been singled out as another area of potentially valuable international cooperation. Joint projects on the study and forecasting of earthquakes, and research on the technology of seism-resisting constructions particularly are highlighted.

Several U.S. Government agencies are involved in encouraging international seismological research, but primary responsibility rests with the U.S. Geological Survey (USGS). The USGS participates, for example, in a worldwide seismic network of stations, and through that network exchanges seismic records with several of the signatory states, including Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR. Bulgaria, Poland, Romania and the USSR also exchange seismic risk mapping with the USGS and have been involved (with the exception of Bulgaria) in additional joint research projects with the USGS. Since its 1977 earthquake, Romania has received earthquake assistance and will be procuring seismological equipment through the U.S. National Bureau of Standards and the Agency for International Development.

The United States' most detailed formal cooperative seismological research agreement with the CMEA countries is with the Soviet Union. Under the joint Agreement on Environmental Protection, a special working group was established to study problems of earthquake prediction. The main directions of the

group's cooperative efforts have been in developing reliable methods of earthquake prediction and tsunami warnings (long-period gravity waves which travel through the Pacific); estimating seismic risk; predicting strong ground motion as it relates to earthquake resistant design and planning; and understanding the physical and mechanical processes of earthquakes and tsunamis. Both the U.S. and USSR will be publishing and disseminating a collection of papers which will incorporate the results of the joint work at the end of 1979, in addition to the regular publication of separate papers in scientific journals.

The United States has also been pursuing joint solutions to the problems of construction of buildings in seismic areas with the Soviet Union under the U.S.-USSR Agreement on Cooperation in the Field of Housing and Other Construction, signed in June of 1974 and renewed for an additional five years in June of 1979. Under that Agreement, the working group on techniques for construction in areas of frequent seismic activity has been involved in a regular exchange of data, information and specialists. Mention should also be made of U.S. participation, through the National Academy of Sciences, in the International Geodynamics Project which was created to study shifts in the plates which form the earth's large land masses. Begun in 1974, the Project is continuing through 1979 and is particularly concerned with earthquakes and the effects on volcanoes.

Research on Glaciology, Permafrost and Problems of Life Under Conditions of Cold

In the areas of glaciology as well, the Final Act recognizes that countries must work cooperatively to resolve problems which are mutually shared, particularly problems relating to cold weather construction and permafrost-related environmental difficulties.

The United States has been pursuing cooperative ventures with the Soviet Union in these areas under the terms of three separate agreements. For example, under the bilateral U.S.-USSR Housing Agreement, one of six working groups concentrates on the question of Building for Extreme Climates and Unusual Geological Conditions. The group has been encouraging exchanges of specialists, joint publications and cooperative research efforts in three fields, two of which involve design solutions and building construction under cold climatic conditions, and the other, foundations in permafrost and supporting sciences and technology. A joint seminar on "Construction in Permafrost" was held in Leningrad from June 25 to July 2, 1979, in which both U.S. and Soviet specialists exchanged and published technical research papers.

Permafrost-related environmental problems caused by the construction and operation of pipelines, roads and engineering

difficulties are studied as part of the U.S.-USSR Environmental Agreement. Joint research called for by the Agreement largely concerns developing techniques to predict the environmental impact of such construction projects and to monitor changes at control points in Alaska and Siberia. An additional topic of bilateral cooperation in the area of cold weather construction is contained within the joint Energy Agreement and has lead to a mutual exchange of data and research on problems of constructing dams and hydropower stations in cold weather conditions. The Soviet Union has made advances in the design of embankment dams on permafrost which should be helpful in planning several projects in the United States.

Computer Communication and Information Technologies

The growing importance of computers and telecommunications in today's world led the negotiators of the Final Act to include, within these provisions, a section on information technologies and their application in various production, management and research processes.

The United States has been actively involved in official cooperative projects in the computer area with the Soviet Union, principally under the U.S.-USSR Science and Technology Agreement. The U.S.-USSR Joint Working Group on Scientific and Technical Cooperation in the field of the Application of Computers to Management, established in October of 1972 as a result of the Agreement, has intensified its activities over the past four years. Those activities have revolved around five major topic areas under which specific project activities have been carried out in various sub-topics. The five areas include econometric modeling; computer analysis applied to economics and management of large systems; application of computers to the management of large cities; theoretical foundations of software applications in economics and management; and the use of computers in decision-making and the advanced training of high-level administrative personnel. An indication of the recent increased activity in these fields is the fact that 18 meetings under the joint working group program were held from October of 1972 through February of 1976, while 65 meetings have already been held from February of 1976 to June of 1979. As a result of these meetings, 10 long-term joint research projects have been initiated, 15 seminars have been organized on a broad range of topics within these fields, 150-200 specialists from each country have been exchanged and a considerable amount of material has been published, disseminated and shared. The net effect of these cooperative efforts has been to allow specialists from both countries to review current computer problems in both the U.S. and Soviet Union and mutually to arrive at possible solutions. The U.S. National Science Foundation, the implementing agency for the Application of Computers to Management area, has recently commissioned a study involving a Retrospective

Analysis of the Computer Program which will present a detailed historical record of the program and its results. The U.S. has also been involved in several commercial computer sales to the Soviet Union, including IBM and Sperry Univac computer sales.

Space Research

In line with Basket II's commitment to expand cooperation in the area of space exploration and satellite studies of the earth's resources, the United States is presently engaged in cooperative space activities with both the Soviet Union and Romania. The U.S. has generally attempted in these activities to concentrate on specific projects of mutual interest and benefit, rather than on generalized exchanges, and these goals have, on the whole, been met in existing cooperative ventures.

Bilateral Cooperation

USSR

An "Agreement Between the United States of America and the Union of Soviet Socialist Republics Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes" was first signed on May 24, 1972, and renewed in 1977. To implement the Agreement's provisions, six joint working groups were established in the areas of space science, earth-resource sensing of the national environment, space biology and medicine, space meteorology, search and rescue, and a study group on the feasibility of joint U.S. Space Shuttle and Soviet Salyut Space Station experiments. These groups have arranged for the exchange of information, lunar samples, soil moisture measurements and satellite data as well as joint seminars and joint search and rescue projects.

Romania

There has been a moderate level of contact with Romanian space officials, including exchange visits of specialists. In 1977, for example, a U.S. space specialist hosted a round-table discussion on the U.S. space shuttle program in Romania's Space Council and National Council for Science and Technology.

Several cooperative activities have developed from these interactions including the selection of a Romanian scientist as a Landsat-2 principal investigator and the selection of a Romanian proposal for flight on the Shuttle-borne Drop Dynamics Module. Additionally, negotiations are underway which are expected to lead to the establishment by Romania of a Landsat ground station with Romanian funding and a payment of a 200,000 dollar, one-year access fee to the U.S.

Other

In addition, the U.S. National Aeronautics and Space Administration sends announcements on a regular basis to Soviet and East European scientists concerning space research opportunities within the United States.

Multilateral Cooperation

As one of the two largest world space powers, the U.S. plays a prominent role in the work of the varied multilateral organizations involved in this area. U.S. participants in the United Nations Committee on the Peaceful Uses of Outer Space have constructively worked to reach agreement on several treaties regulating outer space activities and are presently pursuing an international legal regime to govern the use of direct broadcasting and remote sensing. The U.S. is also an active member of organizations such as the International Telecommunications Satellite Organization. Six U.S. agencies are taking part in the 1976-1979 International Magnetospheric Study designed to investigate properties of the earth's magnetic field in space.

Medicine and Public Health

The Final Act notes that medical research, development of new drugs, the study of contemporary problems of pediatrics and gerontology, and the organization and techniques of medical services are subjects where international cooperation could be most beneficially expanded in the areas of medicine and public health.

Within the United States, the Public Health Service (PHS) and National Institutes of Health (NIH), both contained within the Department of Health, Education and Welfare (HEW), have sought to promote international biomedical cooperation in the belief that the exchange of data among scientists throughout the world is fundamental to scientific progress and the growth of international understanding.

To meet such goals, the National Institute of Health has fostered a number of programs -- in which scientists from the signatory states have participated -- designed to promote advanced study in the biomedical and related sciences and to develop practical methods for utilizing the knowledge thus gained. These programs were established to encourage exchange, interaction, study, cooperation and collaboration within the international biomedical community and have provided opportunities for in-depth studies and discussion of significant research, public health and biomedically-related social and economic issues. Additionally, NIH awards individual foreign grants and contracts, publishes biomedical data from scientists abroad and disseminates information from participants in inter-

national scientific conferences and symposia. Over the past four years, it has been estimated that close to 1,000 scientists have traveled between the U.S. and CMEA nations under NIH-sponsored programs.

HEW's Center for Disease Control (CDC) also provides specialized training, work experience and consultations for foreign scientists and health officials who visit the Center. The Center funds a Service Fellowship Program which awards fellowships to scientists who have unusual medical knowledge and experience. CDC also collaborates on disease-related projects in five countries of the world, including Yugoslavia and Poland, with a total budget of \$12,970,776.

Bilateral Cooperation

The United States is presently involved in cooperative bilateral programs, formally or informally, with 27 of the 34 signatory states. Cooperative biomedical agreements have been signed with 11 countries including Belgium, Canada, France, the FRG, Italy, Netherlands, Poland, Romania, Sweden, the USSR and Yugoslavia. Some level of formal cooperation is being considered or negotiated with Bulgaria, Czechoslovakia, the GDR, Greece, Hungary and Spain. Informal research activity through exchanges of scientists or NIH grant awards is being conducted with Austria, Denmark, Finland, Iceland, Ireland, Norway, Portugal, Switzerland, Turkey and the United Kingdom.

Two of these bilateral agreements for cooperation in health deserve special mention.

Poland

The first is the Cooperation in the Field of Health Agreement, signed in 1974, between the U.S. Department of Health, Education and Welfare and the Polish Ministry of Health and Social Welfare. The objective of this Agreement is to combine, where possible, the resources of the governments of Poland and the United States in joint efforts towards the solution of health problems of mutual interest. More specifically, the Agreement provides for cooperative activities with two possible sources of funding: a Joint Fund and "those other resources" which may become available from public and private institutions which agree to cooperate.

Additionally, the Agreement establishes a U.S.-Polish Joint Committee for Health Cooperation to oversee implementation of the program. Specifically, the Joint Committee is charged with the responsibility for: (1) determining policy relating to the Agreement; (2) identifying the priority areas and programs; (3) establishing the mechanisms and practical aspects of cooperation; and (4) reviewing and evaluating the progress of activi-

ties under the Agreement.

Since the Agreement was signed, the U.S. has contributed approximately eight million dollars to the Joint Fund. Matching contributions from Poland is on-going. Forty-two projects are actively engaged and 12 new project proposals are currently being reviewed at NIH for scientific merit and personnel competence. The research and exchanges conducted under the Agreement have, it is agreed, been professionally and personally beneficial to both countries.

USSR

Another agreement of major interest and significance has been the one negotiated between HEW and the Ministry of Health, USSR. The two organizations negotiated two separate agreements which have formed the basis of U.S.-USSR cooperative activities in the field of health research: the Agreement for Cooperation in Medical Service and Public Health, signed in 1972 and renewed in 1977 for a second five-year period, and the Agreement for Cooperation in Artificial Heart Research and Development, signed in 1974 and renewed in 1977 for five years.

Both Agreements call for the establishment of a U.S.-USSR Joint Committee for Health Cooperation, charged with implementing the practical aspects of health cooperation including the oversight of policy and administrative logistics. Additionally, the Agreements committed both sides to conducting cooperative efforts in the biomedical field through joint research projects and the individual exchange of scientists.

While activities under the program have generally progressed in a satisfactory manner, the Joint Committee has recognized an unevenness in the progress. Some areas move rapidly to intensive joint research, while others remain in the preliminary stages of exchanging background information and exploring the potentials of joint work. To the people involved in this work, slow progress has sometimes been a source of personal disappointment and dissatisfaction.

In some measure, the U.S.-USSR Program for Health Cooperation has served as an experimental model for future international programs of the Public Health Service. Although it is not unique in its fundamental design, it is the largest and most thoroughly evaluated and centrally administered cooperative international health program. Broad areas of interests, major administrative considerations, and a yearly evaluation are overseen by the binational Joint Committee. The scientific aspects of the program remain, however, the prerogative of working level

scientists and institutions. The program has been unique because the countries have shared benefits and costs equally. Unlike many international health programs, no funds and very little technical hardware change hands. Each side basically underwrites the costs of its participation in cooperative projects with full and timely sharing of scientific data and results.

U.S. scientists and coordinators have had to learn to accommodate great disparities with their Soviet contacts in political, cultural and economic institutions as well as in the technical and scientific capabilities of both countries as they sought to define specific activities where both sides could cooperate for mutual benefit. The results have been of notable benefit to both countries.

Multilateral Cooperation

The United States has worked closely with the various health-related multilateral agencies, particularly the World Health Organization (WHO) and UNICEF, to help in resolving specific global health problems. The U.S. has supported and participated in programs concerning, among other issues, maternal and child health care, research and training in tropical diseases, improvement in the status of nutrition, disease control, health manpower development and promotion of environmental health. Additionally, the United States has actively cooperated with the WHO Regional Office for Europe on activities relating to maternal and child health care, health services research, environmental health and cancer research.

Environmental Research

(U.S. activities in cooperative research projects on specific scientific and technological problems related to the environment are covered in detail in the "Environment" section of this report).

Forms and Methods of Cooperation

The Final Act specifically outlines the types of activities which should govern international cooperation in the scientific and technological fields discussed above. These activities are, in fact, the specific forms of cooperation the United States has been pursuing with the Eastern signatory nations: exchanges of information and publications; exchanges of and direct contacts among specialists; international conferences and meetings; joint research programs and projects; use of commercial channels; and full use of bilateral and multilateral cooperative arrangements.

Since a special emphasis is made under these provisions on the improved exchange of scientific and technological information, mention should be made of a special branch of the U.S. Government created for that purpose -- the National Technical Information Service (NTIS). NTIS was created in 1970 to simplify and improve public access to U.S. Department of Commerce publications, data files, patents, and Federal Agency technical reports. It also coordinates the publishing and technical inquiry functions of different Special Technology Groups. NTIS publishes 26 abstract newsletters of new information items and an all-inclusive biweekly journal. It also provides NTIS' Bibliographic Data Base to a computer network serving customers worldwide. NTIS has, in addition, received the rights to publish and sell English translations of six copyrighted Soviet scientific journals and selected articles from more than 500 Soviet journals and books. The Information Service also provides most U.S. reports announced in the INIS (International Nuclear Information System) Atomindex and most non-U.S. reports abstracted in the Atomindex (as of 1976, almost 4,000 Soviet reports have been announced, all for U.S. sales only). The entire NTIS inventory is available to all the signatory countries -- a service which has not been reciprocated by all the Eastern signatory states. Thus far, 4,400 reports have been sold to Eastern Europe and the Soviet Union by NTIS.

The National Science Foundation is another agency active in the area of improving technical information exchange. The Foundation coordinates and administers the Special Foreign Currency Science Information Program in which U.S. government research scientists select materials of East European technology to be translated for the Federal government. NSF also periodically publishes reports which aim at expanding and improving scientific and technical communication.

This section of the Final Act also suggests that the United Nations Economic Commission for Europe study possibilities "for sponsoring conferences, symposia and study and working groups such as those which would bring together younger scientists and technologists with eminent specialists in their field." U.S. delegates to the ECE Senior Science Advisors supported a proposal that the Senior Advisors incorporate projects into their working program which would bring such younger scientists together to meet with well-known specialists. The advisors passed a resolution that called on government to encourage the participation of younger scientists in ECE Science seminars.

The United States has, in addition, assisted in the work of international programs, such as UNESCO's World Science Information System, which are concerned with information policy guidance, as mandated in this section of the Final Act.

ENVIRONMENT

In Section five of the CSCE Final Act, the participating states affirm the importance of close international cooperation for "the protection and improvement of the environment, as well as the protection of nature and the rational utilization of its resources..." The signatory states declare their intention to pursue "every suitable opportunity to cooperate" in the control of air pollution, water pollution control and fresh water utilization, protection of the marine environment, land utilization and soils, nature conservation and nature reserves, improvement of environmental conditions in areas of human settlement, fundamental research, monitoring, forecasting and assessment of environmental changes, and legal and administrative methods. The participating states further resolve to implement this cooperation on both a multilateral and bilateral basis through a wide variety of forms and methods, such as the exchange of information and specialists, organization of symposia and joint projects and consultations with other states.

The U.S. has a long history of concern for its national environment. In many respects, the country has been a world leader in efforts to control and abate pollution and preserve the ecological balance within its territorial boundaries. For example, in 1970, an executive order created the independent Environmental Protection Agency (EPA) within the Executive Branch to spearhead the government's integrated, coordinated attack on environmental pollution. Since 1976, Congress has passed major environmental legislation such as the Toxic Substances Control Act and the Resource Conservation and Recovery Act, as well as amendments to the landmark Clean Air and Clean Water Acts. Additionally, the Environmental Research, Development and Demonstration Authorization Act of 1978 mandated a separate program to insure continuing environmental research and development.

Presently, 40 federal agencies, including cabinet-level departments, are involved in the broad effort to prevent pollution in all environmental fields. In his May of 1977 environmental message to Congress, President Carter re-emphasized the U.S. commitment "to protect our most important resource -- human health -- from...hazardous substances in the environment."

On an international scale, the United States has also officially affirmed its commitment to cooperation on environmental issues. As stated in the 1969 National Environment Policy Act of the United States:

"The goals of our international activities are to recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United

States, lend support to initiatives, resolutions, and programs designed to improve international cooperation in anticipating and preventing a decline in the quality of our global environment."

Several U.S. Government agencies currently conduct a high level of cooperative environmental research with other nations and international organizations. The U.S. Departments of State, Interior, Commerce and Agriculture as well as other government offices are involved in this effort. The U.S. Environmental Protection Agency (EPA), however, has been the chief vehicle in U.S. efforts to comply with the Final Act's provisions on environmental cooperation. Most of the project descriptions and statements on U.S. environmental policy included in this report are directly from the EPA's June of 1978 Research Outlook.³³

Forms and Methods of Cooperation

The United States participates in working groups on the environment associated with numerous multilateral organizations such as the Organization for Economic Cooperation and Development (OECD), NATO's Committee on the Challenges of Modern Society (CCMS), the United Nations Environment Program (UNEP), the World Health Organization (WHO), the Commission of European Communities and the Economic Commission for Europe (ECE). The United States Government also supports the principal international conventions on environmental issues. Recently, the U.S. was an active participant in the April of 1979 plenary sessions of the ECE and played an important role in laying the groundwork for the high-level meeting on environmental issues scheduled for November of 1979. Participating governments at the meeting will discuss, and perhaps approve, a Long Range Transboundary Air Pollution Agreement and a Low and Non-Waste Technology Agreement.

U.S. specialists are also engaged in many bilateral projects with Helsinki signatory states under agreements that either deal exclusively with environmental issues or are part of broader accords on scientific and technological cooperation. The U.S. has concluded comprehensive bilateral agreements on the environment with Canada, the Federal Republic of Germany, France and the United Kingdom, Poland, Yugoslavia and the Soviet Union.

Ongoing international operations by U.S. representatives include, among other forms of cooperation outlined in the Final Act, participation in fact-finding missions and international conferences, initiation of joint programs and ventures, and providing advice to countries that request assistance in solving their own environmental problems.

³³. An overview of EPA's international activities appears in Appendix VI, Chart 3.

For example, joint activity under the U.S.-USSR Environmental Agreement, one of the first of 11 such scientific-technical agreements between the two countries signed in May of 1972 and renewed for five years in May of 1977, encompasses all the forms set forth in the CSCE Final Act. These include: exchange of scientific and technical documentation and data; conferences, symposia, and working group meetings; exchanges of trained personnel; planning and implementation of joint programs and experiments; intercalibration of measurement instrumentation; publication of bilingual technical glossaries, and other appropriate efforts in the direction of harmonizing standards. Additionally, annual joint committee meetings -- co-chaired, on the American side, by the administrator of EPA -- permit regular high-level U.S.-Soviet consultations on new environmental topics of international importance. In 1978, a total of 162 Americans and 134 Soviets visited each other's country to discuss the above activities.

The U.S.-USSR Environmental Agreement specifically authorizes the two sides, upon mutual consent, to share the results of their cooperation with other countries. Some projects in the area of nature conservation are closely associated with programs operating under the auspices of UNESCO and the UN Environment Program (UNEP). U.S.-Soviet collaboration on prevention and clean-up of marine pollution from shipping is explicitly tied into the activities of the Intergovernmental Maritime Consultative Organization (IMCO) and appropriate international conventions.

Fields of Cooperation

Air Pollution Control

According to EPA, research on air pollutants is a central aspect of U.S. international cooperative programs. EPA, therefore, has been working under bilateral agreements and programs with the Helsinki signatory states of France and the United Kingdom to combat air pollution. These agreements include joint studies on the potential hazards of the large-scale release of carbon dioxide into the earth's atmosphere and on the halt of ozone depletion. The EPA and the U.S. Department of State have been working with Canada and the International Joint Commission to resolve the increasing number of cross-boundary air pollution problems between the two nations.

The U.S. is engaged in cooperative efforts to assess the environmental consequences of coal conversion technology with the Federal Republic of Germany and Yugoslavia. The U.S. and the FRG agreed in 1977 to exchange information and, in certain cases, to work together to assure efficient development of technologies to burn coal in an environmentally acceptable

manner. A study presently underway with Yugoslavia will provide a full evaluation of the Kosovo Coal Gassification Plant. Similarly, the U.S. and Poland have conducted a joint study of environmental control on coal combustion and its by-products in Polish plants.

The U.S.-USSR Environmental Agreement incorporates seven projects on topics of air pollution modeling and measurement, stationary source air pollution control technology and mobile source emissions. A joint wind tunnel experiment is planned to simulate the distribution of air pollutants over specified complex terrain and a joint field experiment will be conducted in the USSR to study the formation and transportation of natural aerosols. These two activities will aid both countries in understanding basic air pollution processes. Another joint program is under way on the development of safeguards against pollution from coal processing facilities.

On a multilateral level, the EPA represents the United States in air pollution research programs with 11 separate international agencies.

The U.S. has participated in discussions about problems concerning the earth's protective ozone layer in the United Nations Coordinating Committee on the Ozone Layer which reviews ongoing research, identifies research and monitoring needs, recommends (with priorities) needed research projects and attempts to influence nations and international scientific organizations to conduct such studies. The EPA presented the United States' position on stratospheric ozone in these discussions. The U.S. is also a signatory to the Tripartite (France, United Kingdom and the United States) Agreement on Stratospheric Monitoring, which provides a coordinated program of stratospheric monitoring.

An excellent example of the U.S. commitment to cooperation on a multilateral basis is the ongoing Isotopic Lead Experiment sponsored by the Common Market, Italian Federal Hydrocarbon Authority and International Lead and Zinc Research Organization. Under this study, gasoline stations in Torino, Italy, converted to a different lead isotope ratio in gasoline. The amount of lead in the human blood actually coming from automotive sources will be determined by measuring blood lead levels during the use of this special gasoline and after the Torino area returns to the original gasoline.

The U.S. has also been involved in the meetings of ECE experts and of the Senior Advisors to ECE Governments on Environmental Problems which helped prepare a Long Range Trans-boundary Air Pollution Agreement to be approved at the ECE Committee on the Development of Trade's annual session in November of 1979.

Water Pollution Control, Fresh Water Utilization, and Marine Environment Protection

A landmark of international cooperation in the Helsinki spirit regarding improved water quality is the 1972 United States-Canada Great Lakes Water Quality Agreement, under which the two countries operate through the International Joint Commission to support a water quality monitoring program and to devise a necessary research program to guide and support surveillance activities. The EPA also provides expert consultation on a variety of issues related to U.S.-Canada cross-boundary water pollution problems and participates in large-scale, long-term ecosystem studies with its Canadian counterpart. The Great Lakes Agreement is one of the few ongoing ecosystem studies.

Besides the Great Lakes Agreement, the U.S. has separate water pollution control agreements which include marine environment protection provisions with the Federal Republic of Germany, France and the United Kingdom. The U.S., through the EPA, is conducting research with Yugoslavia on water pollutants such as silicates, heavy metals and acid dust. Additionally, the U.S. and Polish governments are collaborating on renovation and recycling projects in Poland. Based upon findings from combined projects, American and Polish specialists have developed new techniques of removing pollutants from textile industry wastewater.

The U.S.-USSR Environmental Agreement embraces three joint projects on fresh water quality management. One of these involves comparative on-site analogies of water protection programs in selected river basins. A joint symposium on the subject was held during the fall of 1979. U.S. and Soviet experts collaborated in developing mathematical models of pollution transport in lakes and inland seas. A follow-up symposium on the use of this research for planning purposes is also scheduled for the latter part of 1979. Active bilateral research is in progress on the behavior of toxic substances in aquatic ecosystems.

The U.S.-USSR working group on prevention of water pollution from industrial and municipal sources has held discussions on various phases of new Soviet water pollution technologies. Such activities should, in the near future, provide additional benefits, not only in terms of cleaner processes and more effective control technologies, but also in terms of a vastly improved understanding of the systems involved.

U.S.-Soviet cooperation in the protection of the marine environment operates on two tracks: prevention and clean-up

of pollution from shipping and effects of pollution on marine organisms. Combined activities have occurred in several different ocean regions, including the Black Sea, the Mediterranean, the North Atlantic and North Pacific. According to the details of the agreements, by the end of 1979, two types of Soviet oil skimmers will have been shipped to the U.S. for tests at an EPA facility in New Jersey, the Soviets will have hosted a joint symposium on biological effects of marine pollution and Soviet specialists will have visited the U.S. for purposes of inter-calibrating methods to determine the presence of oil and petroleum products in ocean water.

To improve knowledge of wastewater treatment and disposal methods, the U.S. is participating in international research involving sources of pollution, advanced wastewater treatment technology, process modification and analyses of sludges and their environmental effects. One of the most important of these efforts is the study of advanced wastewater treatment being conducted under the auspices of NATO's Committee on the Challenges of Modern Society (CCMS) in which the United States, United Kingdom, Canada, Italy, France and Germany are studying, among other topics, the standardization of formats for international information exchange.

Improvement of Environmental Conditions in Areas of Human Settlement, Nature Conservation, and Land Utilization

Issues relating to the improvement of environmental conditions, multimedia exposure to environmental chemicals and related health effects, significant changes in ecosystems, and disposal of toxic substances are of primary concern to environmentalists worldwide. Therefore the U.S. is working on several international initiatives in this area.

Implementation of the U.S. Toxic Substances Control Act requires cooperation in establishing international agreements on regulatory procedures, such as consistent testing requirements, agreed quality control procedures and standard methods. The U.S. is concentrating its efforts in this area within major international organizations such as the Chemicals Group of the Organization for Economic Cooperation and Development (OECD). EPA is participating actively in the chemical testing program of the Chemicals Group to harmonize test methods and systems to predict the effects of substances on humans and the environment before substances enter the marketplace. EPA's focus is on methods for testing the long-term effects of chemical substances on human health.

The U.S. is discussing with the European Commission the administrative details of toxic substances control. Also in cooperation with the World Health Organization, the U.S.,

through the EPA, will help develop an international plan of action to improve the evaluation of health risks from exposure to chemicals.

Thus EPA is working with various countries to assess risks and benefits associated with various methods of hazardous waste disposal. Of key interest is a NATO Committee on Challenges of Modern Society pilot study on the disposal of hazardous wastes which is now entering Phase II of its operation. Phase I of the study provided valuable insight into mine and landfill disposal practices and produced recommended procedures for hazardous waste management. Phase II will include analyses of other thermal treatment systems.

The U.S. is taking steps on other problems relating to the improvement of environmental conditions in settled areas. One such problem, underscored in the CSCE Final Act, is that of the harmful effects of noise. The U.S., primarily through EPA, is cooperating on noise abatement research, along with the OECD, the International Civil Aviation Organization, the World Health Organization, and the U.N. Environment Program. The U.S. also has an agreement with France on regulating "noise pollution."

U.S.-USSR cooperation on improving environmental conditions originally fell under the authority of the multifaceted U.S.-USSR Environmental Agreement. It has now been transferred to the purview of the U.S.-USSR Housing Agreement of 1974. As outlined in the Helsinki accords, an active information exchange continues in projects relating to environmental aspects of urban transportation, solid waste processing, urban land use and the planning and management of urban recreation zones. Additionally, in 1978 Soviet and American agencies conducted an exchange of exhibits on the preservation and restoration of historic sites and structures.

The U.S.-USSR Environmental Agreement also contains an extensive program of bilateral cooperation in the realm of nature conservation and reserves management. Related activities include: implementation of the US-USSR Migratory Bird Convention of October of 1978, study and conservation of rare species of cranes, protection of northern ecosystems, and study and propagation of endangered plant species. Soviet and American specialists are actively involved in joint research into the biology, ecology and population dynamics of marine mammals. The two sides are exploring the possibility of concluding a formal convention on the conservation of north Pacific marine mammals. Another new initiative currently under discussion concerns aquaculture technology and fisheries management.

Joint activity between the U.S. and the USSR in the area of soil conservation is implemented under projects concerned

with biological approaches to agricultural pest management and transport/transformation of pesticides. A separate effort is also under way on techniques of reclamation and revegetation of disturbed land, a topic of special interest to industrial nations engaged in intensive energy-related development (strip mining, pipeline construction, etc).

Likewise, the United States, through the Fish and Wildlife Service of the Department of Interior, has a valuable bilateral agreement with Spain on protection of nature and nature reserves, and on wildlife and park management. The United States is involved in several combined activities with Poland and Yugoslavia aimed at more effective land utilization and the protection and recultivation of soils.

Moreover, the U.S. Government maintains a close working relationship with the International Union for Conservation of Nature and Natural Resources (IUCN), a worldwide association established to promote research on the natural environment. The United State has joined the IUCN's member governments and international organizations in a broad array of projects designed to preserve natural wildlife habitats, to ensure the perpetuation of wildlife species and to protect the ecological balance in general. The U.S. is a signatory to one of the largest and most important conventions on wildlife protection in the world -- the 51-nation Endangered Species Convention of 1973.

Besides subscribing to the principal international conventions on wildlife protection and nature preservation, the U.S. is active in research and development programs under the auspices of a number of multilateral agencies. For instance, U.S. specialists on pesticides are continuously involved in work with the U.N. Food and Agriculture Organization (FAO), the World Health Organization, the Organization for Economic Cooperation and Development (OECD) and the U.N. Environment Program.

Research, Monitoring, Forecasting, and Assessment of Environmental Changes and Legal and Administrative Methods

The U.S. Environmental Protection Agency believes that "a comprehensive environmental monitoring program is a prerequisite for complete United States participation in the establishment of a global monitoring system. This international coordination, as well as the development of a national monitoring capability, will increase the base of knowledge on

pollutant build-up in the environment before that build-up reaches crisis proportions."³⁴

In keeping with this view, many of the bilateral environmental agreements that the U.S. has negotiated with participating states incorporate the monitoring and forecasting of environmental changes. Long-term monitoring is a significant feature of the U.S.-Canada Great Lakes Agreement. Similarly, joint research projects with other nations often call for the development of regulations and administrative devices to protect the environment and assess potential harmful consequences. For instance, the fundamental challenge of monitoring, forecasting and assessing environmental change is attacked in many of its facets under the U.S.-USSR Environmental Agreement. One joint project seeks to clarify the effects of pesticides and fertilizers on aquatic and terrestrial fauna. Another focuses on the impact of pollution on forest systems. A third study is the biological and genetic effects of particular forms of pollution. A working group of several projects provides for a rich program of joint research into the influence of environmental changes on climate. One of the most consistently valuable areas of cooperation under the Environmental Agreement involves field and theoretical investigations of earthquake precursors and seismic risk. In a separate project, Soviet and American scientists recently pooled resources in an open ocean experiment on the formation and propagation of tsunamis in the northern Pacific.

Still other projects aim at the sharing of insights and approaches to the legal/administrative side of environmental protection and the harmonizing of pollution control standards in the two countries. Teams of U.S. and Soviet observers will visit specially designated areas in each other's country to initiate comprehensive regional analyses of environmental quality, including aspects of ecology, economics and public health. The American side will host a follow-up symposium, with the ultimate purpose of developing a mutually useful program of environmental quality monitoring and control.

The U.S. also actively contributes to the work of international organizations such as the Stratospheric Ozone Monitoring Program and the United Nations Environment Program's Global Environmental Monitoring System. Primarily concerned with air, this system will link existing national monitoring activities. United States cooperation in the global water quality monitoring network is expected to increase as a result of EPA's role as a World Health Organization Collaborating Center for Environmental

34. U.S. Environmental Protection Agency, Research Outlook, June of 1978.

Pollution Control. The data from joint surveillance and monitoring in the Great Lakes will also be incorporated into the Global Environmental Monitoring System.

Over and above these commitments, the U.S. has taken the initiative in establishing legal and administrative procedures for worldwide environmental impact assessments, a measure specifically advocated in the CSCE Final Act. In April of 1979 the U.S. Department of State expressed before a meeting of the U.N. Environment Program U.S. interest in developing international arrangements for the use of environmental impact assessments and consultations. Senator Claiborne Pell of Rhode Island, co-chairman of the U.S. Commission on Security and Cooperation in Europe, sponsored the initial resolution in the U.S. Senate that outlined the details of a far-reaching treaty on the issue. The U.S. Senate approved the treaty resolution unanimously. The U.S. plan would call on signatory governments to prepare an environmental impact assessment statement for any major project that would affect the environment of another country or "the global commons." The signatory government would then transmit the assessment and consult with the affected country or in the case of "the global commons," the U.N. Environment Program.

Conclusion

Most of these programs were initiated before the signing of the Helsinki accord. But in compliance with the Final Act's provisions, the United States has continued to pursue international cooperation with the Helsinki signatory states in every field of environmental concern specified in the Final Act and by every method and form recommended. The bilateral and multilateral agreements highlighted here comprise only a portion of U.S. international environmental cooperation relating to the CSCE accords.

COOPERATION IN OTHER AREAS

The sixth and final Basket II section deals with four specialized and differing areas of economic cooperation which have not been covered in great detail under any of the previous Final Act provisions: development of transport, promotion of tourism, economic and social aspects of migrant labor, and training of personnel.

Development of Transport

These Final Act provisions outline the importance of encouraging the international improvement of transportation

conditions and problems. The signatory states to the Final Act should, according to these clauses, increase their level of cooperation and information exchanges; work towards the harmonizing of administrative formalities and safety provisions in transportation; improve international inland transport, particularly within inland waterways and railroads; and intensify their work in international organizations, particularly the ECE's Inland Transport Committee, and their accession to international transport conventions.

The U.S. government, through the Department of Transportation (DOT), has been actively and visibly involved in promoting cooperative ventures in the areas of transport technology and conditions through bilateral programs and through participation in the transportation work of various international organizations, particularly the ECE.

The United States is presently participating in bilateral programs with five CMEA states (Czechoslovakia, Hungary, Poland, Romania and the USSR) and seven West European countries (Canada, France, FRG, Italy, the Netherlands, Spain and United Kingdom); ad hoc cooperative arrangements are also in existence with Bulgaria, Austria, Belgium, Denmark, Finland, Norway, Sweden and Switzerland. These programs are promoted principally for the purposes of acquiring and sharing useful technology and experience and incidentally, for promoting sales of U.S. technology and equipment.

U.S. participation in the activities of various multilateral organizations is focused on their work in developing and adopting international transportation standards and regulations, in considering regional transportation problems, in discussing shared problems and national experiences, and in disseminating technology and the results of multilateral research work.

While there has been no significant increase in bilateral or multilateral activities with the CSCE signatory countries since the signing of the Final Act (most of these programs were negotiated prior to August 1, 1975), the cooperative ventures called for in these agreements have been progressing satisfactorily during the period. Two bilateral cooperative agreements have, however, been concluded since 1975: a Memorandum of Understanding with the Dutch Ministry of Transport and Public Works in the fall of 1977 and one with the Hungarian Ministry of Transportation and Postal Affairs in the fall of 1978.

Bilateral Cooperation

Czechoslovakia

U.S.-Czechoslovak exchanges are based on a Memorandum of Understanding signed in June of 1968, which calls for both

countries to exchange information and specialists in specific subject areas. Most of the agreed exchanges have been completed, and the U.S. is looking to continue cooperative research projects, particularly in the areas of highway, rail and urban goods, after a government-level bilateral agreement for scientific and technological cooperation is approved.

Hungary

After several years of exploratory visits and ad hoc exchanges of information between DOT officials and the Ministry of Transportation and Postal Affairs (MOTPA), a Memorandum of Understanding was concluded between the two organizations in October of 1978. DOT specialists are particularly interested in Hungarian research on rail track deformation and their bus development and testing program.

The Hungarian Ministry of Transportation and Postal Affairs has been slow to respond to proposals for visits and tours of laboratories where research and development work is being realized. This may be due, in part, to the fact that the U.S. program is administered by only a few officials of MOTPA's international staff who are frequently traveling and thus react slowly to making arrangements for U.S. delegations. Since 1970 approximately 15 U.S. specialists have visited Hungary and four Hungarian specialists have visited the U.S. for discussions on transportation issues and to explore possibilities for cooperative work.

Poland

U.S. cooperative work with the Polish Ministry of Transport is based on the Memorandum of Understanding (MOU) signed in November of 1971 between the Department of Transportation and the Polish Ministry of Transport (MOT), informally extended by correspondence in 1976, and formally extended in Warsaw in October of 1978. The Memorandum is in the process of being further amended at the request of the Poles side through the exchange of diplomatic notes.

Under the Memorandum, research projects have been developed in the areas of driver habits and training, pedestrian behavior, use of coal fly ash in highway construction, rail safety, rail track structure improvement, and human factors (aging and shift work) rail research. The first three projects have been successfully completed and the others are in their final phases.

Romania

Cooperative exchanges with Romania are based on a Memorandum of Understanding concluded in November of 1971 between the U.S. Department of Transportation and the Romanian

Ministry of Transport and Telecommunications (MOTT). Limited exchanges of information have resulted from the agreement as the two sides have only recently been able to identify on-going research work of mutual interest and potential benefit. The U.S. has been particularly interested in cooperation in the rail area and the work now begun at the new Romanian rail test ring at Faurei. A three-man rail delegation visited Bucharest in April of 1979 for discussions regarding cooperative proposals discussed by the DOT-MOTT program coordinators in Bucharest last fall.

USSR

Cooperation in transportation between the United States and the Soviet Union, which began with exploratory exchanges of technical delegations in the areas of bridge construction and tunneling, high-speed rail and containerization, and urban transport and environment, was formalized by the conclusion of the U.S.-USSR Agreement on Cooperation in the Field of Transportation, signed in June of 1973. The agreement was renewed in June of 1978 for two years, extendible for another three years unless either side gives at least 30 days notice of its intent to withdraw.

As the Agreement specifies, Executive Agents (coordinating bodies) have been appointed for each side: DOT serves in this capacity for the U.S. and the State Committee on Science and Technology (SCST) serves for the Soviet side. A U.S.-USSR Joint Committee on Transportation, also provided for in the Agreement, was established to oversee implementation of the Agreement through annual meetings, alternating between Moscow and Washington. A U.S.-Section of the Joint Committee was established (composed of DOT Assistant Secretaries, the General Counsel, Modal Administrators, the Chairman of National Transportation Safety Board, and representatives of Commerce (MARAD) and State) under the chairmanship of the Assistant Secretary of Transportation for Policy and International Affairs. The chairman of the Soviet section is a Deputy Chairman of the SCST.

The Department of Transportation is involved in two working groups under the U.S.-USSR Environmental Agreement: DOT Office of the Secretary personnel in work on urban environment, and Coast Guard personnel in work on prevention and cleanup of ship pollution. The objective of the urban environment project is essentially to examine each country's practices and problems in the area of urban transportation and to cooperate on projects that would help ease some of those problems. Since the project first began in 1973, there have been numerous exchanges of specialists and information, and the drafting of two joint reports.

Multilateral Cooperation

International organizations have been active in the promotion of specific cooperative transportation projects to which the United States has been a notable contributor. There are, for example, five different international organs involved in the problem of the transport of dangerous goods: the U.N. ECOSOC Committee of Experts on the Transport of Dangerous Goods; the Economic Commission for Europe's (ECE) Committee on the same subject; the Inter-Governmental Maritime Consultative Organization (IMCO); the International Civil Aviation Organization (ICAD); and the International Atomic Energy Agency (IAEA). Each group is working on codifying safety standards and increasing cooperation, the further exchange of information and the implementation of conventions on the transport of dangerous goods in their respective areas of competence.

Other organs of multilateral cooperation in which the U.S. has taken a leading role include the Economic Commission for Europe's Inland Transport Committee; the International Civil Aviation Organization (ICAD); Intergovernmental Maritime Consultative Organization (IMCO); European Conference of Ministers of Transport (ECMT); Organization for Economic Cooperation and Development (OECD); International Standards Organization (ISO); International Union of Public Transport (UITP); and the International Union of Railways (UIC).

Promotion of Tourism

Recognizing "the contribution made by international tourism to the development of mutual understanding among peoples" and "the interrelationship between the development of tourism and measures taken in other areas of economic activity," Basket II includes a special section in which the participating states "express their intention to encourage increased tourism" by encouraging improvement of the tourist infrastructure, joint tourist projects, the exchange of tourist-related information, the facilitation of the activities of foreign travel agencies, the exchange of specialists and the promotion of conferences and multilateral tourist studies.

While the tourist industry in the United States is not centrally controlled as it is in the Eastern CSCE states, the U.S. Government has taken several measures to encourage and facilitate tourist travel to the United States. In the area of tourist data exchange, the United States Travel Service (created in 1961 within the Department of Commerce to promote international travel to the United States) has conducted numerous research surveys within the United States and abroad and publishes a bibliography of all available tourist publications. The USTS has, in addition, been urging countries such as the Soviet Union to work with the U.S. on harmonizing tourist data

and expects to send a representative to Moscow in September of 1979 to discuss the question of statistic harmonization. It has, additionally, urged the formation of a "Visit the USA" center at the U.S. Embassy in Moscow. Every five years the Census Bureau conducts a National Travel Survey -- "the largest survey of travel activity conducted in the world today"³⁵ -- collecting detailed information on the volume and characteristics of American travelers and the nature of their trips, including overseas trips to Canada and Europe. Also, numerous private organizations conduct their own market surveys and analyses. In 1973, the United States Travel Data Center was created exclusively to improve the data base on travel to, from and within the U.S. The Discover America Travel Organization (DATO) was also formed to deal with the needs of the U.S. tourist industry.

To facilitate, in the Final Act's language, "the activities of foreign travel agencies and passenger transport companies in the promotion of international tourism," the USTS organizes an annual convention called "Pow Wow," which brings foreign tour operators together with U.S. suppliers and helps acquaint the foreign organizations with U.S. tourist attractions, hotel accommodations and other facilities. Close to one thousand travel promoters participate in these conferences annually. The USTS also participates in other international tourist meetings such as the International Tourism Bourse, held annually in West Berlin. An international symposium was also recently held in Washington, D.C., called "Tourism in the Next Decade," in which numerous organizations from the CSCE states participated.

The U.S. Government has also been promoting tourist travel to this country by "dealing in a positive spirit with questions ...connected with the formalities required for such travel." Both the Congress and the executive agencies concerned have been working to revise U.S. visa laws and procedures to make it easier for foreigners to visit the U.S. (See Basket III, Visa Section).

The U.S. has been actively pursuing tourist agreements with the Eastern signatory states and has urged the inclusion of clauses relating to tourism in various bilateral cultural agreements. Such clauses exist in agreements signed with Romania and with the Soviet Union ("the parties will encourage the expansion of tourist travel between the two countries and the adoption of measures to satisfy the requests of tourists

35. Douglas Frechtling, Director, U.S. Travel Center.

to acquaint themselves with the life, work and culture of each country."³⁶ Negotiations have begun on a separate tourist agreement with Poland and on the possibilities for one with the Soviet Union.

As honorary co-chairman of the Tourism Committee of the U.S.-USSR Trade and Economic Council, the U.S. Assistant Secretary for Tourism has actively contributed to the work of this Committee. Several cooperative projects the Committee has initiated include an experimental program on reciprocal non-currency exchanges of travelers, work on uniform tourist statistics, and a U.S. proposal on cooperation in hotel management and personnel training.

As part of its multilateral implementation efforts, the U.S. has been a notably active member of the World Tourism Organization (WTO), headquartered in Madrid, Spain. U.S. delegates have proposed that the WTO draft a tourist bill of rights and code of conduct, and have been instrumental in the creation of a Facilitation Committee which hopes to reach agreement on the outlines for a possible international convention on the facilitation of tourism.

These varied government activities in the field of tourism should be encouraged to continue and expand, despite the scheduled dissolution of the U.S. Travel Service, with particular attention to increasing tourism between the United States and the Soviet Union.

Training of Personnel

This final section of Basket II, "Cooperation in Other Areas," requests the participating states to encourage exchanges of information and of professional staff and technicians that would further the training and advanced training of these professional technicians."

As a way of encouraging U.S. compliance in this area, the CSCE Commission recently recommended that the U.S. International Communication Agency (ICA) provide the CSCE signatories with a special collection of American educational counseling materials which include the major reference sources for educational opportunities in the United States.

36. Paragraph 14 of the U.S.-USSR General Agreement on Contacts, Exchanges and Cooperation in Scientific, Technological, Cultural and Other Fields.

CONCLUSION - CHAPTER 4

The continued efforts and interest of private firms, governments and multilateral organizations have contributed to the transforming of East-West economic and scientific cooperation from a variable and fragile series of economic interchanges to a more stable, regular and growing economic interdependence. The Final Act has been an admittedly small factor in that evolution. The Act's Basket II provisions have, however, provided governments and individual enterprises with a well-defined chart of problem areas and suggested remedies for these problems, thus spurring the concerned organizations in the signatory states to work toward implementation of these suggestions and the gradual strengthening of East-West commercial ties.

Four years is a relatively short time to assess progress made toward essentially long-range goals. United States implementation of these Basket II provisions has generally been exemplary in some areas, sporadic in others and limited in a few. Even though the U.S. government plays a minimal role in the workings of the economic and trade system, the Government has made notable efforts to facilitate the development of commercial and scientific relations with the Eastern CSCE states. These include the negotiation of two trade agreements and numerous other related commercial agreements; active participation in the creation and work of bilateral trade councils and commissions; dissemination of voluminous information on the U.S. economy, the Eastern economies, and specific topics of interest to U.S. and Eastern businessmen; the organization of trade centers, commercial fairs, symposia and meetings to facilitate the work of businessmen here and abroad; the more widespread granting of multiple-entry visas and commercial offices to businessmen from the Eastern CSCE states; the signing and funding of cooperative agreements in various fields of science and technology; and active involvement in the important multilateral activities of such groups as the Economic Commission for Europe. Again, most of these efforts would have been pursued without a Final Act because of U.S. stated interests in the expansion of world trade. Taken together, however, they comprise an impressive record of compliance with most of the major provisions of Basket II.

In areas where U.S. compliance has been most frequently criticized, the government has taken modest steps to ensure greater compliance without substantially altering previous practices. Most-Favored-Nation (MFN) and government credit qualifications still remain in effect, but MFN and government credits have been extended and Trade Agreements negotiated with Romania and Hungary. Export control procedures remain lengthy in certain cases, but recent legislative and administrative initiatives have attempted to minimize the procedural difficul-

ties. Anti-dumping and market disruption legislation is still in effect, but the agencies concerned are conscious of carefully reviewing and reconsidering each decision on a non-discriminatory basis. Eastern businessmen are still, on occasion, denied U.S. entry visas for security-related reasons, but the Departments of Justice and State have tried to streamline and expedite the decision-making process.

The Commission has recommended that U.S. Government and private interests continue the positive efforts that each has made in expanding their network of commercial and scientific interchanges with Eastern CSCE states and enterprises. In areas where U.S. implementation could be improved, such as export control and visa issuance procedures, the Commission has recommended that the relevant government agencies take further steps to ensure greater U.S. Final Act compliance. The Commission also hopes that the other signatory states make similar reassessments and improvements in their implementation record. Such constant attention and concern for the principles and practical steps outlined in Basket II will help ensure the continued success of the "process" which began four years ago at Helsinki, as well as the success of the expanding East-West economic relationships which began prior to Helsinki. In turn, the Commission hopes that economic ties, in time, will contribute to the Final Act's long-range goals of reinforcing "peace and security in Europe and in the world as a whole."

CHAPTER FIVE

COOPERATION IN HUMANITARIAN AND OTHER FIELDS

INTRODUCTION

In Basket III of the Helsinki accords the CSCE states concentrated their efforts to give detente a "human face." With Basket III, the West insisted that detailed humanitarian provisions be included in a document the East had originally hoped would deal only with political-security issues. In order to reach agreement at Helsinki, the East acceded to a view long held by the United States and the Western countries that improvement in relations between states must be accompanied by improvement in the daily lives of the citizens of the respective signatory states. Basket III also recognizes the important part individuals have to play in building the mutual understanding and confidence that will make detente a successful undertaking.

Basket III is essentially about international movement -- of individuals, information and ideas. It is divided into four sections which reflect those three "movement" areas. The first section, Human Contacts, covers the specific provisions for implementing the principle of freer movement of people by reducing restrictions on family reunification and travel. Section two expands the principle of freer movement of information by outlining specific measures to increase the dissemination of and access to information. The final two sections on the freer movement of ideas contain measures to encourage increased cultural and educational contacts and exchanges.

Because the United States has traditionally imposed few barriers to the free movement of citizens, information and ideas, Basket III requires few changes in existing U.S. practices. This is not to imply, however, that U.S. compliance has been above reproach. The United States has been criticized both at home and abroad for maintaining visa policies which place a difficult burden on travelers from other nations. The U.S. government plays a limited role in the nation's cultural and, to a lesser extent, educational life. While this ensures that individual scholars and audiences have freedom of choice in these fields, it has also given rise to complaints that the U.S. has not done enough to promote exchanges.

In scrutinizing the U.S. Basket III record of compliance, the Commission has placed special emphasis on criticisms and complaints. Since much of the criticism lodged against U.S. performance in this sphere has come from either East European states, or critics of U.S. policies towards those states, the focus of much of this report is on the East-West aspects of Basket III interaction. Many of the policies examined here

focus on the way the United States treats its own citizens. This is again a recognition of the fact that individuals and their concerns should not be forgotten in the interplay of governments and nations.

HUMAN CONTACTS

The need to improve the lives of individual citizens is most clearly highlighted in the first Basket III section, Human Contacts, which deals exclusively with the facilitation of the freer movement of people across borders, particularly for the purposes of family reunification, family visits, marriage and tourism. In detailing these provisions, the Final Act recognizes "the development of contacts to be an important element in the strengthening of friendly relations and trust among peoples" and commits the signatory states "to develop, with the continuance of detente, further efforts to achieve continuing progress in this field."

The United States -- one of several countries which insisted on inclusion of these provisions in the Final Act -- has always recognized and supported the principles contained within them. As a nation founded by immigrants, the U.S. has throughout its history affirmed the right of everyone to leave any country and return to his or her own country -- a human right later recognized in the United Nations' Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. It is U.S. policy to grant citizens the exit documents required to leave and return at will. This right is restricted only for specific and sharply limited criminal, medical or national security reasons. Previous restrictions on travel to certain countries by American citizens were removed by President Carter in 1977. Therefore, in this respect, the United States is in compliance with the Human Contacts section of Basket III. The Commission is not aware of any criticisms of U.S. practices in this area from other CSCE countries or domestic sources.

Like virtually every country in the world, however, the United States controls and restricts the entry of foreigners. These restrictions have been criticized both at home and abroad as impeding the development of human contacts which the Final Act mandates and circumscribing the principle of free movement which the United States espouses.

U.S. Entry Policies

It may safely be said that few single issues concerning U.S. compliance with the Helsinki accords have received more criticism from a broader range of sources than the one concerning U.S. visa policies, particularly as they apply to citizens from Eastern CSCE states. The major focus of that criticism

as it relates to the Final Act has been on a provision of the 1952 U.S. Immigration and Nationality Act which denies members of proscribed organizations, including the Communist Party, entry into the United States without a special waiver.

There have been a number of critics of that provision in U.S. law.

-- President Carter: "We are ourselves culpable in some ways for ...restricting unnecessarily, in my opinion, visitation to this country by those who disagree with us politically" - February of 1977 press conference.

-- U.S. press: "The beginning of a new Administration is a good moment to dump overboard the law that prohibits Communists from visiting the United States. It was a foolish law when it was enacted two decades ago. In recent years it has become a constant embarrassment. Worse, it is open to exploitation by precisely the people at whom it was aimed." - February of 1977, a Washington Post editorial.

-- U.S. Congressmen: "These sections of the McCarran-Walter Act, enacted over the veto of President Truman, are violations, not only of the Helsinki Final Act, but also of America's traditional commitment to the unfettered exchange of ideas and the right to move about freely, without fear of discrimination based on past or present political beliefs." - June of 1977, Rep. Robert Drinan (D.-Mass.).

-- Soviet and East European press: "The legalized practice in the United States of not giving access to the United States to people holding progressive views is not only contradictory to the highly publicized Washington statements but represents a flagrant violation of the Final Act of the European conference which bears the signature of the American president. And what is more, ruling circles in the United States, breaking all records in hypocrisy, try to accuse other countries of not observing the Final Act clauses" - March of 1977, Moscow domestic services.

Other provisions of the Immigration Act have been criticised as being contrary to the spirit of U.S. Helsinki promises, particularly those dealing with the entry of foreigners whose admission may be detrimental to U.S. national security interests. While not denying the obvious need for such restrictions, critics contend that the present wording of the statute is both too inflexible and too broad to allow for a fair and objective interpretation.

The procedures associated with these provisions have also been a major source of criticism by both domestic and foreign critics. The length and nature of the application forms, the often extended delays associated with the application process, the frequent need for a personal appearance and interview by a U.S. consular officer, the number of visa refusals, the need

itself for a visa to enter the United States when other countries have abolished the visa requirement --- all have been cited as examples of the complexities of U.S. entry procedures, creating obstacles to the free movement of people called for in the Final Act.

The Final Act specifically mandates the participating states "to facilitate freer movement and contacts, individually and collectively..." in particular "gradually to simplify and to administer flexibly the procedures for exit and entry" and "to promote visits to their respective countries by encouraging ... the simplification and expediting of necessary formalities relating to such visits." In addition, the Final Act's language details the specific measures states should adopt to facilitate family visits, family reunification and marriages. These include expeditiously issuing entry and exit documents, charging acceptable fees for those documents, and favorably considering application requests.

The following section of the report will examine these allegations by reviewing the relevant provisions of U.S. visa laws, recent practices in U.S. visa formalities, changes that have been enacted in either law or procedures since August of 1975, and recommendations suggested in light of those findings. The examination will concentrate on U.S. entry procedures which have been criticized as violations of the Final Act. In viewing U.S. visa policies, practices and procedures, it must be remembered that U.S. officials must be particularly concerned with carefully screening the entry of foreigners -- perhaps more so than officials of other countries. The U.S., unlike other countries, maintains virtually no internal controls over foreigners once they enter the country. Entering foreigners are expected, of course, to comply with the specific terms of their entry, but no nationwide mechanism exists to enforce that compliance.

U.S. Visa Laws

In its first one hundred years as a nation, the United States encouraged and promoted the unrestricted movement of people into the country. The process of controlling the flow of foreigners into the United States first began a few years before America's centennial when Congress adopted legislation excluding aliens for "qualitative" reasons of health, morality, etc. Several years later, in 1882, the first general immigration legislation was passed which barred the entry of aliens from certain countries. In 1921, a "national origins" quota system was established which limited the number of immigrants permitted to enter from Eastern hemisphere countries. In 1952, the Immigration and Nationality Act, commonly referred to as the McCarran-Walter Act, passed Congress over President Truman's

veto. It became the basic law -- with significant amendments over the years -- governing U.S. entry policies to the present day.

The Act was, to a large extent, a recodification and revision of existing immigration laws. But it was severely criticized during its passage as restrictive legislation which reflected too clearly the times in which it was drafted -- the height of the Cold War, the Korean War and McCarthyism. While abolishing the provisions excluding immigrants from Asian countries, the McCarran-Walter Act retained the national origins quota system until 1965 when amendments to the Act replaced the country quotas with hemispheric ones. No more than 170,000 persons may be admitted in one year from the Eastern hemisphere and 120,000 from the Western hemisphere. Since then, amendments to the Act have reflected more humanitarian concerns, specifically regarding family reunification and refugee admissions.

The Immigration and Nationality Act (INA) places two types of general restrictions on persons wishing to enter the United States: numerical and qualitative. The INA also differentiates between two types of entering aliens: immigrants (aliens who wish to settle permanently in the United States) and nonimmigrants (aliens who are granted temporary admission for specific purposes).

As is true in most other CSCE states, regulations governing the admission of immigrants are, of political, economic and social necessity, more restrictive than those which apply to nonimmigrant aliens. Numerical restrictions apply only to immigrants and consist of an annual worldwide ceiling of 290,000, with a 20,000 maximum from any country. Consistent with the Final Act, family reunification is the primary objective of these immigration provisions. Within the numerical restrictions, for example, visas are distributed according to a seven-category preference system which gives priority to specified family members (four out of the seven categories, involving 74 percent of the hemispheric totals). Spouses and children of U.S. citizens and parents of adult citizens are not subject to the numerical limitations.

Persons applying for nonimmigrant visas are granted temporary entry into the United States for 12 specific purposes outlined in Section 101 (a)(15) of the INA. Although entry restrictions for nonimmigrants are fewer than those for immigrants, temporary visitors are subject to greater limitations, particularly regarding employment, while in the United States.

Both immigrants and nonimmigrants are subject to the qualitative restrictions contained within the INA. An alien may be refused entry into the U.S. on the basis of 33 economic, moral, health, political or security grounds.³⁷ Some of these exclusionary grounds may be excused for immigrant applicants in particular circumstances, and all the grounds (except (27) and (29) involving national security restrictions) may be waived for nonimmigrants by the Attorney General at the recommendation of the Secretary of State or consular officer.³⁸

While the large majority of excludable grounds deal with aliens who are judged seriously ill, criminal, immoral or likely to become public charges, Section 212(a)(28) bars members of certain proscribed organizations from entering the United States. Subsection (c) specifically bars "aliens who are members of or affiliated with...the Communist or any other totalitarian party of any State of the United States, of any foreign state, or of any political or geographical subdivision of any foreign state." This section of the Act, together with Sections 212(a)(27) and (29), were adopted from the Internal Security Act of 1950 in which immigration legislation was used as a means of controlling the "communist threat"³⁹ that figured so prominently in U.S. public life at the time.

Relevant Changes in U.S. Law

When the INA was first enacted, exclusion under Section 212(a)(28) was the rule and waivers were the exception. Throughout the past decade, the opposite situation has prevailed and waivers have been granted more often than refused. As the State Department's Bureau of Consular Affairs has noted: "Consular officers should not hesitate to use the waiver recommendation where appropriate. In practice, consular officers are urged to recommend waivers for ineligible aliens unless their presence in the United States would be harmful. The utilization of this waiver authority in such cases demonstrates that our basic immigration policy is compatible with general freedom of travel, exchange of ideas, and humanitarian considerations, while at the same time ensuring, through careful screening, that our internal security is being safeguarded."

To establish a still more liberal application of U.S. visa laws, the "McGovern Amendment" to the Foreign Relations Authorization Act of 1978 was adopted on August 17, 1977, "for

37. See Appendix VII, Chart 4 for a listing of those grounds and the number of aliens refused entry on those grounds in Fiscal Year 1976.

38. See Appendix VIII for the waiver language of Section 212(d)(3).

39. See Appendix IX for full text of Sections 212 (a)(27) (28) and (29).

the purposes of achieving greater United States compliance with the provisions of the Final Act..."

The amendment provides that within 30 days of receiving a nonimmigrant visa application by any alien who may be excluded from entering the U.S. solely because of affiliation with a proscribed organization, the Secretary of State should recommend that the Attorney General grant approval for his or her admission, unless the Secretary determines and certifies to the Congress that doing so would be detrimental to U.S. security interests. The amendment did not change the basic provisions of U.S. law. But it did have an important symbolic value in demonstrating the gravity with which the United States views its Final Act commitments and in supporting the Carter administration's policy of encouraging greater movement and contacts of people across borders.

The McGovern Amendment did not touch upon the exclusion of possible foreign intelligence agents from the United States; these provisions, Sections 212(a)(27) and (29), have remained unchanged from the 1952 Act and are not subject to a waiver. The Amendment has, however, recently been revised and substantially limited and linked to Final Act implementation.

Another noteworthy attempt to change U.S. visa laws that is in keeping with U.S. Final Act commitments has been a recent amendment to the State Department authorization bill, introduced by Senator and CSCE co-chairman Claiborne Pell (D.-R.I.). The amendment would give the Secretary of State the authority to abolish the visa requirement for temporary visitors (up to 90 days) from selected countries which extend reciprocal privileges to American citizens and where the visa-refusal rate is very low. Even without this amendment, a large percentage of the foreigners legally entering the United States did so without the formal required visa. Nonimmigrant visas are not required of Canadian citizens and permanent residents of Canada who are natives of Commonwealth countries and British subjects who live in certain Caribbean islands. Mexican citizens require only border crossing cards -- which serve many of the same purposes as a visa.

Such a legislative change would make it considerably more convenient for citizens from several CSCE states to visit the U.S., and would be a striking example of U.S. good faith efforts to improve compliance with the letter and spirit of the Final Act and to realize the Administration's commitment to greater freedom of travel.

These and other provisions of the INA will, it is assumed, be reviewed and possibly revised when the Select Commission on Immigration and Refugee Policy makes a final report of its find-

ings and recommendations in late 1980 or early 1981. The Commission is composed of 16 public, private and Congressional members whose mandate is "to study and evaluate...existing laws, policies and procedures governing the admission of immigrants and refugees to the United States and to make such administrative and legislative recommendations to the President and to Congress as are appropriate." One of four particular concerns, as detailed in the Commission's governing legislation, is to "conduct a study and analysis of the effect of the provisions of the Immigration and Nationality Act...on the conduct of foreign policy."

U.S. Visa Procedures

Those agencies responsible for admitting aliens into the United States repeatedly emphasize that they must work within the limits of U.S. immigration laws. While those procedures may appear cumbersome at times, these agencies have attempted over a number of years to streamline their admission operations and "to be sensitive to the international community's commitment to freedom of movement and to humanitarian principles" according to Assistant Secretary of State for Consular Affairs Barbara Watson, who testified at a CSCE Commission hearing on April 5, 1979.

The Immigration and Nationality Act provides for a "double-check" system of admission which is essentially controlled by two government agencies: The Bureau of Consular Affairs of the Department of State and the Immigration and Naturalization Service (INS) of the Department of Justice. A foreign national wishing to enter the United States must first secure from an American consular officer abroad a visa which documents that the alien is eligible to enter the U.S. The visa itself -- issued by the State Department officer -- establishes preliminary eligibility but does not guarantee admission. After arriving in the U.S., the alien must be interviewed by the admitting INS official on his or her eligibility to enter and the appropriateness of his or her visa classification.

To secure a visa, applicants must, in most cases, present documentation demonstrating eligibility. Obtaining an immigrant visa is more difficult and time-consuming than obtaining a nonimmigrant visa. The processes involved in both are described below.

Immigrant Visa Issuance

Section 222 (b) of the Immigration and Nationality Act details the documents required for immigrant visa applicants: a valid passport or other travel document; certifications and any existing records from the appropriate police authorities; the applicant's military record, if any; and record of birth.

The applicant must also fill out a detailed application form. In addition, the consular officer must obtain specific documents supporting the visa-preference classification being sought, such as a preference petition for applicants seeking a family-related preference and an Alien Employment Certification for an employment-related preference. After the required documents are received, the applicant must undergo a medical examination and submit to an interview by the consular officer to determine his or her eligibility and appropriate visa classification.

The fees for immigrant visas are standard worldwide and have been set at 5 dollars for the application and 20 dollars for the visa. These fees have remained unchanged since they were first applied in 1952, despite the fact that the costs for processing the visas have risen more than three times the amounts charged.

The immigrant visa process is lengthy and time-consuming because of the need both to assemble the necessary documents and to wait for the availability of visa preference numbers. It becomes even more complicated if the applicant is judged ineligible under one of the provisions of 212(a) of the INA.

If an immigrant applicant is or was a member of the Communist Party, as is frequently the case with nationals from the Eastern CSCE states, his or her ineligibility -- as determined by 212(a)(28) -- may be overcome only by demonstrating that such membership was involuntary or that the applicant is a "defector." Involuntary membership must be demonstrated "to the satisfaction of the consular officer" by proving that the applicant was under the age of 16 at the time he or she joined the Party or that he or she entered the Party only for the purposes of securing employment, food or other essentials of living. Applications by aliens who claim they are defectors must be reviewed by the State Department and the Attorney General to determine that the applicant's admission would be "in the public interest."

These checks take time and necessarily delay the admission process by several weeks. Assistant Secretary of State for Consular Affairs Barbara Watson said at a recent CSCE hearing that, "assuming no transmission delays due to staffing shortages, a case in which the factual presentation is reasonably clear and complete should be completed in four to six weeks if it is claimed that the membership is or was involuntary. In similar circumstances, a case in which defectorship is claimed would normally require about three months to complete..."

If the applicant is refused a visa for any reason, that person has the right to be informed of the legal provision under which the visa was refused and the unclassified facts upon which

the denial was based. All denials are reviewed by a supervisory consular officer, and the applicant may request reconsideration of the case by the consular officer or the Department of State.

When they arrive in the U.S., all aliens must be interviewed by an immigration officer at the point of entry to ensure eligibility for admission. Anyone refused admission has the right to a hearing before an immigration judge whose decision may be reviewed by the Board of Immigration Appeals and eventually the federal courts.

Nonimmigrant Visa Issuance

Because U.S. visa laws mandate that "every alien shall be presumed to be an immigrant until he establishes to the satisfaction of the consular officer...that he is entitled to a nonimmigrant status" (Section 214(b) of the INA), it is incumbent upon the visa applicant to demonstrate that he wishes to enter the United States for a temporary visit and will abide by the terms of his particular nonimmigrant visa classification. Such decisions depend largely on the personal judgement and discretion of the consular officer based on all the available evidence. In the vast majority of cases involving most CSCE signatory countries, applicants must simply complete a visa application form and submit it, together with a photograph and passport, to the consular officer by mail or, if they prefer, in person. If the officer feels there is some doubt as to the alien's qualifications to receive a nonimmigrant visa, the officer may request an interview with the applicant or may request additional documentation to support the applicant's eligibility. Specific nonimmigrant visa categories require specific additional documentation, such as an approved INS petition for temporary workers and fiances.

Assistant Secretary Watson has calculated that the requirement for a personal interview of applicants is waived for "between 70 percent and 90 percent of nonimmigrant visa applicants at consular offices in Western Europe and for up to 50 percent of applicants at offices in Eastern Europe."

Nonimmigrant visa fees are based on the principle of reciprocity, as mandated by U.S. laws. According to Watson, the State Department "actively undertakes to bring about mutual reduction in fees or their outright elimination. Whenever the United States does charge a fee for a nonimmigrant visa, it is solely because the government of the country concerned charges a like fee for an American traveling to that country." On that basis, applicants from the Soviet Union, Yugoslavia and Romania are not charged a nonimmigrant visa fee; neither are nationals from Western Europe, except certain applicants

from Luxembourg, Norway, Spain and Switzerland. The U.S. has recently proposed abolishing the fee reciprocally for visitors from the German Democratic Republic (GDR), Bulgaria and Hungary.

The time involved in obtaining a visa varies with each applicant and the workload of each consular section. Assistant Secretary of State for Consular Affairs Watson has testified that "nonimmigrant visas are issued as expeditiously as possible. Nonimmigrant applicants who appear in person are generally processed the same day." The Department has estimated that the average worldwide processing time for nonimmigrant visas was 17 minutes in 1975, down from 18 minutes in 1974 and 1973, and 21 minutes in 1972. It has been decreasing steadily over the past three years despite a 40 percent increase in the number of applications during that period.

That waiting period is extended, however, if the applicant is deemed to be ineligible under one of the 33 grounds for ineligibility set forth in the Immigration Act. Section 212(a)(28), which denies entry to members or affiliates of proscribed organizations, including the Communist Party, may be waived, as noted in the previous section, for nonimmigrant visa applicants. Such waivers have been routinely granted in the large majority of cases -- 96 percent in 1975 -- and in all cases since 1977.

The granting of a waiver does, however, require additional time and added procedures. The consular officer must interview the applicant and must request a waiver from the Immigration and Naturalization Service (INS). In some cases, the Department of State makes the waiver recommendation to the INS. In all instances, cases ineligible under 212(a)(28) must be reviewed by the appropriate security agencies of the U.S. Government. Recommendations may be made by letter, by an exchange of telegrams or by a telephone call. "The procedures may be lengthy, although in urgent cases they may be expedited... Every effort is made in each case to complete the necessary steps in a timely manner," Assistant Secretary Watson noted in prepared testimony for a CSCE hearing on April 5, 1979.

The nonimmigrant visa procedure may also be considerably prolonged if an applicant is suspected of ineligibility under 212(a)(27) or (29) of the Immigration Act -- the only two grounds of exclusion under the Act which may not be waived. Under (27) an applicant will be excluded if "the Attorney General knows or has reason to believe" that he will be entering "the United States solely, principally, or incidentally to engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States." Similar, more specific language is contained in (29).

Most countries have similar restrictions governing the entry of suspected foreign agents. Questions have been raised over the past year, however, about U.S. Final Act compliance in this regard because of a recent shift in U.S. policies relating to the enforcement of these laws.

Responsibility for determining an applicant's ineligibility under these two provisions rests with both the Departments of State and Justice. The consular officer, upon receiving a non-immigrant visa application from nationals of Eastern states, must request a security name check from the FBI, particularly when a waiver of paragraph (28) is required. If the security check does, in fact, reveal evidence of an applicant's possible affiliation with a foreign intelligence service, the FBI generally recommends that the visa be denied on the basis of (27) or (29). When there is a difference of opinion among agencies as to whether to grant the visa, "in 1976, according to the rundown, the FBI's recommendations for exclusion of a temporary visitor were overruled (or ignored) by the State Department 87 percent of the time; in 1977 they were overruled 99 percent of the time; and in the first quarter of 1978, they were overruled 100 percent of the time." (Washington Post, July 4, 1978). Since early 1978, however, after Congress passed legislation requiring the Attorney General to submit a list to Congress of all aliens admitted into the U.S. over FBI objections and the Senate Appropriations Committee directed that the INS "under the guidance, control and supervision of the Attorney General deny entry and enforce expulsion of hostile intelligence service personnel irrespective of visas issued by, or policies of the Department of State," Justice Department decisions have been given greater weight in this aspect of the visa-issuance process. In an effort to resolve differences between them, the two departments have since established consultative arrangements and have formed a small interdepartmental committee to review disputed cases of fact, with final decision to be made by the Associate Attorney General. According to Assistant Secretary Watson: "The Committee has succeeded in developing criteria for adjudicating these cases which have markedly reduced the instances of divergent views in subsequent cases...Continuing review of divergences as they may arise will further refine those guidelines and thereby further reduce the number of cases over which the two agencies disagree."

Only a small number of applicants fall under these provisions. Since January of 1975, the FBI estimates that 13 East European and 31 Soviet nationals have been denied entry into the U.S. as a result of FBI visa denial requests on the basis of 212 (a)(27) and (29)). But those who are affected have complained of the delays and uncertainties connected with their applications. Former Associate Attorney General Michael Egan, in his testimony before the Helsinki Commission, agreed that "there have been some lengthy delays in the processing of some

applications. We have, however, worked out informal procedures whereby urgent cases can be handled on an expedited basis." Former Deputy Legal Advisor of the State Department Lee Marks also testified that "the bulk of cases are handled in a timely manner; with the difficult cases, you have delays. We are sorry about that, although it is the product of trying to do this in a responsible and careful way."

Criticisms concerning these procedures, however, have been raised because of recent visa denials to East European nationals who had previously been granted entry permission on several occasions, whose families were residing in this country or whose presence in the U.S. served important commercial or foreign policy interests. Mr. Marks explained U.S. policy on this question: "There was a time when the State Department argued that in making the judgements that are required under (27) and (29), you could balance foreign policy reasons against national security reasons. I must say it is the present view of the Office of the Legal Advisor that you cannot do this anymore, and, in fact, the law says that if you have reason to believe that somebody is coming here to engage, even incidentally, in prohibited activities, you've just got to keep them out."

As is the case with immigrant visa denials, nonimmigrant visa applicants must be informed of the provision of U.S. law under which they were refused a visa. Applicants whose refusal is based on paragraphs (27) and (29), however, are not usually given the facts supporting the decision on their case because the information is classified.

Relevant Changes in Procedure

Although the complexities of U.S. admission procedures are determined to a large extent by the laws governing those procedures, the executive agencies involved in the process have taken positive steps to simplify and streamline the proceedings. The Bureau of Consular Affairs says they "are sensitive to the needs to facilitate travel" and are trying, in terms of concept and implementation to facilitate that particular need, within the balance of other considerations." As previously noted, the need for a personal interview of nonimmigrant visa applicants may, for example, be waived at the discretion of the consular officer and waiting periods for the issuance of visas have been shortened, despite a considerable increase in the number of applications. To further expedite these procedures the Department of State is working with the Department of Justice to develop three compatible computerized programs: an automated nonimmigrant visa issuance system - (ANVIS); a travel document and issuance system - (TDIS); and an automated system of alien documentation, identification and telecommunication - (ADIT). These systems would computerize most of the mechanical processes involved in admission pro-

cedures and would improve considerably the efficiency of those procedures. The ANVIS system is already operating at several consular offices abroad.

The INS is also attempting to expedite its checks of aliens at points of entry. Pre-clearance procedures, whereby visitors are cleared by INS officials when they depart, have been initiated on an experimental basis at several airports abroad. The inspection periods at points of entry have already been minimized for all entering aliens to an average of 60 seconds per passenger, thereby allowing the ratio of inspector to arriving passenger to be reduced. In addition, the processing of visa petitions for immigrant applicants has decreased to one month in most cases and five months in the more difficult ones.

Conclusion

Both the administrators and critics of U.S. visa policies agree that U.S. admission laws and procedures are complex. That complexity must, however, be viewed in the context of the particular national circumstances which have governed the formulation of those policies. As former INS Commissioner Leonard Chapman said in testimony in 1976: "The United States remains a large, attractive magnet to people from all over the world who seek, not merely to visit, but to work and remain here permanently. The high standard of living, the perceived opportunity to better one's station in life, and the relative ease in finding a job, all contribute to the enormous pressure that is placed upon the enforcement mission of this Service."

Such pressures are greater in the United States than in most other countries of the world because the U.S. maintains virtually no internal controls over the movement of foreigners once they enter the country, and numerical restrictions on entering immigrants often tempt aliens to enter as visitors and remain illegally. Visitor passports are not registered by hotel administrators or police authorities. Prohibitions on the hiring of foreigners are loosely enforced, thus making it relatively easy for an alien to violate his visitor status and contribute to the significant illegal alien problem which exists in the United States. The ease with which an alien may move throughout the country also creates various security problems.

These particular difficulties, coupled with the growing problem of aliens obtaining fraudulent entry documents, force limitations on President Carter's stated goals of liberalizing "almost completely travel opportunities to America." They also

put great pressure on consular and INS officials to closely examine nonimmigrant visa applicants to ensure they will abide by the terms of their visas.

Despite these limitations, both the Congress and the Administration have publicly stated their support of a U.S. policy committed to easing travel restrictions to this country, and each has attempted, legislatively and administratively, to modify existing restrictions and to streamline existing procedures to meet those goals. In fact, foreigners have been visiting the United States in record numbers during the past few years. In Fiscal Year 1978, the number of times foreigners entered the United States exceeded 272 million and there has been a steady increase of visitors from all the signatory states since the signing of the Final Act.⁴⁰ The number of visitors from the Soviet Union, for example, has almost doubled during the past 8 years.

These are encouraging trends which provide concrete evidence that progress is being made to remove procedural obstacles which hinder the movement of people to the United States. Nevertheless, there is a widespread recognition within the country that more comprehensive changes need to be made in U.S. immigration policy. The Select Commission on Immigration and Refugee Policies has been specifically created to recommend comprehensive changes. In view of the criticisms and discussion contained in this section, the CSCE Commission hopes that the Select Commission will review specific aspects of U.S. law in light of U.S. Final Act commitments.

For example, Section 212(a)(28) of the Immigration and Nationality Act, as it presently stands, contains discriminatory features which unnecessarily impede the movement of people called for in the Final Act. Legislation prohibiting the entry of Communist Party members into the United States was a logical result of the public mood of the 1950's; it makes little sense today, given the United States' international and national commitments to the free movement of people. The existence of this prohibition in U.S. laws, despite the waiver provisions used in virtually all cases, makes the U.S. vulnerable to criticisms at home and abroad. It creates additional administrative delays and procedures with minimal perceived benefits to the United States since the exclusion of persons who may pose national security risks are adequately covered by other legal safeguards. In the case of nonimmigrants, waivers are currently

⁴⁰. See Appendix X.

granted to all visa applicants who may be ineligible solely for reasons of membership in a proscribed organization. Nevertheless, consular officers, INS officials and prospective visitors must follow the time-consuming process of requesting a waiver which is routinely granted. In several instances, delays in the process have led to a cancellation of the proposed trip because the meeting the visitor wished to attend had taken place in the interim. In most instances the delays and additional procedures have fostered unnecessary resentment toward the United States.

In the case of immigrants, waivers may not be granted for persons who are voluntary members of the Communist Party. As David Carliner, General Counsel for the American Civil Liberties Union (ACLU) and noted immigration lawyer, stated in his testimony before the CSCE Commission: "These requirements exalt political doctrine above the principle of family reunification. Even as to persons who are able to meet the onerous requirements of the present law, the procedures are overwhelming and favorable decisions are a long time coming...As a result (of this law), numerous spouses of American citizens have been faced with the alternative of living in separate countries, relieved by the temporary visits of American spouses abroad, or of having the American spouse living, in effect, permanently abroad, separated from close family members who remain in the United States." This provision also makes it necessary to ask such exhaustive questions on the immigrant visa application form as question number 30: "List all organizations you are now or have been a member of or affiliated with since your sixteenth birthday."

The language of Sections 212(a)(27) and (29) regarding national security restrictions of the INA should also be reviewed. As former President Harry Truman noted when discussing the wording of these sections: "No standards or definitions are provided to guide discretion in the exercise of powers so sweeping. To punish undefined 'activities' departs from traditional American insistence on established standards of guilt. To punish an undefined purpose is thought control." Associate Attorney General Michael Egan has complained of the difficulties in executing the law: "We are not permitted under this law to take into account the economic interests or the foreign policy interests of the United States in making these decisions. I, for one, would like that flexibility in this law, which does not now exist. It was passed in the early '50's, at a time when we were much more nervous about Communist influence than the trend is in the country today. But we have serious problems of feared retaliation, whether it be damage to some trade negotiations or something else... If we have some discretion in the language of this statute, I think it would be helpful in the overall interests of the United States and I assure you that that discretion would be used wisely by the Attorney General."

Consideration should also be given to adopting, during the 96th Congress, the Pell Amendment which would abolish the visa requirement for foreign visitors from selected countries. The bulk of aliens who enter the U.S. come from Western Hemisphere countries (mainly Canada and Mexico) and do not require visitor visas. Unfortunately, the remaining five percent includes nearly all visitors from CSCE states (except Canada). Consequently, even a partial waiver of the nonimmigrant visa requirement applicable to selected CSCE countries would be a visible forward step in U.S. compliance with the Helsinki Final Act. American Express has estimated that visa requirements deter close to 180,000 tourists from visiting the United States annually, and the International Air Transport Association has stated that "there is no doubt that in Europe the development of tourism has been due in part to the widespread abolition of visas for tourists." Foreigners entering the U.S. without visas could still be cleared or checked for eligibility by INS officials either at pre-clearance points abroad or at their point of U.S. entry.

The CSCE Commission believes that the Select Commission on Immigration and Refugee Policy should take particular care to reexamine and reevaluate Section 212(a)(28) of the Immigration and Nationality Act. The Select Commission should also seek to define the national security standards of Sections 212 (a) (27) and (29) of the INA more clearly and consider language under those provisions that would allow non-security factors to be taken into consideration in deciding visa requests.

Both the Bureau of Consular Affairs and the Immigration and Naturalization Service should examine ways of streamlining and expediting the admissions process to facilitate freer movement and contacts among citizens of all CSCE states. Specifically, the Bureau of Consular Affairs should continue to seek ways to shorten the waiting periods for U.S. visas and to simplify the application forms, as well as continue to liberally apply the waiver provisions for visiting foreigners who are Communist Party members. The INS should continue to expand its preclearance procedures and should look to other imaginative ways of easing clearance procedures at U.S. points of entry.

The realization of these suggestions would bring the United States into a position of fuller compliance with the Final Act's Human Contacts provisions and would deflect many criticisms of U.S. compliance with the provisions of the Helsinki accords.

Responsibilities of the Receiving State for Immigrants

The Helsinki Final Act recognizes that the rights and resettlement of immigrants should be of serious humanitarian concern to the participating nations. The last paragraph of sub-

section (b) of the Human Contacts section of the Final Act refers to the commitments "receiving states" have to persons from other CSCE states who immigrate to their country. Specifically, the Final Act obliges the receiving states to:

"...take appropriate care with regard to employment for persons from other participating states who take up permanent residence in that state in connection with family reunification with its citizens and see that they are afforded opportunities equal to those enjoyed by its own citizens for education, medical assistance and Social Security."

Soviet critics contend that life in the West -- in particular, the United States and Israel -- is hell for emigrants. Articles in the Soviet press detail the tragic plight of naive Soviet emigrants who, lured by Zionist propaganda, foolishly left their homeland and now clamor to return to the USSR. Characterizing life for the Soviet emigrants in the U.S. as filled with "unemployment, social inequality, humiliation and family tragedies," a Soviet commentator alleged that "the politicians who advocate emigration from the USSR view with indifference the shattered fate" of those who leave.

This section of the report will attempt to respond to such charges by detailing the steps the U.S. has taken to fulfill its pledge in the Final Act to guarantee the rights, and ease the settlement, of immigrants from CSCE states. It will also recommend action to improve the U.S. performance in this regard.

The Flow of Immigrants

In 1977, over 460,000 people immigrated into the United States. From 1972 until the end of 1978, over 40,000 individuals from the Soviet Union and Eastern Europe resettled in this country. Many were admitted as refugees, defined under present law as those who have fled from a communist country or the Middle East because of persecution or who have been uprooted by natural disaster.

The rate of Soviet and East European refugees has increased dramatically in recent months, as the USSR has allowed more Jews to emigrate. An increasing number of Soviet Jews -- close to 65 percent -- are choosing not to go to Israel but rather to come to the United States. In the first few months of 1979, nearly 4,000 Soviets arrived in the U.S. each month. State Department sources estimate that approximately 36,000 Soviets and East Europeans will resettle in the U.S. during Fiscal Year 1979 and during the next two fiscal years.

Because the number of refugees admitted to the United States is restricted by law to 17,400 per year, the vast majority of Soviet and East European refugees enter the U.S. under the parole provision of the Immigration and Nationality Act. The parole provision authorizes the Attorney General to allow any alien into the U.S. temporarily, at his discretion and under conditions he prescribes, in emergencies or for reasons in the public interest. While parole itself does not constitute permission for permanent resident status, under certain circumstances a parolee may adjust his status to that of an immigrant -- an alien lawfully admitted for permanent residence. In fact, most of the Soviet and East European refugees are allowed to settle in the U.S. permanently and eventually become legal residents. Those who enter the U.S. under the 17,400 quota for refugees are known as conditional entrants and are eligible for permanent resident status only after two years. A permanent resident becomes eligible for citizenship in three to five years.

Rights of Aliens

Nearly all the protections guaranteed in the U.S. Constitution apply to both citizens and aliens. These include freedom of religion, speech, press, the right of assembly, public and speedy trial, and trial by jury, as well as the prohibitions against unreasonable search and seizure, double jeopardy, and self-incrimination.

Under both the Fifth and 14th Amendments, the Constitution guarantees that no "person" shall be deprived of life, liberty or property without due process of law. The 14th Amendment further guarantees that no "person" shall be denied the equal protection of the laws. According to legal experts, "it is clear...that the twin safeguards of due process and equal protection generally shelter both citizens and aliens..."⁴¹

The assurances of the Fifth and 14th Amendments are further bolstered by the Civil Rights Acts of 1886 and 1964. Referring to the 1886 Act, an immigration law specialist wrote: "Since the language of the statute relating to 'persons' includes aliens, it provides a remedy for persons who have been discriminated against because they are aliens."⁴² The Civil Rights

41. Charles Gordon & Harry N. Rosenfield, Immigration Law and Procedure, Volume I, 1979 (New York, Matthew Bender), pp. 1-163.

42. David Carliner, The Rights of Aliens, (New York, Avon Books), p. 130.

Act of 1964 prohibits discrimination against aliens "in constitutional rights, privileges and immunities and assures them security of their persons and property. These constitutional and statutory mandates mean that aliens in the United States are protected against arbitrary deprivation of their property and that they are entitled generally to the same procedural safeguards as citizens in criminal prosecutions, civil litigation, and administrative proceedings."⁴³

Employment

In general, a permanent resident alien in the United States is entitled to pursue any employment or occupation he wishes. According to Gordon and Rosenfield, "the resident alien's right to earn a livelihood is assured by the Fifth and 14th Amendments and by treaty provisions with various nations."⁴⁴

In the past, however, states have placed significant limitations on an alien's employment opportunities, excluding him from many occupations. These restrictions were not uniform and, in many instances, the rationale behind the limitation was obscure. The U.S. Supreme Court ruled in the early 1970's that restrictions based on alienage "are inherently suspect" and, in effect, invalidated a number of restrictive state laws which indiscriminately barred permanent residents from public employment and numerous other professions. More recently, the Supreme Court has ruled that states may impose narrowly defined restrictions on the employment of resident aliens, such as a citizenship requirement for public positions which involve the formulation and execution of state policy. States may not, however, arbitrarily restrict employment opportunities for permanent residents.

Although the Constitution does not outlaw discrimination against immigrants by private employers, such discrimination is generally prohibited by state and federal fair employment laws.

Education

Permanent resident aliens are on equal footing with U.S. citizens in terms of the right to public education. A 1971 Supreme Court ruling held that discrimination between citizens and permanent resident aliens in public educational institutions is unconstitutional.

⁴³. Charles Gordon & Harry N. Rosenfield, Immigration Law and Procedures, Volume I, 1979 (New York, Matthew Bender), pp. 1-163.

⁴⁴. Ibid, pp. 1-163.

Furthermore, refugees are also eligible to apply under the regular programs of aid to students in institutions of higher education, administered by the U.S. Office of Education. These include the guaranteed student loan program, direct student loan program, basic educational opportunity grants, and supplementary educational opportunity grants.

Social Security and Medical Assistance

Aliens in the U.S. are generally entitled to receive government benefits, subject to the same eligibility qualifications as citizens. Alien eligibility for benefits varies in accordance with the authority administering the benefits. State and local governments, however, may not deny government benefits to U.S. permanent residents. The Supreme Court has ruled that individuals "lawfully in this country shall abide 'in any state' on an equality of legal privileges with all citizens under non-discriminatory laws." The Court also determined that state legislation denying welfare benefits to aliens was unconstitutional "on the ground that such restrictions were a denial of equal protection and an infringement of the exclusive federal authority to control the immigration of aliens."

According to the Department of State, "practically all basic federally aided assistance programs are available to refugees if they meet the regular requirements for the program...including aid to families with dependent children (AFDC), Medicaid, social services, Food Stamps, and Supplemental Security Income (SSI)." In addition, all eligible aliens, regardless of their status, may receive some Medicare benefits. However, other Medicare benefits are limited to residents who are either citizens or permanent resident aliens who have lived in the U.S. for five years. The constitutionality of this residency requirement was challenged, but the Supreme Court ruled in 1975 that "it is unquestionably reasonable for Congress to make an alien's eligibility depend on the character and the duration of his residence..."

Migration and Resettlement Programs

Despite the Constitutional and statutory guarantees, it is often difficult for immigrants -- particularly refugees -- to be in a position where they can take advantage of their rights. The process of leaving one's homeland and resettling in a new country can be confusing and frightening for any individual; for those uprooted by war or natural disaster or fleeing persecution, it is especially so. In order to acclimate the refugee to American life with as little trauma as possible, special services are often required. The United States Government, together with various private voluntary agencies, undertakes to provide these services.

United States Government appropriations for programs for refugee and migration assistance totaled 559.7 million dollars for Fiscal Year 1979. This includes the American contribution to various multilateral bodies such as the International Committee of the Red Cross, the United Nations High Commission for Refugees and the Intergovernmental Committee for European Migration, as well as the administration of varied refugee relief programs here and abroad to assist in the care, maintenance, transportation and resettlement of refugees.

Intergovernmental Committee for European Migration (ICEM)

The Intergovernmental Committee for European Migration is an agency comprised of 33 member governments which has as its principal task the processing and movement of refugees and migrants for permanent resettlement. Initially, ICEM funds reduced cost transportation for refugees and migrants for permanent resettlement. Additional services include medical examinations, documentation and the payment of other expenses connected with their resettlement. The United States pays one-third of ICEM's administrative budget and approximately one-fifth of its operational budget. Since ICEM was formed in December of 1951, it has moved a total of 2,400,000 persons for permanent resettlement, 500,000 of whom were refugees resettled to the United States. The organization expects to move approximately 35,000 to 40,000 Soviet and East European refugees in 1979.

United Nations High Commission for Refugees (UNHCR)

The general program of the United Nations High Commission for Refugees covers refugee assistance activities worldwide. The form of assistance varies depending on geographical area, but usually involves the provision of international legal protection, resettlement and resettlement-related services such as food, shelter, medical care, education and training. Approximately 80 governments contribute to UNHCR with the United States paying nearly 25 percent of the total budget.

International Committee of the Red Cross (ICRC)

In addition to its continuing role under the Geneva Conventions of 1949 for the protection of prisoners of war and other war victims and its newer programs designed to aid political prisoners, the ICRC was given special recognition for its efforts in behalf of family reunification as proscribed in Basket III of the Final Act. Specifically, the Final Act calls on CSCE states to "support the efforts of the Red Cross and Red Crescent Societies concerned with the problems of family reunification." At present, Swiss government contributions make up half of the ICRC's budget, while the American contribution is about 15 percent.

United States Refugee Program (USRP)

The United States Refugee Program demonstrates the continuing interests of the American people in the plight of persons wishing to leave their homeland and in the principle of the free movement of peoples. These interests are consistent with U.S. commitments to the CSCE Final Act.

Under USRP, assistance is provided to refugees from communist-dominated countries in Eastern Europe and Asia. The principal objective of this assistance program is to facilitate the permanent resettlement of the refugees. Services to refugees under USRP are provided through U.S. Government contracts with various private American voluntary agencies. Among these are the Hebrew Immigrant Aid Society (HIAS), the International Rescue Committee, the Tolstoy Foundation, the American Fund for Czechoslovak Refugees, the American Joint Distribution Committee, the International Catholic Migration Commission, the Polish-American Immigration and Relief Committee and the World Council of Churches. Services available to refugees through these agencies include counseling, resettlement documentation and processing, language training in the asylum areas, transportation and reception and placement assistance. These services are provided both in the country of first asylum, as well as once the refugee arrives in the United States. The voluntary agencies, in addition, provide considerable financial support from their own funds to the refugee resettlement process.

Domestic Assistance Program

Since the early 1970's, the U.S. Government has spent approximately 20 million dollars annually for the resettlement of Soviet and East European refugees in Israel and only a small amount for this purpose in the U.S. In recent years, however, more and more Soviet and East European emigrants -- approximately 65 percent of those coming out -- eventually come to the United States. As a result, in 1978, the U.S. Congress allocated 20 million dollars for Fiscal Year 1979 under the Foreign Assistance and Related Appropriations Act for resettlement of Soviet and East European refugees in the U.S.

As set up by Congress, these funds are dispersed on a matching basis to private voluntary organizations through the Department of Health, Education and Welfare (HEW). These agencies are then responsible for administering a variety of refugee programs, specifically for those coming from the Soviet Union and Eastern Europe, including language and professional training and employment counseling.

This step taken by the U.S. Congress is clearly representative of the U.S. Government's determined effort to comply with CSCE Final Act provisions calling for the easing of refugee resettlement. In addition, the government resources now available are extremely useful to the administering private agencies which previously had to assume the major financial burden of resettling and integrating Soviet and East European refugees in the United States.

The first grants issued under this new program included one for eight million dollars provided jointly to the Hebrew Immigrant Aid Society (HIAS) and the Council of Jewish Federations, Inc. Refugees resettled by HIAS local cooperating resettlement agencies are offered the following services: financial support, housing, general orientation to life in the U.S., family counseling, English training, Jewish religious and cultural orientation, vocational counseling, job training and job placement. The ultimate aim of the local cooperating agency is to assist clients so that they may become productive, employed and well-adjusted new Americans. Statistics show that the majority (over 80 percent) of HIAS-sponsored clients are employed and self-sufficient by the eighth month after arrival. Another 10 percent are employed by the end of the twelfth month after arrival. A HIAS survey of two of its major resettlement communities -- New York and Chicago -- determined that in 1974 and 1975 only 2.5 percent of its clients needed to receive public welfare assistance, exclusive of Medicaid.

New Measures

The United States commitment, both public and private, to welcoming the homeless to our country and offering help to refugees is long-standing. Our responsibilities to immigrants from other CSCE states has been -- and continues to be -- met. Yet there is room for improvement in organizing these activities. For example, the practice of allocating funds for migration and resettlement assistance on a piecemeal basis and creating new programs for specific groups of refugees as a need develops constitutes neither a comprehensive nor uniform policy. The U.S. Government needs a comprehensive refugee policy in order to meet the needs of the growing number of refugees in the world.

The creation by President Jimmy Carter in early 1979 of the Office of Coordinator for Refugee Affairs in the State Department and the March of 1979 appointment of members to a Select Commission on Immigration and Refugee Policy are important steps toward developing that comprehensive policy. In addition, the Administration, in consultation with the Congress, has drafted specific legislation designed to improve the present situation.

Introduced into the Congress in March of 1979 by Senator Edward Kennedy (D.-Mass.) and Representatives Elizabeth Holtzman (D.-N.Y.) and Peter Rodino (D-N.J.), the pending legislation establishes an overall U.S. refugee resettlement and assistance policy. Senator Kennedy, commenting on the need for the legislation, said: "For too long our policy toward refugee assistance has been ad hoc, with refugees being admitted in fits and starts, and after long delays and great human suffering, because our existing immigration law is inadequate, discriminatory, and totally out of touch with today's needs. The Refugee Act (S. 643) will update our law governing the admission and resettlement of refugees. It will help insure greater equity in our treatment of refugees."

Specifically, the Refugee Act of 1979 provides for the regular admission of 50,000 refugees annually, instead of the current level of 17,400. In addition, the proposed law enables the President to exceed the level of 50,000 if he specifies the extra numbers needed prior to the beginning of the fiscal year and after consulting with Congress. In unforeseen emergency situations, that level can be lifted and the President, again after consultation with the Congress, can allow an additional number of refugees to be admitted.

This legislation, in the words of Ambassador Dick Clark, former U.S. Coordinator for Refugee Affairs, "acknowledges the size and diversity of the current refugee population by extending the definition of refugee beyond narrow geographic and ideological criteria. It essentially adopts the definition of the U.N. Protocol Relating to the Status of Refugees...It defines a refugee as someone outside his or her country who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion. This definition corresponds more closely to the situation that we now face."

Another major component of the legislation deals with refugee resettlement. The bill provides for uniform federal assistance for the refugee resettlement process and extends coverage to all refugees entering the United States. It specifies that the Federal Government will bear the full cost of resettling new refugees for the first two years after their arrival in the United States. This assistance will take the form of grants to public or private voluntary agencies for the placement, care and resettlement of refugees; funds for special project grants to assist adult refugees with English language training, vocational training and social services; and funds for special educational services for school-age refugees. The proposed Act provides for full federal support for a complete range of child welfare services -- available until the child reaches

18 -- for children who enter the U.S. without a close adult relative. Other children would be eligible for such federally supported child welfare services during their first two years in the U.S. The legislation also provides for full federal reimbursement to the states for cash and medical assistance given to needy refugees during the first two years.

Another significant aspect of the legislation is the elimination of the two-year conditional status for refugees. Except for those admitted under the emergency provisions, all refugees will enter the United States as legal permanent residents from the day of their admission. This provision will also help eliminate discrimination against refugees in the job market and put them on equal footing with other immigrants in regard to eligibility for public services.

Conclusion

The CSCE Commission feels that the proposed Refugee Act of 1979, an amended version of which passed the Senate in September and is now before the House Judiciary Committee, is an important and timely reform and urges its early passage and enactment. Furthermore, the Commission urges that adequate levels of funding be appropriated to ensure that all provisions of the bill can be fully implemented. In light of the increasing number of refugees coming to the United States from the Soviet Union and Eastern Europe, such action would enable the United States to better fulfill its responsibilities to immigrants and refugees from other CSCE signatories, as well as help to relieve the suffering of thousands of individuals from both CSCE countries and other nations.

INFORMATION

The section of **Basket III** dealing with the flow of information focuses on two related themes. First, in order to further improve their relations the signatory states recognize the need for an untrammelled flow of information among them. It is assumed that the knowledge, familiarity and understanding gained through such an exchange will lessen tensions and reduce the danger of conflict. Thus, the Final Act calls upon signatories "to facilitate the freer and wider dissemination of information of all kinds kinds."

Secondly, the information section of **Basket III** deals with a topic inextricably linked to the goal of increasing the exchange of information: the improvement of working conditions for journalists. If they are to pursue their work in the most efficient manner, foreign reporters must have freedom of movement, both within their host country and across its borders; they must have access to a variety of sources, both public and private; and they must be free to work without interference should their articles meet with official displeasure.

With these goals in mind, the CSCE states agreed to undertake measures aimed at easing the travel of journalists in their host country and at increasing the opportunities for journalists to communicate directly with their sources. They further agreed to grant resident journalists multiple entry and exit visas to facilitate travel into and from their respective countries. Finally, the signatories "reaffirmed that the legitimate pursuit of their professional activity will neither render journalists liable to expulsion nor otherwise penalize them."

U.S. performance in meeting Final Act standards in this as in other areas by Soviet and East European CSCE states has been severely criticized.

One line of argumentation charges that Basket III's information provisions oblige the U.S. to import as many information materials, such as newspapers and magazines, from East European countries as these nations import from the United States.

Because the U.S. allegedly fails to meet this obligation, East European states suggest that an unfair advantage is being sought. On one hand, Americans use the Final Act to justify flooding East European countries with "U.S. propaganda materials," but on the other refuse to allow a reciprocal flow of Eastern media into the U.S.

The basis for a second major criticism of U.S. compliance be found in the varying interpretations given to Basket III information provisions. The Soviet Union and its Eastern allies point to Basket III preambular language which notes that the participating states have entered into their Basket III commitments out of a desire "to contribute to the strengthening of peace and understanding among peoples and to the spiritual enrichment of the human personality." As a result, Eastern countries insist that all activities in the area of information exchange be conducted with a view to promoting these more "noble" aims.

This interpretation gives rise to the only major criticism lodged against U.S. compliance with Final Act provisions relating to the activities of journalists. Western journalists and their publications are repeatedly criticized for printing articles which, it is alleged, present a warped and biased view of life in the East. These journalists' repeated references to human rights violations in Eastern nations is not only unwarranted interference in Eastern internal affairs (See Principle VII) so the argument goes, but also part of a concerted propaganda campaign to discredit communist societies in the eyes of the world. Consequently, U.S. and Western journalists are said to be failing in their responsibility to further the aims of the Final Act as enunciated in the Basket III preamble.

U.S. compliance with the information provisions of the Final Act must be examined in the light of three issues, First, how accessible is foreign information to U.S. citizens? Is there a statistical imbalance that constitutes a U.S. failure to comply with the Final Act? Second, is the U.S. Government's record of CSCE compliance affected by what American journalists write and by what their papers print? Finally, how free are foreign journalists in the U.S. to pursue their professions without fear of interference?

Exchange of Information

U.S. performance in providing its citizens access to "information of all kinds" as called for in the Final Act is second to none. U.S. policy in this sphere -- grounded as it is in the constitutionally guaranteed freedoms of speech and the press -- ensures that U.S. citizens have access to virtually any information they desire. The United States Government imposes no artificial or political impediments to the import and dissemination of printed and other matter from other countries, and citizens have the opportunity to read, buy and subscribe to journals and newspapers regardless of their origin or political orientation.

This does not mean that there is absolutely no limit to the number and types of printed materials which Americans may find at their local newsstands. Such materials are distributed in the U.S. in accordance with the free market system of supply and demand. Private publishers and distributors, who are the importers and sellers of information products in the U.S., purchase such materials only in proportion to the public's demand for it. When East European states complain that their national media are not widely available in the U.S., they are in effect complaining that their material holds little interest for U.S. citizens.

Distribution problems notwithstanding, any person who wishes to read East European publications is completely free to obtain them in public and university libraries or through subscriptions. The Library of Congress, for example, makes available a wide variety of materials from countries of Eastern Europe, often in greater quantity than it does materials from other signatory states with whom the U.S. enjoys traditionally closer cultural and political ties. To illustrate, the Library's holdings of Bulgarian newspapers include 32 separate publications from 20 cities. This compares to 24 French newspapers from 20 cities. Figures for other East European countries include: 15 Czechoslovak newspapers, published in four cities; 12 GDR papers from four cities; 24 Hungarian papers from 18 cities; 42 Polish papers from 17 cities; 28 Romanian papers from 16 cities; and 103 Soviet papers from 17 cities. In addition, the

Library receives 1,394 journals and magazines from the Soviet Union, 918 from Poland and 238 from Bulgaria, to mention a few.

Probably the most efficient means of obtaining regular access to such materials is by using the many opportunities available for arranging subscriptions. East European exploitation of this possibility is evident in the direct-mail advertising campaign the Soviet Union has recently launched for several of its English language magazines. Offering "a chance to win an exciting, all-expense paid trip to Moscow" and "Soviet-made radios, watches and cameras," 200,000 letters have gone to U.S. recipients urging them to subscribe to Moscow News a Soviet news weekly. Igor Preferensky, Soviet commercial representative in charge of the campaign, says the mailing has been successful over the past few years in increasing U.S. subscriptions to the journal from only a few to 3,000.⁴⁵

While the absence of centralized record-keeping facilities makes it virtually impossible to determine the exact number of subscriptions U.S. citizens and institutions hold to East European publications, an approximation can be made from U.S. Post Office statistics. These figures reflect by piece and weight count the amount of printed matter sent from and received in the United States in any given year.

Post Office tallies indicate that in most cases the statistical imbalance referred to in East European criticisms is either exaggerated or nonexistent. In only two instances, Bulgaria and Czechoslovakia, does the United States send more printed matter than it receives. With two Warsaw Pact nations -- Hungary and Poland -- the balance of exchange is roughly equal; and from the USSR and Romania the United States receives a significantly greater amount of printed matter than it sends.

The data by country are as follows:

Surface and Air Printed Matter Volumes for 1977

	<u>Outbound from U.S.</u>		<u>Inbound to U.S.</u>	
	<u>Kilograms</u>	<u>Pieces</u>	<u>Kilograms</u>	<u>Pieces</u>
USSR	349,589	1,091,767	1,083,056	3,741,465
Bulgaria	41,337	136,952	17,661	61,595
Czechoslovakia	512,999	1,716,430	66,146	230,508
Germany (GDR)	27,768	94,134	110,208	374,064
Hungary	156,969	507,431	163,334	586,636
Poland	266,424	779,767	247,045	803,977
Romania	41,686	128,920	71,659	228,724

⁴⁵ New York Times, February 3, 1979.

Please note also that the outbound volume figures for the German Democratic Republic do not include airmail volumes, for which data are not available.

While such statistical comparisons may be an interesting exercise, they tend to obscure the real issue. While the Final Act seeks to facilitate the freer flow of information of all kinds, it does not suggest that this flow should take the form of government assured statistical reciprocity in the numbers of newspapers, books or films exchanged. No international agreement can provide newspapers or magazines guaranteed readership; it can, however, promote the removal of artificial obstacles to obtaining materials in which citizens demonstrate a genuine interest. United States performance in this area complies fully with the Final Act.

Working Conditions for Journalists

In attempting to improve working conditions for journalists, the Final Act focuses on measures to be taken by governments. Because it is a government-to-government accord, it does not attempt to set a standard of behavior for journalists, who, at least in the West, are private citizens. Thus, the Eastern claim that the Final Act prohibits journalists from writing on certain topics has no basis in the text of that document.

Basket III does, however, require nations to provide foreign journalists with as unrestrictive a working environment as possible. That the United States successfully meets this standard is apparent not only in the openness and flexibility of the U.S. news gathering system, but also in the host services the U.S. Government provides interested foreign journalists.

U.S. procedures regulating the movement of foreign journalists in the U.S. are determined on a basis of strict reciprocity. If foreign governments restrict the movements of U.S. journalists in their countries, the United States responds by imposing similar restrictions on the countries' journalists in the U.S.

It is indicative of the good relations existing between the U.S. and most CSCE participating states that few such restrictions remain in effect. In fact, the signing of the Final Act in 1975 provided the impetus for the United States to conclude with Czechoslovakia and Bulgaria agreements removing reciprocal controls on the movement of these countries' journalists. The Soviet Union is the only East European Final Act signatory which continued to restrict U.S. reporters' freedom of movement. In response, the U.S. has continued to impose analogous restrictions on Soviet correspondents in the U.S.

The United States has also acted -- again, on a reciprocal basis -- to facilitate the travel of foreign journalists into the U.S. In conformity with Final Act commitments to grant permanently accredited journalists multiple entry and exit visas, the U.S. and USSR agreed in September of 1975 to issue reciprocal one year multiple entry/exit visas. Multiple entry visas (the U.S. does not require exit visas) are also extended to resident journalists from Czechoslovakia and Poland.

Although the German Democratic Republic, in 1977, proposed the reciprocal issuance of one year multiple entry visas to permanently accredited correspondents, GDR's unwillingness to accredit U.S. journalists residing in Bonn and West Berlin has delayed conclusion of an agreement. With correspondents from other Eastern participating states, the U.S. continues to require limited one-entry visas, a procedure that is most often followed when the two countries have not exchanged resident journalists.

Reciprocity also serves as the basis for establishing the cost of American visas. While the U.S. preference is to require no fee for the issuance of visas to foreign correspondents (a system that is in effect with Czechoslovakia and the USSR), journalists from some East European states continue, on the basis of reciprocity, to be assessed amounts ranging from \$3 to \$21.

Upon entering the United States, the foreign journalist is free to pursue his or her profession as he or she chooses. Additionally, the U.S. Government tries to facilitate this work in a variety of ways, including many not specifically called for in the Final Act. The U.S. International Communication Agency maintains two foreign press centers -- one in New York and one in Washington, D.C. -- which are designed to provide a wide variety of services to visiting correspondents. Among other things, the press centers set up interviews with representatives of both the private and public sectors (center staffs report few problems in arranging interviews with high government officials); arrange visits and tours around the U.S. on either an individual or group basis; organize periodic news conferences and background briefings by government officials and private personalities; and provide a wealth of resource materials. In addition, "live" coverage of high level Washington news conferences (those where seating may be limited) is facilitated through audio transmissions to the centers.

Finally, U.S. compliance with the Final Act provision reaffirming that journalists will not be expelled in "the legitimate pursuit of their professional activity" has met little criticism. Since the Final Act was signed, only one CSCE journalist -- a Soviet TASS correspondent -- has been asked to leave the United States. This action was taken in retaliation-

tion for a Soviet move expelling the Associated Press' Moscow bureau chief, allegedly for engaging in illegal currency transactions. Prior to his expulsion, however, the AP correspondent had been the target of a press campaign denouncing his contacts with Soviet human rights activists.

RADIO BROADCASTS

The activities of Radio Free Europe and Radio Liberty (RFE/RL) and the Voice of America (VOA) have long been the target of Soviet and East European criticism. The attacks against these radios essentially boil down to the general themes that U.S. broadcasts to the USSR and Eastern Europe violate the Helsinki accords by interfering in the internal affairs of those countries through the dissemination of hostile, subversive and slanderous reportage and information and by failing to promote the CSCE goal of mutual understanding between peoples. Soviet General Secretary Leonid Brezhnev personally charged, in June of 1976, that the existence of RFE/RL "is a direct challenge to the spirit and letter of the Helsinki accords."

More recently, the Soviet media have increased the attacks, emphasizing that the activities of the radios are part of the Carter Administration's human rights offensive and as such are an integral part of the "ideological offensive" and "psychological warfare" being waged against the socialist bloc. More detailed charges are also made. According to the Eastern media, hundreds of "notorious fascists" are employed by the radios, which incite subversive activities, including terrorist and other illegal actions. Another common theme which recurs frequently is that RFE/RL are still closely linked with the CIA. Finally, the presence of RFE/RL broadcast stations on the territory of other countries is characterized as an infringement of the national sovereignty of those nations.

Although most of the charges bear no relation to the Final Act, a comprehensive examination of the allegations produces some needed clarity in this area. First, it should be beyond dispute that the radios serve the Final Act's goal of achieving freer and wider dissemination of information of all kinds, especially in light of the restrictive, controlled nature of the media in the countries to which they broadcast. The charge that RFE/RL broadcasts interfere in the internal affairs of the receiving countries relies on a one-sided interpretation of Principle VI of Basket I's Declaration of Principles, which is in no way supported by the actual text of that Principle. The language of Principle VI clearly refers to armed intervention and acts of military, political and economic or other coercion and does not refer to legitimate radio broadcasts.

RFE/RL are recognized by the world community as legitimate radios. The World Administration Radio Conference (WARC) of the International Telecommunications Union (ITU), to which all the Warsaw Pact states belong, has assigned RFE/RL specific wavelengths on which to broadcast. In his report to the Congress in March of 1977, President Carter noted that international broadcasting is a key element of United States foreign policy and emphasized that "our most crucial audiences for international broadcasting are in the Soviet Union and Eastern Europe where censorship and controlled media give the people of the area distorted or inadequate views of the U.S. as well as of crucial events within their own countries and in the world at large."

Radio Free Europe has been broadcasting to five East European nations -- Poland, Romania, Czechoslovakia, Hungary and Bulgaria -- since 1950. Radio Liberty began broadcasting to the Soviet Union in Russian and other indigenous languages (presently 15) in 1953. Both organizations originally received funding from the U.S. Government channeled through the CIA and from some private contributors. In 1971, all ties, financial and otherwise, with the CIA were severed. Direct Congressional appropriations were provided temporarily through the Department of State until passage of the Board for International Broadcasting (BIB) Act of 1973 which provides for funding through Congressional appropriations recommended by BIB. In October of 1976, RFE and RL were formally merged and chartered as a nonprofit educational organization. BIB, formally established in April of 1974, has been overseeing the activities of the radios since that time.

RFE/RL differ markedly in origin, programming and function from the Voice of America. VOA, as the broadcasting service of the International Communication Agency (formally USIA), is responsible for presenting well-rounded news coverage as well as projecting a balanced and comprehensive view of U.S. institutions, culture, society and official policies to a worldwide audience. RFE/RL, broadcasting solely to the Soviet Union and Eastern Europe, devote the bulk of their programming to developments within those countries or to matters of direct concern to them. Evidence that the peoples of the USSR and Eastern Europe do not consider the broadcasts of RFE/RL and VOA as an unwelcome intrusion in their lives is reflected in the large number of people who tune in to these broadcasts. In the course of an average week, some 33 to 35 million persons in these countries listen to RFE/RL broadcasts. On a typical day, approximately 14 to 16 million people tune in, many on a regular basis. VOA, which is not jammed, reaches about 40 million listeners a week in this area. In Eastern Europe, where jamming is less prevalent than in the Soviet Union, more than 26 million people listen to RFE in the course of an average week, or more than 12 million listeners on a typical day. In the Soviet Union,

due to heavy jamming and to the USSR's own powerful transmitters, RL's listening audience is somewhat less -- about 6,868,000 (3.8 percent of the adult population) during an average week, or 2,200,000 on an average day.

To ensure professional standards in their broadcasts, RFE/RL are obliged to operate within strict guidelines set forth in their program policy guidelines. According to this standard, the radios are to espouse no single specific political, economic or religious creed. They are to have no relationship to any political party or exile organization nor can they identify with any opposition groups or organizations located in the broadcast area. Broadcasts are to avoid emotionalism, vindictiveness and belligerency in tone and sweeping generalizations, propagandistic argumentation and unsupported criticism in substance. Furthermore, the radios are specifically forbidden to broadcast any information which could be construed as incitement to revolt, or as inflammatory. No material containing petty gossip or attacks on the personal lives of families of government or party leaders is to be used.

Overall, the quality of RFE/RL broadcasts appears consistent with the guidelines governing the tone and substance of the reporting. There have, of course, been exceptions. No radio enterprise broadcasting 980 hours a week, as do RFE/RL, can avoid making an occasional inaccuracy. Such errors, especially in reporting fast-breaking news events, are common to all news agencies.

In an effort to give the Soviets and East Europeans a chance to answer the broadcasts they find offensive, and as a "civilized alternative" to jamming, John Gronouski, chairman of the Board for International Broadcasting, suggested in 1978 that RFE/RL airtime be made available to officials of the Soviet Union and Eastern Europe for response or rebuttal. This proposal, however, was not taken up, possibly because it was misunderstood or proved too embarrassing. Within 72 hours, TASS, the Soviet news agency, dismissed it as a "deliberate provocation" and other Soviet and East European sources quickly followed suit. The situation therefore remains unchanged.

There is no objective evidence to support the accusation that RFE/RL consciously employ former members of fascist political organizations. Admittedly, there appear to have been a very few instances in which such individuals inadvertently received temporary employment with the radios but there is nothing in the record to indicate that their backgrounds were known at the time of employment. By and large, the employees of the radios include highly trained research and broadcast personnel, and skilled emigres, valuable for their language capabilities. The radios are directed by professionals with commercial and public service experience. The Board of Directors consists of distin-

guished people in such fields as journalism, broadcasting, diplomacy and law. The staff includes former executives and staff members of almost every major Western broadcast network and numerous leading American and West European daily newspapers.

In the view of many CSCE signatories, the jamming of radio broadcasts violates the spirit if not the letter of the Helsinki Final Act, the U.N. Universal Declaration of Human Rights and the Montreux Convention of the International Telecommunication Union (ITU). However, all of RL's broadcasts to the Soviet Union continue to be jammed, while RFE's broadcasts are jammed heavily in Czechoslovakia and Bulgaria and to a lesser extent in Poland. This is a costly enterprise involving approximately 3,000 transmitters jamming round the clock at a cost of over 300 million dollars a year. In 1977, the 23rd annual session of the ITU passed a resolution which strongly condemned jamming as a flagrant violation of the Final Act.

The flow of radio broadcasts is by no means one way. Many CSCE signatory states maintain official radios. Examples include the BBC in Great Britain, Deutsche Welle in the FRG, Radio Vienna and Radio Luxembourg. The Soviet Union, however, is the world leader in shortwave broadcasting. The USSR broadcasts around the world for about 2,000 hours a week in 84 languages. Radio broadcasts directed toward the U.S. from the Soviet Union include more than 60 hours a week in English and additional hours in Ukrainian, Lithuanian and Armenian. Regardless of the frequently blatant propaganda content of many of these broadcasts, no Western government, including the U.S., has ever jammed them. In light of this extensive activity, the Soviet and East European claim that foreign broadcasting constitutes interference in internal affairs takes on a hollow ring.

In addition, Soviets have from time to time intimated that the presence of RFE/RL transmitters on the territory of other states is an infringement of the national sovereignty of the countries involved. However, this allegation overlooks the fact that each of the sovereign countries involved has voluntarily admitted these transmitters to its territory.

A good example of the U.S. attitude to broadcasts of other nations in light of the Helsinki Final Act is the decision of radio station WSDR in Sterling, Ill., to carry the Radio Moscow program, "Moscow Mailbag," hosted by Joe Adamov. This show will be broadcast on a weekly basis and consists of a series of human interest stories, including criticism of the way the U.S. press handles news about Soviet dissidents.

Originally, it was feared that WSDR would be unable to broadcast the Radio Moscow material because of a U.S. regulation requiring registration of a foreign agent. The 1934 Federal Communications Act does not permit foreign agents to hold a

U.S. radio license. The issue was settled positively when the Justice Department ruled that, since the Radio Moscow programs were being provided free, WSDR could not be considered a "foreign agent." WSDR is only one of about 400 stations in the U.S. which receive Radio Moscow material.

The openness of the U.S. to printed and broadcast information from abroad, as well as the ease and freedom with which foreign journalists pursue their profession in the United States, attests to the high quality of U.S. compliance with CSCE information provisions. Criticism of U.S. performance in this sphere has come only from a few sources and even then it has been based largely on exaggerated charges and distorted interpretations of the Final Act.

Consequently, the Commission finds that the U.S. government is in essential compliance with the information provisions of the Final Act.

CULTURAL AND EDUCATIONAL EXCHANGES

The Final Act's provisions on cultural and educational exchange call for increased personal and institutional contacts by artists, students and scholars with their counterparts in other CSCE states. It also calls for increased access to one another's cultural life. Sections Three and Four of Basket III outline the basic goals contained in the Final Act in the areas of culture and education:

"The participating states...disposed in this spirit to increase substantially their cultural exchanges... jointly set themselves...to promote access by all to respective cultural achievements (and) to develop contacts and cooperation among persons active in the field of culture.

"The participating states (are) prepared to facilitate ...the further development of exchanges of knowledge and experience as well as of contacts...among persons engaged in education and science."

The cultural and educational sections of the Final Act also contain qualifying language which gives each state flexibility in CSCE implementation, shielding them from obligations -- moral, ideological, financial -- which they cannot meet. For example, the Final Act recognizes the limited nature of Western governments' participation in their nations' cultural life when it calls upon them only to 'promote' or 'encourage' greater exchanges of books, films and other cultural materials. By the same token, the Eastern practice of conducting exchanges

on the basis of governmental agreements is acknowledged by language calling for the conclusion, "where appropriate," of "agreements on a bilateral or multilateral basis."

The difference in cultural systems and attitudes which these formulations reflect lies at the heart of the charges Eastern CSCE states have lodged against U.S. compliance in this sphere. At the Belgrade CSCE review meeting, Eastern delegations claimed that in the exchange of cultural items (as in that of information materials) the U.S. exported more than it received. As a consequence, Eastern publics are better acquainted with U.S. and Western books, films and other cultural items than are Western publics with Eastern culture. This situation has been alleged to demonstrate a U.S. failure to meet its Helsinki commitments.

In the education area, Eastern states have criticized both the lack of financial resources available for educational exchange activities and U.S. performance in meeting Final Act commitments to foster foreign language and international studies. In view of these circumstances, Eastern states have asserted that the United States should be doing more to "promote" and "encourage" exchanges.

The nature of these charges draws attention to the non-governmental character of the U.S. cultural and -- to a lesser degree -- educational system. Culture in the United States generally is a matter of individual taste and selection -- a private sector activity. While the role of government is somewhat greater in the educational field (particularly that of state and local government in primary and secondary education) the type of educational exchange programs which the Final Act stresses fall largely within the purview of the private sector. Therefore, the Federal Government can truly do little more than "promote, encourage" and try to persuade private groups, firms and state and local governments to pursue various exchange activities.

Role of the U.S. Government

The primary agent for cultural and educational affairs within the U.S. Government is the International Communication Agency (ICA). Formed in April of 1978 by the consolidation of the State Department's Bureau of Educational and Cultural Affairs (CU) and the U.S. Information Agency (USIA), ICA's premise, to quote President Carter, is "that it is in our national interest to encourage the sharing of ideas and cultural activities among the people of the United States and the people of other nations." In establishing the new agency, the President gave it five objectives:

"1. To encourage, aid and sponsor the broadest possible exchange of people and ideas between our country and other nations...

"2. To give foreign peoples the best possible understanding of our policies and our intentions, and sufficient information about American society and culture to comprehend why we have chosen certain policies over others...

"3. To help insure that our government adequately understands foreign public opinion and culture for policy-making purposes, and to assist individual Americans and institutions in learning about other nations and their cultures.

"4. To assist in the development and execution of a comprehensive national policy on international communications, designed to allow and encourage the maximum flow of information and ideas among the peoples of the world. Such a policy must take into consideration the needs and sensitivities of others, as well as our own needs.

"5. To prepare for and conduct negotiations on cultural exchanges with other governments, aware always that the most effective sharing of culture, ideas and information comes between individual people rather than through formal acts of governments."

Two other federal bodies -- the National Endowment for the Arts and the National Endowment for the Humanities -- also play a major role in the cultural and educational life of the United States. However, these agencies have traditionally been involved in the support of creative and intellectual endeavors within the U.S. Until recently, the legislation which created NEA did not provide for that body's participation in international programs and projects. In 1976, however, Congress, in growing recognition of the importance of international cooperation as encouraged by the Final Act, broadened NEA's mandate to include international arts activities.

The National Endowment for the Humanities, on the other hand, has traditionally played a more active role in facilitating international educational activities. In the last six months, the Endowment has supported a variety of international activities, including a Russian art exhibition; a translation of Czech literature; the microfilming of Georgian archival materials; and a series of workshops for Washington state educators entitled, "Civic Issues in the Light of European Experience."

Finally, the Office of Education (OE) in the Department of Health, Education and Welfare, provides funds and grants in support of international study and research projects. OE monies support area studies centers in various universities and make possible the work of individual scholars.

Funding

Critics of U.S. compliance have charged that the United States fails to provide adequate financial support to Eastern exchange programs and activities. In fact, such detractors have noted that overall funding levels have not increased but decreased since the Final Act was signed in 1975.

While it is true that U.S. Government support for the exchanges did experience a temporary cutback in 1976, the trend since that time has been decidedly positive. Budget figures for the U.S. International Communication Agency (which is primarily responsible for supporting exchanges) show that funds for East European programs rose roughly one and one-half million dollars above previous levels in Fiscal Years 1978 and 1979. In addition, in 1978, Congress -- citing expanded U.S. commitments under the Helsinki accords -- directed the President "by a process of gradual expansion during the four year period beginning October 1, 1979, to increase significantly the financial resources expended annually by the International Communication Agency for exchange of persons activities."

Charges that the United States is providing increasingly less support for exchange activities are often provoked not by decreases in government spending, but by a reduction in monies available from another traditional source of funding -- private foundations. Hard-hit by investment losses and motivated by a desire to diversify their activities, the foundations have withdrawn support from some of the United States largest private exchange programs. Although the U.S. Government has increased its funding in an effort to compensate for these reductions, administrators have nonetheless been forced to seek other, often less generous, sources of support. Given the non-governmental nature of these exchange programs, the search for non-governmental sources of funding must continue. On balance, however, the U.S. Government, with its efforts to sustain these private programs, has exhibited a commitment to implementing the Final Act.

Nature of the Exchange Relationship

U.S. cultural and educational exchanges with CSCE countries fall primarily into two categories. Relations with West European states and, to a lesser extent, with Poland and Yugoslavia, are conducted in the absence of formal agreements and with a maximum of flexibility and private initiative. With some East European CSCE states, however, cultural relations are conducted on the basis of carefully monitored bilateral agreements. While the U.S. favors the former mode of interaction, viewing it as the more normal, open means of exchange (and thus more in conformity with the ultimate intent of the Final Act), it also recognizes the utility of formal agreements in developing exchange relations with certain CSCE countries. Thus, the United

States has entered into some type of formal exchange relationship with most East European CSCE states. While two of these agreements -- with the Soviet Union and Romania -- predate the signing of the Final Act, the level of exchange activity with each has intensified significantly since. Academic exchanges with the Soviet Union, for example, have roughly doubled in the post-Helsinki period.

In other cases, the Final Act has served as a catalyst for the conclusion of formal agreements where none existed before. The spring of 1977 saw the completion of negotiations on a soon-to-be-ratified agreement establishing formal cultural and educational ties with Hungary; and in March of 1978, the first bilateral exchange agreement between the U.S. and Bulgaria entered into force. Although similar negotiations were undertaken with Czechoslovakia, these talks stalled just short of agreement.

According to State Department officials, the Final Act was also a positive factor in establishing cultural relations with the German Democratic Republic. In 1976, the United States proposed that a bilateral exchange program be developed, to which the GDR responded favorably. The result has been a significant development of exchanges with this East European signatory.

Cultural Exchanges

In accordance with its Final Act obligations, the United States has sought to support exchanges which not only bring American citizens into personal contact with their counterparts in other CSCE states, but which foster also better awareness of the respective cultures of other states. While such contacts have always been fairly easily and spontaneously carried out between Americans and West Europeans, there have been few opportunities outside the context of formal programs for Americans and East Europeans to meet. The large number of private U.S. groups and institutions which have become involved in East-West exchange programs provides at least a partial measure of the successful impact of this support.⁴⁶ Hence, the support the United States gives to programs of East-West exchange forms a particularly important element of U.S. CSCE compliance.

Exchange of Persons

In the area of "citizens" exchange -- encouraged by the Final Act under a commitment to involve the broadest possible social groups in exchange activities -- the United States has facilitated meetings between U.S. and Eastern professional,

⁴⁶. See Appendix XI.

youth and civic groups. U.S. Government support has assisted the Columbia University Translation Center in hosting Soviet translators and has made possible exchanges between the American Bar Association and Soviet jurists. The National 4-H Council has received government funds for its exchanges of young American, Hungarian, Polish and Soviet farmers, and the YMCA and American Council of Young Political Leaders (ACYPL) have used government support to exchange delegations with the USSR's Committee of Youth Organizations. ACYPL has also participated in exchanges with counterparts in Poland and Romania. Cooperation between persons active in the arts has also figured prominently in U.S. Government supported exchanges. Writers, artists, poets, film makers and musicians have received grants enabling them to establish contacts and working relationships with East European counterparts.

The development of contacts between U.S. and Soviet theater directors provides a good example of the type of fruitful cooperation the U.S. Government has successfully promoted since the Final Act was signed in 1975. A government sponsored visit of San Francisco's American Conservatory Theatre to Moscow in 1975 led Soviet and American directors to begin an active round of exchanges. As a result, Soviet and American directors have worked in one another's theaters and there has been an upsurge in the frequency with which each country produces works from the other. As an outgrowth of these contacts, the entire company of the Moscow Arts Theatre is expected to visit the United States in 1980, and the American musical, "A Chorus Line," will have its premiere on Soviet and East European stages. Under an agreement being worked out between the Soviets and U.S. impresario Joseph Papp, "A Chorus Line" will be followed by an exchange of 10 contemporary Soviet and American productions. In all of these contacts, the U.S. Government has played an important role, providing travel funds and communication services.

The mix of private initiative and government support which the theater exchange reflects, represents the type of natural cultural relationship which the United States believes the Final Act seeks to encourage. This is a relationship that responds to audience appreciation and which is marked by the active involvement of the parties directly concerned -- be they theater directors or young farmers.

Performing Arts and Cultural Exhibitions

Such qualities are characteristic of exchanges not only of performing artists, but also of cultural exhibitions. Perhaps not coincidentally, these have also been two of the most active areas of post-Helsinki, East-West cultural cooperation. Too numerous to be listed in entirety, a few examples

of such exchanges will give some indication of the wide exposure Eastern culture has received in the United States during just a few months in late 1978 and early 1979.

-- Michigan State University's Seventh International Season featured a number of East European performers, including pianist Andrzej Dutkiewicz from Poland; organist Ferdinand Klinda and pianist Klara Havlikova from Czechoslovakia; and pianist Nelly Akopian from the USSR. Hungarian cellist Csaba Onczay, Polish conductor Jerzy Salwarowski and Romanian conductor Emil Simon participated, and "The Whirlpool," an opera by Czechoslovak composer Eugen Suchon, was performed.

-- Under the sponsorship of the Smithsonian Institution's Traveling Exhibition Service, a Hungarian exhibit entitled "Art Nouveau" was presented in 10 U.S. cities between September of 1978 and the spring of 1979.

-- New York City was host to a Romanian Festival of Arts, held December 12-16, 1978. The program, which included films, folk ensembles, the Romanian Madrigal Choir and vocal soloists, was sponsored by the Romanian Embassy, the Romanian American Cultural Foundation of New York and the Concert Arts Society.

-- Early 1979 saw Poland's avant-garde company, "The Cricot-Two Theater," make its U.S. debut at New York's La Mama Theater.

-- "Splendor of Dresden: Five Centuries of Art Collecting, an Exhibition from the German Democratic Republic" drew critical acclaim and large crowds in its tour of the U.S. during 1978 and 1979. The exhibit, the first major GDR presentation of this type to be brought to the U.S., was also the subject of a public television documentary shown throughout the United States.

-- "Festival of Russian Dance," a collection of several Soviet folk troupes from Russia, Ukraine, Georgia and Moldovia arrived in January of 1979 for a 72-day tour of the U.S. Under the direction of Mikhail Godenko, director of the Krasnoyarsk Dance Company of Siberia, the troupes included 115 dancers.

-- Romanian theater director Liviu Ciulei directed Moliere's "Don Juan" at Washington's Arena Stage in April of 1979.

-- April of 1979 saw a flourish of Bulgarian cultural activity in the United States. Bulgarian visitors included a folk dance ensemble, the Aprilov-Palauzov dancers from Gabrovo; Emil Tchakarov, who conducted the National Symphony Orchestra for three concerts in Washington, D.C.; and mezzo-soprano Marianna Paunova, who sang in "Eugene Onegin" at the Metropolitan Opera.

-- A Bulgarian Cultural Month, held in Pittsburgh from March 24 through April 29, 1979, featured Bulgarian music, films, exhibits and lectures. Participating were the Bulgarian National Folk Ensemble "Pirin," pianist Pavlina Dokovska and Bulgarian Fulbright Lecturer Dr. Lyubomira Parpulova. Nine Bulgarian films were shown, and four exhibits on Bulgarian culture displayed.

-- At the invitation of the U.S. Gymnastics Federation, a 14-member Soviet gymnastics team visited the United States in March of 1979 for 10 days of exhibitions.

-- A 44-member Soviet Circus Company opened a three-month U.S. tour in February of 1979.

-- The Czechoslovak mixed media presentation by the National Theater of Prague, entitled "The Enchanted Circus" (billed in the U.S. as "Coquelico"), opened a six-week run at New York City's 22 Steps during February of 1979.

-- The Bulgarian Philharmonic Orchestra performed 40 concerts on a nationwide tour during October and November of 1978.

-- Soviet folk singer Vladimir Vysotsky made his American debut during January of 1979 in New York City. He later performed in Boston, New Jersey and Philadelphia.

-- January of 1979 also saw the Hungarian "Rajko" Gypsy Orchestra, Dancers and Singers begin a nationwide tour.

-- The 21-member Polish National Acrobatic Team began a national tour in January of 1979.

-- A Soviet company, "Stars of the Bolshoi and Stanislavsky Ballet Theaters," toured the U.S. for two weeks during December of 1978, performing in New York City, Utica, Tallahassee, Pittsburgh and Chicago.

-- An exhibition of contemporary Bulgarian paintings was shown in Washington, D.C. during December of 1978.

-- An exhibition of Polish posters opened its U.S. tour at South Bend, Indiana in October of 1978.

-- "Treasures from the Kremlin: An Exhibition from the State Museums of the Moscow Kremlin" opened May 19, 1979, at the Metropolitan Museum of Art in New York. The show -- the fourth in a 1974 cultural exchange agreement between the Metropolitan and the museums of the Soviet Union in 1974 -- was accompanied to the U.S. by a sister exhibit from Leningrad's Hermitage Museum. The Leningrad exhibit, which opened in Washington's National Gallery, included the Soviet Union's only painting by master Leonardo da Vinci.

East European ethnic groups have made a major contribution to this type of activity, frequently sponsoring folk festivals, art exhibitions and cultural presentations from their native lands. Such groups have also turned their attention to another aspect of educating Americans about East European ethnic cultures -- discouraging denigrating portrayals of various ethnic and racial cultures in entertainment media. Long plagued by the phenomenon known as 'Polish jokes,' Polish Americans have become particularly active in this sphere, spurred on in part by the recent release of the movie "The End." This film's use of Polish jokes was found to be offensive not only by many Americans, but by the Polish Government as well.

Unfortunately, while the U.S. Government does not condone such questionable humor, it has no legal authority to prevent its use. The Commission believes, however, that disparaging portrayals of racial or ethnic groups -- whether in jokes or in motion pictures -- reflect a cultural ignorance and insensitivity which the Final Act seeks to dispell. The Commission hopes that private efforts to eradicate such phenomena will continue and that they will be successful.

Publishing

Charges that U.S. publishers do not publish as much East European literature as these states do U.S. literature, appear to be fairly accurate. Certainly the national literatures of Bulgaria or Romania, for example, are little known in the U.S.

The reasons for this apparent neglect, American publishers maintain, can be found in the lack of success such publications enjoy in the highly competitive U.S. book market. At the same time, publishers have shown greater interest in Eastern book markets since the Final Act was signed in 1975. Evidence of this interest can be seen in such developments as the Association of American Publishers' (AAP) decision in 1977 to establish a Trade with Eastern Europe Committee or the prospective participation of 153 U.S. publishers in the September of 1979 Moscow Book Fair.

The role of the U.S. Government in this type of activity has increased substantially since the Final Act was signed in 1975. In 1976 and 1977, for example, the Government provided assistance to the AAP in arranging meetings with Soviet publishers -- contacts which have led to the conclusion of a number of publishing contracts. The Government also funded the travel of a delegation of Association of American University Presses (AAUP) representatives to the 1977 Moscow Book Fair and in subsequent visits to Poland, Hungary and Romania. With government support, the AAUP has announced its intention to host return delegations from these countries.

International Communication Agency support has also been instrumental in broadening contacts between American and East European authors, in exchanges that have a direct impact on the level of American awareness of, and interest in, East European literature. For example, ICA assisted the University of Kansas in successful efforts to expand its writers' exchange program with the USSR. Similar writers' exchange programs at the University of Iowa and Oberlin College have brought authors from Bulgaria, Czechoslovakia, Poland, Hungary, Romania and the GDR to the United States.

Given the recent nature of most of these contacts, however, it is not surprising that significant purchases of Eastern literature have not yet appeared to erase the statistical imbalance Eastern states charge exists. The mere fact that the U.S. publishing business is so much larger than those in Eastern Europe will undoubtedly serve to preserve some sort of statistical inequality for years to come. On the other hand, where publishing contacts have been particularly active -- as between AAP members and Soviet publishers -- significant progress has been made.

Since the Final Act was signed, for example, several U.S. firms have announced plans to publish works by leading contemporary Soviet authors, among them Vasily Shukshin and Fasil Iskandr. Harper and Row has signed contracts to publish Troepolsky's White Bim -- Black Ear (also a motion picture recently nominated for a U.S. Academy Award) and Bulat Okudzhava's Journey of the Dilletantes. Farrar, Straus and Giroux will be publishing an anthology of contemporary Soviet prose, including works by Abramov, Shukshin, Bitov, Bogomolov, Tendryakov and Rasputin. Simon and Schuster has printed Leonid Brezhnev's official biography as well as another Brezhnev work. Schuster has also contracted to publish two works by Yuri Trifonov, Another Life and The House on the Embankment.

Trifonov, commenting on this rash of publishing activity, has noted that American publishers seem to be discovering official Soviet authors, a development he attributes to the spirit of Helsinki.

Although U.S. publishers appear to be displaying an ever livelier post-Helsinki interest in works by Soviet authors, complaints persist that the 50 or so Soviet titles published yearly in the U.S. seem meager in comparison with the 200 plus American titles put out in the USSR in the same period. However, Professor Leo Gruliow, in a study prepared for the International Communication Agency, urges a new perspective on the problem.

Pointing to the differences between the U.S. and Soviet book markets, Professor Gruliow notes that when a book is published in the Soviet Union, it is normally available only as long as the original printing lasts. Therefore, a listing of new titles published in the USSR in a given year is, in effect, a listing of the total number of titles available. American publishers, on the other hand, are more likely to maintain books in print for long periods, with the result that a listing of one year's new titles usually accounts for only a small proportion of the total market.

When allowing for this discrepancy in publishing practices, Professor Grulow finds that in 1978, 230 American works were available to Soviet readers, as compared to 494 Soviet and Russian works available to American readers. Moreover, this count of 494 titles does not reflect the 354 works the Soviets themselves have translated and made available to Americans through just one of a number of Soviet book outlets operating in the U.S. In contrast, Soviet readers have no access to American works in the original. There are no foreign book outlets and foreign publications cannot be ordered directly.

Thus, two conclusions can be reached regarding the status of U.S. compliance with CSCE commitments to increase book exchanges. First, the Final Act calls on CSCE governments to 'promote' and 'encourage' publishing activities as well as to provide unrestricted access to the written products of other CSCE states. Both of these goals have been actively pursued by the U.S. Government. The International Communication Agency has facilitated meetings and contacts among U.S. and Eastern publishers and authors. The National Endowment for the Humanities, in a slightly different approach, has funded actual translations of Eastern scholarly and literary works. Together the two agencies have ensured that U.S. support of publishing activities has been that required by the Final Act.

The second part of the Final Act's directive -- to provide access to other CSCE states cultural products -- presents a more complex problem. Eastern states, noting that U.S. publishers purchase fewer East European works than East European publishers do American works, assert that the U.S. is failing to provide its citizens access to Eastern products. On the other hand, the U.S. imposes no restrictions on what its citizens may buy or read. In addition, the American book market is open to those with the desire and the resources to exploit it. As a result, it can be fairly claimed that U.S. performance in providing access is also in conformity with the Final Act.

Films

The exchange and greater dissemination of films remains one area in which U.S. CSCE implementation does not appear to rival that of Eastern states. Soviet and East European films, although now appearing in U.S. cinemas in greater numbers than a few years ago, generally continue to hold little appeal for U.S. audiences. American films and TV programs, on the other hand, enjoy considerable popularity throughout the world. This state of affairs has led again to cries of statistical imbalance, and to charges of U.S. failure to comply with the CSCE Final Act.

While, in general, there does appear to be some substance to these charges, the problem is somewhat more complex than depicted. The diversified nature of film distributing in the United States makes it virtually impossible to obtain an accurate accounting of the total numbers of Soviet and East European films available for theater showing in the U.S. Partial tabulations indicate, however, that the problem is not that such films are unobtainable, but that, for commercial reasons, major theaters are unwilling to screen them. This is a result, Easterners say, of the inadequacy of U.S. distributors' advertising and promotional efforts. However, even when distributors have mounted extensive, and expensive, advertising campaigns -- as was recently the case with the Soviet production The Slave of Love -- the films have rarely recouped their expenses much less earned a profit. Industry sources report, for example, that The Slave of Love, which received more press and media attention than perhaps any Eastern film to date, lost several hundred thousand dollars at the box office.

To put the problem in perspective, however, U.S. distributors point out that it is difficult to sell any foreign film (the rare French or Italian offering being the exception) to the U.S. mass market. On the other hand, much East European cinema is of high quality (six such films have been nominated for Academy Awards since 1975) and it enjoys wide exposure among specialized audiences -- in museums, universities and arts theaters.

Since 1975, Washington's American Film Institute has, for example, presented a number of festivals featuring films from the Soviet Union (including a cycle from Georgia), Poland, Czechoslovakia and Bulgaria. On the West coast, Los Angeles' Berkley Cinema recently ran a series of modern Soviet films including, among others, "Sweet Woman," "The White Ship" and "They Fought for their Motherland." The Kosciuzko Foundation, a private organization devoted to promoting awareness of Polish culture in the United States, is a frequent sponsor of Polish film showings and cultural events, and recently sponsored a festival of Polish director Andrzej Wajda films at Hunter College in New York. A series of Bulgarian films highlighted Dusquesne University's "Bulgarian Cultural Month," held in Pittsburgh March 24 - April 29, 1979.

In 1976, New York's Museum of Modern Art held a retrospective of East German films and a series of Hungarian films is planned for the fall of 1979.

The Pacific Film Archive in Berkley, California is another frequent sponsor of East European cinema. Most notably, the Archive co-sponsored a series, "New Films from Eastern Europe," at the 1978 San Francisco International Film Festival. The program included offerings from each East European CSCE state

as well as a special tribute to GDR documentary directors Andrew and Annelie Thorndike.

The foregoing is not, of course, a complete listing of all such activities. However, these types of showings -- at universities and arts centers -- ensure that East European cinema reaches a larger number of viewers than would seem the case if one considers only the commercial film market. On the other hand, the bulk of American audiences do remain sadly ignorant of East European film.

In an attempt to increase the market for such films, ICA has proposed exchanges of Soviet and American film festivals and specialists, as a means of cultivating the interest and audiences necessary for increased film exchange. Although the Soviet response has been lukewarm, ICA should continue to place special emphasis on exchanges of this type and should expand its proposals to include other nations of Eastern Europe as well.

Educational Exchange

The U.S. Government provides support for a variety of educational exchange programs involving citizens not only of the United States, but of other CSCE nations as well. The oldest, and most prestigious, government-financed program is known popularly as the Fulbright, or Fulbright-Hayes, scholarship program. The exchange, which had its beginnings in limited legislative acts of the late 1940's, has since brought approximately 80,000 foreign and 45,000 American graduate students, scholars, lecturers and teachers to universities in the U.S. and abroad.

Until recently, East European exchanges made up only a small proportion of the total program. Since the Final Act was signed, however, this percentage has increased steadily -- from 13.4 percent of the worldwide total in 1976 to 17.9 percent in 1978. The total commitment of funds to the East European exchanges has also shown a steady increase. In 1976, the International Communication Agency spent \$2,173,351 to exchange 383 scholars and lecturers. In 1978, the figure was \$3,232,257, an amount that facilitated the travel and study of 504 persons.

The U.S. Government has also provided funds for a number of projects involving educational themes. ICA's International Visitor Program for example, has facilitated contacts and exchanges among delegations of U.S. and East European librarians and teachers, as well as specialists in vocational-technical, early childhood and higher education. Grants awarded under this program have been instrumental in effecting the conclusion of direct exchange agreements between a number of U.S. and East

European universities, among them, Rutgers, Kiev, SUNY, Moscow State, Warsaw and Kansas. As a measure of the success of such contacts, it is worth noting that there are now four direct exchange agreements between U.S. and Soviet universities and more than 30 between U.S. and Polish universities. All of the Soviet and many of the Polish agreements have been concluded since the Final Act was signed.

Finally, with grants-in-aid to private institutions, ICA gives support for exchanges organized and directed by private organizations. Under one grant of this type, four U.S. institutions (the National Council for Social Studies, the Council of Chief State School Officers, the American Association for the Advancement of Slavic Studies and the Association of American Publishers) have joined Soviet counterparts in a study evaluating each country's textbook presentation of the other.

Perhaps the best known of these private exchanges is the program conducted by the International Research and Exchanges Board (IREX). One of the most extensive educational exchanges the U.S. maintains with Eastern Europe, IREX programs include scholars from the USSR, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania. As private funding from the Ford Foundation for IREX has diminished, government support through ICA has increased -- from \$629,730 in 1975 to \$1,151,827 in 1978-1979. Similarly, grants to IREX from another government agency, the National Endowment for the Humanities, have also increased.

Another academic exchange program which has begun, in the face of increasing economic difficulties, to receive ICA support is that of the Council on International Educational Exchange (CIEE). Also a recipient of Office of Education funds, CIEE makes possible a semester or summer of study in the USSR for approximately 215 American students a year. Since the Final Act was signed, U.S. universities and consortia have concluded more than 20 new agreements with institutions in the Soviet Union, Poland, Hungary and Romania. While these kinds of exchanges are rapidly increasing, the U.S. Government cannot, and should not, be expected to, support them all. As with exchanges between American and West European universities, East European programs must also be sustained by the interest and support of the academic community itself.

Where it has been unable to provide program funds, however, the U.S. Government has sought to help administrators with technical assistance and advice. An official of the American Council of Teachers of Russian (ACTR), a group which conducts a program at Moscow's Pushkin Institute, recently said, "Although the (ACTR) program is not in any sense governmental and has qualified so far for no IREX or State Department (ICA) support, it has enjoyed the moral support and advice of the

Bureau of Educational and Cultural Affairs of the Department of State and the International Communication Agency and has worked in close cooperation with the Cultural Affairs Officer of the American Embassy in Moscow."

Finally, the U.S. commitment to fulfilling CSCE provisions calling for increased mutual understanding through educational exchange is seen in the sheer numbers of American students who have traveled to East European states on government supported programs. Unfortunately, a smaller number of East European students have made the return trip. Under the CIEE program alone, 221 U.S. undergraduate and graduate students were able to study in the USSR in 1978 for periods of longer than two months. In the return direction, only 42 Soviet students visited the U.S. in a delegation that stayed only a few weeks and visited four different universities.

The fact that the U.S. Government has supported private programs and activities at the same time it has been conducting its own exchanges under the Fulbright-Hayes program is indicative of the high priority the U.S. Government places on international educational activity and on fulfilling its CSCE commitments. Many of the private programs which form the cornerstone of East-West educational exchange, however, are severely threatened by funding shortages. While it is not recommended that the U.S. Government indiscriminately increase its support of these programs -- some of which may not be qualitatively deserving of such support -- the government should work with administrators in seeking new sources and methods of funding.

Foreign Language and International Studies

As critics have charged, the current level of foreign language and international studies in the U.S. indeed falls short of CSCE standards. A few statistics illustrate the degree to which the study of foreign languages and cultures has declined in recent years:

- Nine out of 10 Americans cannot speak, read or effectively understand any language but English.

- Only 15 percent of 1976 entering college freshmen said their high school programs prepared them very well in foreign languages.

- One-fifth of public high schools offer no foreign language at all.

- American institutions of higher education requiring a foreign language for admission or graduation declined from 73 percent to 53 percent between 1967 and 1974.

The decrease in foreign language study in the U.S. has affected all the major European languages -- Spanish, French, German, Italian and Russian, although enrollments in Russian have not dropped as severely as those in French and German. Given the significant drop in enrollments in these 'commonly studied' languages, it is hardly surprising that the study of 'less widely spoken languages' encouraged by the Final Act has not increased.

On the other hand, U.S. Government efforts have sought to maintain such studies at least at a constant level. Under the National Defense Education Act (NDEA), the U.S. Office of Education provides scholarship and institutional support to centers devoted to the study of these lesser known areas. In 1977, for example, the Foreign Language and Area Studies Fellowship Program supported the study of such less widely spoken CSCE languages as Czech, Hungarian, Polish, Romanian, Serbo-Croatian, Ukrainian, Armenian, Bulgarian, Greek, Estonian, Finnish and Lithuanian. In Fiscal Year 1979, Congress increased the NDEA appropriation to its highest level in the history of the program.

It is evident, however, that these programs alone are not enough to reverse the trend toward declining enrollments. Many factors serve to produce this state of affairs. The relative geographic isolation of the United States and the dominance of English as an international language have reduced interest in strong language and area studies in the U.S. This, combined with the difficulties language and area studies graduates experience in the job market, has eroded both student interest and public support for these fields of study.

The problem is one, however, that U.S. Government officials and policymakers are taking steps to solve. For example, efforts of the CSCE Commission, led by Commissioner Paul Simon, resulted in the establishment of the President's Commission on Foreign Language and International Studies. The 25 Commission members appointed by the President on September 15, 1978, were charged with recommending ways to strengthen and improve the study of foreign language and international studies in four areas: public awareness; needs for language and area specialists; appropriate study programs for all educational levels; and resources and legislation required to accomplish the task. The Commission's Final Report, issued as this study went to press on November 7, 1979, presented a comprehensive program for rejuvenating U.S. language and area studies. Both the President and Congress should place a high priority on implementing the most practical and feasible of the Commission's recommendations.

In a related effort to develop global awareness in the U.S. Congress established (with the Educational Amendments of 1976) Section 603 of NDEA, Title VI, to "...increase the

understanding of students in the United States about the cultures and actions of other nations in order to better evaluate the international and domestic impact of major national policies." Currently in its first year of funding this program will support elementary and secondary school projects designed to increase students' international awareness and understanding.

Scientific Exchange

Although official U.S. scientific cooperation with Eastern Europe has been treated at length elsewhere in this report, the non-governmental exchange programs administered by the U.S. National Academy of Sciences (NAS) are an important element of U.S. cooperation under the Final Act. Exchanges between the National Academy and its East European counterparts began in 1959 when NAS and the Soviet Academy of Sciences signed the first scientific cooperative agreement between the United States and an East European country. Since that time, agreements have been concluded with the National Academies of all the East European CSCE states. Exchanges under the most recent -- that with the German Democratic Academy -- began in September of 1978.

The Interacademy exchanges have made it possible for scientists from the U.S. and Eastern Europe to join efforts in a number of basic scientific fields, among them mathematics, chemistry, physics and biology. The scope of interaction has ranged from exchanges of individual scientists and the sharing of scientific information, to the holding of joint seminars and symposia. In 1978, for example, 185 American and East European scientists engaged in exchange visits which lasted a combined total of 505.5 months. (Interacademy exchanges are administered under a system of quotas expressed in months rather than participants). Also in 1978, the Soviet and American academies conducted a joint symposium, "New Directions in Biology: Biological Membranes," the fourth meeting in a series begun in 1975.

The U.S. Government's commitment to promoting scientific cooperation is underscored by the fact that the Academy exchanges are funded by grants from the National Science Foundation (NSF) -- the primary government agency for promoting scientific research and education in the U.S. In addition to the Academy exchanges, NSF funds a number of the official bilateral agreements the U.S. has concluded with East European CSCE states. This latter fact, coupled with a general falling off in budgetary support for scientific research over the last several years, has led the Foundation to approach with caution proposals to increase and modify the Academy's exchanges. As a result, quotas under the agreements have, with one exception, remained fairly constant since the Final Act was signed --

despite the oft-expressed willingness of many of the East European academies to increase the levels. In the one exception, U.S.-Soviet quotas underwent a 50 percent increase in 1975 which could not be sustained in subsequent years. Funding problems made it necessary to return to the previous levels in 1976.

Although the double burden the United States Government has assumed in funding both the Interacademy and the official bilateral exchanges speaks well for U.S. CSCE compliance, the quality of this compliance has been damaged by U.S. funding problems. Consideration should, therefore, be given to providing more funds to the Academy programs.

Multilateral Activities

U.S. involvement in multilateral cultural and educational activities mentioned in the Final Act is ensured by U.S. participation in a variety of United Nations Educational, Scientific and Cultural Organization (UNESCO) projects. Although UNESCO coordinates many such activities, two recent projects have particular relevance to U.S. CSCE compliance.

In December of 1978, the U.S. participated in a UNESCO Conference of Governmental Experts, held in Paris, to draft a convention on the recognition of studies, diplomas and degrees in higher education in UNESCO's European region (a region that includes all CSCE states). Mutual recognition of diplomas and degrees awarded by universities in the CSCE states has been a subject of particular interest to Soviet and East European educators whose students often face difficulties when enrolling in Western institutions. Although the autonomous structure of the American university system limits the degree of commitment the United States Government can make in this sphere, U.S. participation in December's conference signals a willingness to develop solutions that will meet Final Act criteria.

U.S. performance in meeting a second Final Act recommendation has been sporadic. The Cultural Exchange Chapter of Basket III specifically calls upon CSCE states to convene meetings of experts within UNESCO to consider the establishment of a CSCE Cultural Data Bank -- a sort of cultural information clearing-house which would further facilitate joint cultural activities. The U.S. has not participated in either of the two meetings UNESCO has convened on this subject as concerned institutions and organizations felt that any outcome would have little or no applicability to us, given the wide diversity of the U.S. cultural scene. Nor has it been possible to supply data bank organizers with all of the information they have requested due to the fact that cultural activities in the U.S. are conducted by a tremendous variety of groups and organizations, the major-

ity of whom are in the private sector. No central cultural coordinating body exists to provide the type of information UNESCO requires and private sector cooperation is often impossible to obtain. In this instance, the U.S. decentralized system diminishes the effectiveness of efforts to comply with this particular Final Act recommendation.

Conclusion

The period since the CSCE Final Act was signed in Helsinki in August of 1975 has witnessed a general expansion and strengthening of cultural and educational relations between the United States and other CSCE states. This expansion is particularly striking in the case of the East European states which have accused the U.S. of not living up to its Helsinki commitments. Though there are still weak spots in the U.S. performance, progress can nonetheless be seen in a variety of developments.

Contacts between U.S. and Eastern publishers -- particularly those from the USSR -- have expanded significantly, often with concrete, long-term results. The post-Helsinki period has seen the initiation of regular meetings between U.S. and Soviet writers; the institution of Interacademy scientific exchanges with the German Democratic Republic; and the conclusion of official bilateral exchange agreements with Hungary and Bulgaria. More East European films have been nominated for U.S. Academy Awards since the Final Act was signed than during any comparable period before or after the Prague Spring. Finally, relations between U.S. and Eastern universities have greatly expanded with the conclusion of direct exchange agreements in unprecedented numbers.

The U.S. Government has been a strong promoter of these and other activities. Although several problem areas -- among them the status of foreign language and international studies in the U.S. -- remain to be addressed effectively, the trend toward increased contacts and greater mutual awareness has corresponded to the spirit of the Final Act.

This assessment does not imply, however, that further efforts -- both public and private -- are not needed. Congress and the Administration should give full consideration to implementing the recommendations to be contained in the Final Report of the President's Commission on Foreign Language and International Studies. In addition, the U.S. International Communication Agency should turn more attention to increasing film exchanges and ensuring continued adequate funding for academic exchanges. ICA should also give consideration to the prospects for expanding cultural exchange programs with Eastern Europe to include the variety of activities currently observed in the Soviet programs. Consideration should also be given

to the feasibility of increasing funding for the Interacademy exchanges and the Department of State should improve the U.S. record of participation in UNESCO activities endorsed by the Final Act -- particularly U.S. involvement in the Cultural Data Bank.

CONCLUSION - CHAPTER 5

U. S. Compliance with Basket III of the Final Act has been marked by continuing adherence to the principles of freedom of movement for people, information and ideas. Like other CSCE states, the United States cannot yet claim full implementation of these provisions. On the other hand, its performance in meeting Basket III goals has been among the best of the participating states.

In the area of information exchange, the U.S. ranks second to none in the degree to which its borders are open to newspapers, journals and radio broadcasts from other countries -- irrespective of their political systems or attitudes towards the U.S. Moreover, cultural and educational exchanges with other CSCE signatories, particularly those in Eastern Europe, have grown significantly since the Final Act was signed in 1975.

In the post-Helsinki period, American citizens have remained free to leave and enter the country at will as the last restrictions to travel to a limited number of countries were removed in 1977. In addition, the U.S. has continued to accept large numbers of refugees from all over the world each year.

Yet it is in this area -- freedom of travel -- that the U.S. record seems most in need of improvement. While every country maintains controls on the entry of foreigners, specific U.S. visa policies do appear to be somewhat more restrictive than necessary. This is moreover, a view which has come to be shared by a large number of policy-makers, both in Congress and the Administration. Therefore, the Commission has recommended that the Select Commission on Immigration and Refugee Policies take U.S. CSCE commitments into account when proposing reforms for U.S. visa laws. In addition, speedy passage and enactment of the Refugee Act of 1979 would greatly improve U.S. policies toward prospective and actual immigrants.

With these changes, U.S. compliance with Basket III would more fully correspond to the principles the Final Act has long espoused.

CHAPTER SIX

OVERALL CONCLUSION

Implementation of the Helsinki Final Act is a continuous process. None of the 35 participating states are in total compliance with each and every provision of this unique political agreement. Consequently, there will always be room for improvement, varying in subject and degree from country to country. The level of compliance, therefore, is less important than the effort each state makes to improve its record. Countries such as the United States, with a relatively high level of compliance, are under no less obligation to improve than other countries. Improved compliance depends both on expanded fulfillment of existing provisions as well as avoidance of actions which would run counter to those provisions. Clearly the most egregious violations are those which result from deliberate, contemptuous disregard of the letter and spirit of the Final Act.

As the United States willingly acknowledged at the Belgrade review meeting, the U.S. implementation record, like the records of other CSCE states, is not perfect. However, it is clear from this comprehensive (although inevitably less than exhaustive) study, that overall U.S. performance is very good. More importantly, the efforts undertaken by the U.S. Government and private groups since the Final Act was signed in 1975 reveal a consistent striving for improvement. As one private civil rights organization has pointed out: "There are limitless opportunities structured into American society and its institutions to provide oversight, public criticism and governmental correctives for practices deemed to violate the sense of the Helsinki accords. There are scores of private and public agencies in the United States monitoring, year-round, the degree of compliance of American institutions.... There are also governmental agencies that actively monitor with administrative, judicial and legislative power, the practices of both private and public entities."

At the same time, there are areas where additional improvement is needed to bring the U.S. closer to full compliance with its obligations under the Final Act. This report has discussed U.S. shortcomings, as well as improvements, in some detail and has offered recommendations, where appropriate, for further improvement. We trust that these observations and recommendations will be given careful consideration by responsible governmental bodies. Of course, there are limitations on the Federal Government's authority to order compliance with specific provisions of the Final Act. One such limitation arises from the American system of divided powers which, although designed to protect individual freedom, divides authority between the three

branches of the Federal Government on the one hand and between federal, state and local government on the other. Another restriction stems from the limited power of the U.S. Government over private citizens and groups -- another Constitutional guarantee of individual liberty.

To make these observations is not to argue that the U.S. is any less obligated to fulfill its commitments under the Helsinki Final Act. The American system is sufficiently flexible and resilient to assure that the necessary improvements can be accomplished. However, to overcome these obstacles, the Federal Government and interested private groups will need to make a special effort to develop greater public awareness and understanding for the goals of CSCE. The Commission is encouraged that through the personal efforts of the President, the work of newly formed private monitoring groups and other developments; there is a growing sensitivity and willingness to cooperate throughout the government and the private community in fulfilling U.S. commitments under the Helsinki accords. To foster this trend and to assist in future monitoring and implementation of the Final Act, the Commission welcomes comments and suggestions on this report from other CSCE states, from government organizations and private groups and from individual citizens who, in the last analysis, should be the beneficiaries of whatever measure of success CSCE achieves.

The Commission hopes that, at a minimum, this report will serve three purposes. First, it will demonstrate the good faith of the United States in conscientiously examining its own implementation record, including shortcomings pointed out by other CSCE participants and domestic critics. Second, it will encourage greater efforts at improved implementation in the U.S. by various responsible parties. Third, it will stimulate other Helsinki countries to undertake similar public assessments of their own performance records. If these three goals are achieved, the prospects for productive results at the next CSCE review meeting in Madrid in 1980 will measurably brighten and the CSCE process itself will be enhanced accordingly.

TABLE OF APPENDICES

<u>Description</u>	<u>Page</u>
<u>Appendix I, Chart 1</u> - U.S.-Sponsored Military Maneuvers Notified in 1975-1979 Under the Provisions of the Helsinki Final Act	314
<u>Appendix I, Chart 2</u> - Military Exchange Between the U.S. and Warsaw Pact Countries 1976-1978	315
<u>Appendix II</u> - The Courts and Prisons Status Report	317
<u>Appendix III</u> - Copy of the bill H.R. 10	322
<u>Appendix IV, Chart 1</u> - List of 161 Major Religious Bodies in the United States	330
<u>Appendix IV, Chart 2</u> - Table of U.S. Trade with the Soviet Union and Eastern Europe 1974-1978	332
<u>Appendix IV, Chart 3</u> - Table of Trade Promotion Events Staged or to be Staged by the Bureau of East-West Trade July 1, 1978 through June 30, 1979	334
<u>Appendix V</u> - Publications issued by Treasury Department	335
<u>Appendix VI, Chart 1</u> - Illustrative List of U.S. Industrial Cooperation Agreements Concluded in 1976 and 1977 with East European and Soviet Partners	341
<u>Appendix VI, Chart 2</u> - Summary of Selected U.S. Cooperative Activities in Science and Technology under the Helsinki Final Act	350
<u>Appendix VI, Chart 3</u> - Environmental Protection Agency, (EPA) Activities with International Organizations and CSCE States	368
<u>Appendix VII</u> - Table of Immigrant and Nonimmigrant Visas Refused and Reasons for Fiscal Year 1976	369
<u>Appendix VIII</u> - Copy of the Waiver Language of Section 212(d)(3)	370
<u>Appendix IX</u> - Copy of Sections 212(a)(27), (28) and (29) of the Immigration and Nationality Act	371
<u>Appendix X</u> - Table of Nonimmigrants Admitted by Classes under U.S. Immigration Laws 1970 through 1978	375
<u>Appendix XI</u> - List of Cultural and Educational Exchange: U.S. Organizations Involved in East-West Cooperation	378

APPENDIX I

CHART I

U.S.-SPONSORED MILITARY MANEUVERS NOTIFIED IN 1975-1979 UNDER THE PROVISIONS OF THE HELSINKI FINAL ACT

Name of the Maneuver	Type of Maneuver	Area	Participating Forces	Period of the Maneuver (No. days)	Notification Given	Countries Notified	Invitation to Observers
1975 CERTAIN TREK (1)	Ground/Air	NW Bavaria (FRG)	FRG-CA-FR-US	14th-23rd October	34 days	All CSCE Participants	
REFORGER 75(1)	Ground/Air	FRG	US-CA-FRG	Early Oct-Late Nov	32 days	All CSCE Participants	
1976 GORDIAN SHIELD (1)	Ground/Air	Hesse (FRG)	US-FRG	7th-11th September	21 days	All CSCE Participants	
LARES TEAM (1)	Ground/Air	Southern Germany	US-CA-FRG	13th-17th September	21 days	All CSCE Participants	
1977 CERTAIN FIGHTER (2)	Ground/Air	FRG	US	1st-8th May	21 days	All CSCE Participants	
CARBON EDGE (1)	Ground/Air	FRG	US-BE-CA-FRG-NE-UK	13th-23rd September	21 days	All CSCE Participants	
1978 CERTAIN SHIELD (1)	Ground/Air	Bad Hessefeld-Schweinfurt-Darmstadt-Monburg-Limburg (FRG)	BE-GE-LU-UK-US	18th-28th September	24 days	All CSCE Participants	
1979 CERTAIN SENTINEL (1)	Ground	N. Baden-Württemberg W. Bavaria (FRG)	CA-FRG-LU-NE-UK-US	30th Jan-6th Feb	25 days	All CSCE Participants	

(1) Over 25,000 men involved
(2) Under 25,000 men involved

APPENDIX I

CHART 2

MILITARY EXCHANGE BETWEEN THE U.S. AND WARSAW PACT COUNTRIES

1975-1978

SENIOR DEFENSE OFFICIALS

<u>VISITING COUNTRY</u>	<u>HOST COUNTRY</u>	<u>DATE</u>	<u>PARTICULARS</u>
<u>Chiefs of Staff</u>			
1975	USA	Romania September 15	General Weyand, Army Chief of Staff
<u>Other Visits</u>			
1975	Romania	USA October	General Tutoveanu, Commandant of the Romanian Military Academy
1976	USA	USSR May 9-20	Visit by BG J. L. Collins, Jr., U.S. Army, in order to improve relations between military historians
	USA	Romania April 28-May 2	U.S. National War College
	Romania	USA July 3-23	Visit to New York City, Baltimore and Philadelphia by naval training ship <u>Mircea</u>
	USA	Romania September 13	Visit to Constanta by USS <u>Yarnel</u>
1977	USA	Romania May 1-6	Visit to Bucharest by National Defense University/ICAF Delegation
	Soviet Union	USA May 5-6	Visit by military attaches in Washington to selected U.S. military units

1977 (Con'd)	USA	USSR	May 11-18	Delegation of Military Representative from National Defense University
	Soviet	USA	July 19-20	Visit by Commander-in-Chief of Soviet forces in Germany and members of his staff to U.S. Army Europe Headquarters and a U.S. Army training area
1978	USSR	USA	April 18-30	LTG Pavel Zhihn, Director of the Soviet Ministry of Defense's Institute of Military History
	USA	Hungary	Spring	Students from senior service schools
	USA	Romania	Spring	Students from senior service schools
	USA	Romania	November 22-27	Visit to Constanta by U.S. warship

APPENDIX II

Status Report - The Courts and Prisons

States in which there are existing court decrees, or pending litigation, involving the entire state prison system or the major institutions in the state and which deal with overcrowding and/or the total conditions of confinement (does not include jails except for D.C.):

1. Alabama: The entire state prison system is under court order dealing with total conditions and overcrowding. Pugh v. Locke, 406 F.Supp. 318 (M.D.Ala. 1976), aff'd in substance, Newman v. Alabama, 559 F.2d 283 (5th Cir. 1977), cert. denied.
2. Arizona: The state penitentiary is being challenged on total conditions and overcrowding, limiting prison population and reclassification. August 1977-February 1978. Full trial probably in Fall 1979. Harris v. Cardwell, C.A. No. 75-185 PHX-CAM (D.Ariz.).
3. Arkansas: The entire state prison system is under court order dealing with total conditions. Finney v. Arkansas Board of Corrections, 505 F.2d 194 (8th Cir. 1974).
4. Colorado: The state maximum security penitentiary is being challenged on total conditions and overcrowding. Complaint filed January 1978, case certified as a class action in March 1978. Full trial probably in Fall 1979. Ramos v. Lamm, C.A. No. 77-K-1093 (D.Col.).

5. Delaware: The state penitentiary is under court order dealing primarily with overcrowding and some conditions. Anderson v. Redmon, 429 F.Supp. 1105 (D.Del. 1977).
6. Florida: The entire state prison system is under court order dealing with overcrowding. Costello v. Wainwright, 397 F. Supp. 20 (M.D.Fla. 1975), aff'd 525 F.2d 1239 and 553 F.2d 506 (5th Cir. 1977).
7. Georgia: The state penitentiary is being challenged on total conditions and overcrowding. Trial held in 1977, pending a decision. Guthrie v. Ault
8. Illinois: The state penitentiary at Menard is being challenged on total conditions and overcrowding. Lightfoot v. Walker
9. Indiana: The state prison at Pendleton is being challenged on total conditions and overcrowding. Trial held late in 1978. French v. Owens. A case was filed in Jan. 1979 against state penitentiary at Michigan City on overcrowding and total conditions. Wellman v. Faulkner, IP79-37-C (S.D.Ind.)
10. Kentucky: The state penitentiary is being challenged on overcrowding and some conditions. Kendrick v. Carroll, C76-0079 (W.D.Ky.)
11. Louisiana: The state penitentiary is under court order dealing with overcrowding and some conditions. Williams v. Edwards, 547 F.2d 1206 (5th Cir. 1977)
12. Maryland: The 2 state penitentiaries are declared unconstitutional on overcrowding. Johnson v. Levine, 450 F.Supp. 648 (D.Md.1978) Nelson v. Collins, 455 F.Supp. 727 (D.Md.1978)

13. Massachusetts: The maximum security unit at the state prison in Walpole is being challenged on total conditions.
Blake v. Hall, C.A. 78-3051-T (D.Mass.)
14. Mississippi: The entire state prison system is under court order dealing with overcrowding and total conditions.
Gates v. Collier, 501 F.2d 1291 (5th Cir. 1974)
15. Missouri: The state penitentiary is under court order on overcrowding and some conditions. Trial held in Oct. 1978.
Burks v. Graham 75 cv149-C
16. Nevada: The two major prisons are being challenged on overcrowding and total conditions. Maginnis v. O'Callaghan
C.A. No. 77-0221 (D.Nev.)
17. New Hampshire: The state penitentiary is under court order dealing with total conditions and overcrowding.
Laaman v. Helgemoe, 437 F.Supp. 269 (D.N.H. 1977)
18. New Mexico: The state penitentiary is being challenged on overcrowding and total conditions. Duran v. Apodaca,
C.A. No. 77-721-C (D. N.Mex.)
19. North Carolina: A lawsuit was recently filed at Central Prison in Raleigh on overcrowding and conditions.
20. Ohio: The state prison at Lucasville is under court order on overcrowding. Chapman v. Rhodes, 434 F.Supp. 1007 (S.D.Oh.1977)
The state prison at Columbus is being challenged on total conditions and overcrowding. Stewart v. Rhodes, C.A. No. (S.D.Ohio). The state prison at Mansfield is being challenged on total conditions. Boyd v. Denton, C.A. 78-1054A (N.D.Oh)

21. Oklahoma: The state penitentiary is under court order on total conditions and the entire state prison system is under court order on overcrowding, Battle v. Anderson, 564 F.2d 388 (10th Cir. 1977).
22. Rhode Island: The entire state prison system is under court order on overcrowding and total conditions. Palmigiano v. Garrahy, 443 F.Supp. 956 (D.R.I. 1977).
23. South Carolina: The state penitentiary is being challenged on overcrowding and conditions. Mattison v. So. Car. Bd. of Corr. C.A. No. 76-318.
24. Tennessee: The entire state prison system declared unconstitutional on total conditions. Decision in August 1978 with preliminary order closing one unit by state court Judge. Trigg v. Blanton, C.A. No. A6047
25. Texas: The entire state prison system is being challenged on some conditions. Ruiz v. Estelle, Trial began 10/78.
26. Utah: The state penitentiary is being challenged on overcrowding and some conditions. Nielson v. Matheson.
27. Vermont: State prison closed.
28. Washington: The state reformatory is being challenged on overcrowding and conditions. Collins v. Rhay, C.A. No. C78-13-V (W.D.Wash.)
29. Wyoming: The state penitentiary is being operated under terms of a stipulation and consent decree. Bustos v. Herschler, C.A. No. C76-143-B (D.Wyo.).

30. District of Columbia: The District jails are under court order on overcrowding and conditions. Inmates, D.C. Jail v. Jackson, 416 F.Supp. 119 (D.D.C. 1976), Campbell v. McGruder, 416 F.Supp. 100 and 111 (D.D.C. 1976), aff'd and remanded, C.A. No's 75-1350, 75-2273 (D.C.Cir. Mar. 30, 1978).
31. Puerto Rico: The Commonwealth Penitentiary is under court order on overcrowding and conditions. Martinez-Rodrigues v. Jiminez, 409 F.Supp. 582 (D.P.R. 1976).
32. Virgin Islands: Territorial prison is under court order dealing with conditions and overcrowding. Barnes v. Gov't of the Virgin Islands, 415 F.Supp. 1218 (D.V.I. 1976).

Union Calendar No. 33

96TH CONGRESS
1ST SESSION

H. R. 10

[Report No. 96-80]

To authorize actions for redress in cases involving deprivations of rights of institutionalized persons secured or protected by the Constitution or laws of the United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 1979

Mr. KASTENMEIER (for himself, Mr. RODINO, Mr. EDWARDS of California, Mr. CONYERS, Mr. DANIELSON, Mr. DRINAN, Ms. HOLTZMAN, Mr. MAZZOLI, Mr. HARRIS, Mr. HUGHES, and Mr. RAILSBACK) introduced the following bill; which was referred to the Committee on the Judiciary

APRIL 3, 1979

Additional sponsors: Mr. GUDGER, Mr. MATSUI, Mr. MIKVA, Mr. BUTLER, Mr. SAWYER, Mr. MOORHEAD of California, Mr. HYDE, Mr. HALL of Texas, and Mr. NOLAN

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To authorize actions for redress in cases involving deprivations of rights of institutionalized persons secured or protected by the Constitution or laws of the United States.

1 (1) the term “institution” means any facility or
2 institution—

3 (A) which is owned, operated, or managed by
4 or provides services on behalf of any State or po-
5 litical subdivision of a State; and

6 (B) which is—

7 (i) for persons who are mentally ill, dis-
8 abled, or retarded, or chronically ill or
9 handicapped;

10 (ii) a jail, prison, or other correctional
11 facility;

12 (iii) a pretrial detention facility;

13 (iv) for juveniles held awaiting trial or
14 residing for purposes of receiving care or
15 treatment or for any other State purpose; or

16 (v) providing skilled nursing, intermedi-
17 ate or long-term care, or custodial or residen-
18 tial care;

19 (2) the term “person” means an individual, a
20 trust or estate, a partnership, an association, or a
21 corporation;

22 (3) the term “State” means any of the several
23 States, the District of Columbia, the Commonwealth of
24 Puerto Rico, or any of the territories and possessions
25 of the United States; and

1 (4) the term "legislative days" means any calen-
2 dar day on which either House of Congress is in
3 session.

4 SEC. 2. Whenever the Attorney General has reasonable
5 cause to believe that any State or political subdivision of a
6 State, any official, employee, or agent thereof, or other person
7 acting on behalf of a State or political subdivision of a State
8 is subjecting persons residing in or confined to any institu-
9 tion to conditions which cause them to suffer grievous harm
10 and deprive them of any rights, privileges, or immunities se-
11 cured or protected by the Constitution or laws of the United
12 States, and that such deprivation is pursuant to a pattern or
13 practice of resistance to the full enjoyment of such rights,
14 privileges, or immunities, the Attorney General for or in the
15 name of the United States may institute a civil action in any
16 appropriate United States district court against such party
17 for such equitable relief as may be appropriate to insure the
18 full enjoyment of such rights, privileges, or immunities,
19 except that such equitable relief shall be available to persons
20 residing in an institution as defined in paragraph (1)(B)(ii)
21 of the first section of this Act only insofar as such persons are
22 subjected to conditions which deprive them of rights, privi-
23 leges, or immunities secured or protected by the Constitution
24 of the United States. The Attorney General shall sign the
25 complaint in such action.

1 *SEC. 3. (a) At the time of the commencement of an*
2 *action under section 2 of this Act, the Attorney General shall*
3 *certify to the court—*

4 *(1) that, at least thirty days previously, he has*
5 *notified in writing the Governor or chief executive*
6 *officer and attorney general or chief legal officer of the*
7 *appropriate State or political subdivision of the State*
8 *and the director of the institution of—*

9 *(A) the alleged pattern or practice of depriva-*
10 *tions of rights, privileges, or immunities secured*
11 *or protected by the Constitution or laws of the*
12 *United States;*

13 *(B) the supporting facts giving rise to the al-*
14 *leged pattern or practice of deprivations, including*
15 *the dates or time period during which the alleged*
16 *pattern or practice of deprivations occurred and,*
17 *when feasible, the identity of all persons reason-*
18 *ably suspected of being involved in causing the al-*
19 *leged pattern or practice of deprivations; and*

20 *(C) the measures which he believes may*
21 *remedy the alleged pattern or practice of depriva-*
22 *tions;*

23 *(2) that he or his designee has made a reasonable*
24 *effort to consult with the Governor or chief executive*
25 *officer and attorney general or chief legal officer of the*

1 *appropriate State or political subdivision and the di-*
2 *rector of the institution, or their designees, regarding*
3 *assistance which may be available from the United*
4 *States and which he believes may assist in the correc-*
5 *tion of such pattern or practice of deprivations;*

6 *(3) that he is satisfied that the appropriate offi-*
7 *cials have had a reasonable time to take appropriate*
8 *action to correct such deprivations and have not ade-*
9 *quately done so; and*

10 *(4) that he believes that such an action by the*
11 *United States is of general public importance and will*
12 *materially further the vindication of the rights, privi-*
13 *leges, or immunities secured or protected by the Consti-*
14 *tution or laws of the United States.*

15 *(b) Any certification made by the Attorney General*
16 *pursuant to this section shall be signed by him.*

17 *SEC. 4. (a) No later than one hundred and eighty days*
18 *after the date of enactment of this Act, the Attorney General*
19 *shall, after consultation with State and local agencies and*
20 *persons and organizations having a background and expertise*
21 *in the area of corrections, promulgate minimum standards*
22 *relating to the development and implementation of a plain,*
23 *speedy, and effective system for the resolution of grievances*
24 *of adult persons confined in any jail, prison, or other correc-*
25 *tional facility, or pretrial detention facility. The Attorney*

1 *General shall submit such proposed standards for publication*
2 *in the Federal Register in conformity with section 553 of*
3 *title 5, United States Code. Such standards shall take effect*
4 *thirty legislative days after final publication unless, within*
5 *such period, either House of the Congress adopts a resolution*
6 *of disapproval. The minimum standards shall provide—*

7 *(1) for an advisory role for employees and in-*
8 *mates of correctional institutions (at the most decen-*
9 *tralized level as is reasonably possible) in the formula-*
10 *tion, implementation, and operation of the system;*

11 *(2) specific maximum time limits for written re-*
12 *plies to grievances with reasons thereto at each decision*
13 *level within the system;*

14 *(3) for priority processing of grievances which are*
15 *of an emergency nature, including matters in which*
16 *delay would subject the grievant to substantial risk of*
17 *personal injury or other damages;*

18 *(4) for safeguards to avoid reprisals against any*
19 *grievant or participant in the resolution of a grievance;*

20 *(5) for independent review of the disposition of*
21 *grievances, including alleged reprisals, by a person or*
22 *other entity not under the direct supervision or direct*
23 *control of the institution.*

24 *(b) The Attorney General shall develop a procedure for*
25 *the prompt review and certification of systems for the resolu-*

1 tion of grievances of adult persons confined in any jail,
2 prison, or other correctional facility, or pretrial detention fa-
3 cility, which may be submitted by the various States and
4 political subdivisions in order to determine if such systems
5 are in substantial compliance with the minimum standards
6 promulgated pursuant to this section. The Attorney General
7 may suspend or withdraw such certification at any time if he
8 has reasonable cause to believe that the grievance procedure
9 is no longer in substantial compliance with the minimum
10 standards promulgated pursuant to this section.

11 (c) In any action brought pursuant to section 1979 of
12 the Revised Statutes of the United States (42 U.S.C. 1983)
13 by an adult person convicted of a crime confined in any jail,
14 prison, or other correctional facility, the court shall continue
15 such case for a period not to exceed ninety days in order to
16 require exhaustion of such plain, speedy, and effective ad-
17 ministrative remedy as is available if the court believes that
18 such a requirement would be appropriate and in the interest
19 of justice, except that such exhaustion shall not be required
20 unless the Attorney General has certified or the court has
21 determined that such administrative remedy is in substantial
22 compliance with the minimum acceptable standards promul-
23 gated pursuant to this section.

24 SEC. 5. The Attorney General shall include in his
25 report to Congress on the business of the Department of Jus-

1 tice prepared pursuant to section 522 of title 28, United
2 States Code—

3 (1) a statement of the number, variety, and out-
4 come of all actions instituted pursuant to this Act;

5 (2) a detailed explanation of the process by which
6 the Department of Justice has received, reviewed, and
7 evaluated any petitions or complaints regarding condi-
8 tions in prisons, jails, or other correctional facilities,
9 and an assessment of any special problems or costs of
10 such process, and, if appropriate, recommendations for
11 statutory changes necessary to improve such process;
12 and

13 (3) a statement of the nature and effect of the
14 standards promulgated pursuant to section 4 of this
15 Act, including an assessment of the impact which such
16 standards have had on the workload of the United
17 States courts and the quality of grievance resolution
18 within jails, prisons, and other correctional or pretrial
19 detention facilities.

APPENDIX IV

CHART 1

World Book Encyclopedia, 1977

MAJOR RELIGIOUS BODIES IN THE UNITED STATES

NAME	MEMBERSHIP	NAME	MEMBERSHIP
*Adventists:		Church of God (Seventh Day), Denver, Colo.	5,600
Advent Christian Church.....	31,057	Church of God by Faith.....	4,500
Church of God General Conference		Church of God and Saints of Christ.....	38,217
(Oregon, Ill.).....	7,455	Churches of God General Conference.....	37,040
*Seventh-day Adventists.....	479,799	Churches of the Living God:	
African Orthodox Church, The.....	6,000	Church of the Living God.....	45,320
Bahá'í Faith (*Bahá'ís).....	†	Congregational Christian Churches,	
*Baptists:		National Association of.....	90,000
*American Baptist Association.....	1,071,000	Conservative Congregational Christian Conf.....	21,975
*American Baptist Churches in the		Eastern Churches:	
U.S.A.....	1,579,029	Armenian Apostolic Church of America.....	125,000
Baptist General Conference.....	111,093	Armenian Church of North America, Diocese	
Baptist Missionary Association of America.....	211,000	of the (including Diocese of California).....	372,000
Conservative Baptist Assn. of America.....	300,000	*Eastern Orthodox Churches:	
Duck River (and Kindred) Associations of		Albanian Orthodox Archdiocese in America.....	40,000
Baptists.....	8,909	Albanian Orthodox Diocese of America.....	5,246
Free Will Baptists.....	215,000	American Carpatho-Russian Orthodox	
General Association of Regular Baptist		Greek Catholic Church.....	100,000
Churches.....	250,000	Antiochian Orthodox Christian Archdiocese of	
General Baptists, General Association of.....	70,000	North America.....	130,000
*National Baptist Convention of America.....	2,668,799	Bulgarian Eastern Orthodox Church.....	86,000
National Baptist Convention, U.S.A., Inc.	6,300,000	*Greek Orthodox Archdiocese of North	
National Baptist Evangelical Life and		and South America.....	1,950,000
Soul Saving Assembly of U.S.A.....	57,674	Holy Ukrainian Autocephalic Church	
*National Primitive Baptist Convention,		in Exile.....	4,800
Inc.....	1,645,000	Orthodox Church in America.....	1,000,000
North American Baptist General Conference.....	41,437	Romanian Orthodox Episcopate of America.....	40,000
Primitive Baptists.....	72,000	Russian Orthodox Church in the	
Progressive National Baptist Convention, Inc.	521,692	U.S.A., Patriarchal Parishes of the.....	51,500
Separate Baptists in Christ.....	7,496	Russian Orthodox Church Outside Russia.....	55,000
Seventh Day Baptist General Conference.....	5,230	Serbian Eastern Orthodox Church for the	
*Southern Baptist Convention.....	12,513,378	U.S.A. and Canada.....	65,000
United Free Will Baptist Church.....	100,000	Syrian Orthodox Church of Antioch	
*Brethren (German Baptists):		(Archdiocese of the U.S.A. and Canada).....	50,000
*Brethren, Church of the.....	179,387	Ukrainian Orthodox Church in the U.S.A.....	87,745
Brethren Church (Ashland, Ohio).....	16,279	Ukrainian Orthodox Church of America	
Brethren Churches, National Fellowship of.....	35,514	(Ecumenical Patriarchate).....	30,000
Brethren, River:		*Episcopal Church.....	2,907,293
Brethren in Christ Church.....	10,255	*Ethical Culture Movement.....	5,000
Buddhist Churches of America.....	100,000	Evangelical Church of North America.....	10,714
Christadelphians.....	15,800	Evangelical Congregational Church.....	29,636
Christian and Missionary Alliance.....	144,245	Evangelical Covenant Church of America.....	69,960
Christian Church (*Disciples of Christ).....	1,312,326	Evangelical Free Church of America.....	70,490
Christian Churches and Churches of Christ.....	1,034,047	Evangelistic Associations:	
Christian Union.....	5,301	Apostolic Christian Churches of America.....	9,500
Church of Christ (Holiness) U.S.A.....	9,289	Christian Congregation.....	59,600
Church of Christ, Scientist (*Christian Scientists)	†	Missionary Church.....	20,078
Church of Illumination.....	9,000	Pillar of Fire.....	5,100
*Church of the Nazarene.....	430,128	Free Christian Zion Church of Christ.....	22,260
*Churches of Christ.....	2,400,000	Independent Fundamental Churches of	
Churches of Christ in Christian Union.....	9,786	America.....	87,582
*Churches of God:		*Jehovah's Witnesses.....	539,262
Church of God (Anderson, Ind.).....	161,401	Jewish Congregations (*Jews).....	6,115,000

*Has a separate article in WORLD BOOK.

†Membership statistics not available.

**Membership reported by religious body.

Source: Yearbook of American and Canadian Churches. Copyright © 1976, National Council of the Churches of Christ in the U.S.A.

MAJOR RELIGIOUS BODIES IN THE UNITED STATES

NAME	MEMBERSHIP	NAME	MEMBERSHIP
*Latter Day Saints, Reorganized Church of Jesus Christ of	156,687	Cumberland Presbyterian Church	92,948
Latter-day Saints, Church of Jesus Christ of (*Mormons)	2,683,573	Orthodox Presbyterian Church	14,871
*Lutherans:		Presbyterian Church in America	41,232
*American Lutheran Church	2,437,862	*Presbyterian Church in the U.S.	896,203
Apostolic Lutheran Church of America	9,384	Reformed Presbyterian Church, Evangelical Synod	22,452
Church of the Lutheran Brethren of Am.	9,000	Reformed Presbyterian Church of North America	5,445
Church of the Lutheran Confession	9,667	Second Cumberland Presbyterian Church in U.S.	30,000
Evangelical Lutheran Synod	17,804	*United Presbyterian Church in the United States of America	2,723,565
Free Lutheran Congregations, The Association of	13,471	*Quakers:	
*Lutheran Church in America	2,986,970	Evangelical Friends Alliance	27,206
*Lutheran Church—Missouri Synod	2,769,594	Friends General Conference	26,184
Wisconsin Evangelical Lutheran Synod	388,865	Friends United Meeting	67,431
*Mennonites:		Reformed Bodies:	
Church of God in Christ (Mennonite)	6,204	*Christian Reformed Church	206,000
General Conference of Mennonite Brethren Churches	15,520	Hungarian Reformed Church in America	11,679
Mennonite Church	92,390	Netherlands Reformed Congregations	7,447
Mennonite Church, The General Conference	35,534	Reformed Church in America	354,004
Old Order Amish Church	14,720	Reformed Episcopal Church	6,532
Old Order (Wisler) Mennonite Church	8,000	*Roman Catholic Church	48,701,835
*Methodists:		*Salvation Army	366,471
*African Methodist Episcopal Church	1,166,301	Spiritualist Bodies:	
*African Methodist Episcopal Zion Church	1,024,974	Spiritualists, International General Assembly of (*Spiritualists)	164,072
Christian Methodist Episcopal Church	466,713	Triumph the Church and Kingdom of God in Christ	54,307
Evangelical Methodist Church	10,502	*Unitarian Universalist Association	192,510
*Free Methodist Church of North America	65,210	United Brethren Bodies:	
Primitive Methodist Church, U.S.A.	11,024	United Brethren in Christ	26,335
Reformed Zion Union Apostolic Church	16,000	*United Church of Christ	1,041,312
Southern Methodist Church	11,000	*Volunteers of America	30,740
*United Methodist Church	10,063,916	*Wesleyan Church	94,215
Metropolitan Community Churches, Universal Fellowship of	17,729		
*Moravian Church:			
Moravian Church in America (Unitas Fratrum)	54,892		
Unity of the Brethren	6,142		
New Apostolic Church of North America	22,563		
*Old Catholic Churches:			
North American Old Roman Catholic Church	60,098		
*Pentecostal Churches:			
Apostolic Overcoming Holy Church of God	75,000		
*Assemblies of God	1,239,197		
Bible Way Church of Our Lord Jesus Christ, World Wide, Inc.	30,000		
Christian Church of North America, General Council	8,500		
Church of God	75,890		
Church of God (Cleveland, Tenn.)	328,892		
Church of God, The (Original)	20,000		
*Church of God in Christ	425,000		
Church of God in Christ, International	501,000		
Church of God of Prophecy	62,743		
Church of Our Lord Jesus Christ of the Apostolic Faith	45,000		
Elim Fellowship	5,000		
International Church of the Foursquare Gospel	89,215		
International Pentecostal Assemblies	10,000		
Open Bible Standard Churches, Inc.	25,000		
Pentecostal Church of God of America, Inc.	115,000		
Pentecostal Free-Will Baptist Church, Inc.	10,000		
Pentecostal Holiness Church, Inc.	71,108		
United Holy Church of America	28,980		
United Pentecostal Church (International)	270,000		
Plymouth Brethren	40,000		
*Polish National Catholic Church of America	202,411		
*Presbyterians:			
Associate Reformed Presbyterian Church (General Synod)	31,154		

MAJOR RELIGIONS OF THE WORLD

Estimated number of members in each religion*

CHRISTIAN	
Roman Catholic	552,000,000
Protestant	324,000,000
Eastern Orthodox	91,500,000
NON-CHRISTIAN	
Hinduism	515,500,000
Islam	513,000,000
Confucianism	276,000,000
Buddhism	223,500,000
Shinto	63,000,000
Taoism	31,500,000
Judaism	14,500,000

*Statistics for some of the major religions are very broad estimates. Some religions do not keep official records of the total number of their members. Various religions also have different standards for determining who is a member of their faith. In addition, many Asians belong to more than one religion.
Source: Franklin H. Littell, Professor of Religion, Temple University, Philadelphia, Pa. Figures are for 1973.

APPENDIX IV

CHART 2

U.S. TRADE WITH THE SOVIET UNION AND EASTERN EUROPE

1974-1978 (in thousands of U.S. dollars) *

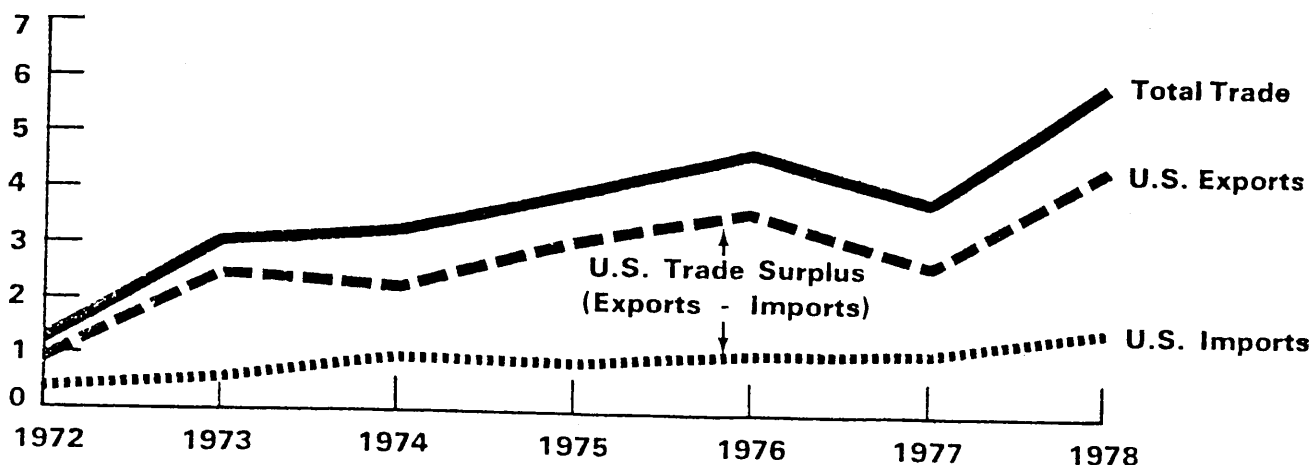
<u>U.S. Exports to:</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Bulgaria	21,965	29,299	43,320	23,910	48,120
Czechoslovakia	48,604	52,904	148,303	73,989	105,349
G.D.R.	20,882	17,294	64,802	36,099	170,121
Hungary	56,176	76,054	62,960	79,717	97,682
Poland	394,588	580,090	621,035	436,536	677,022
Romania	277,136	189,300	249,034	259,405	317,423
U.S.S.R.	607,856	1,834,141	2,305,955	1,623,574	2,249,020
TOTAL	1,427,207	2,779,082	3,495,409	2,533,230	3,664,737

<u>U.S. Imports from:</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Bulgaria	8,399	20,217	26,955	17,951	19,090
Czechoslovakia	45,562	34,629	36,376	36,599	58,000
G.D.R.	14,129	11,250	13,645	16,764	35,280
Hungary	75,407	34,652	49,014	46,585	68,460
Poland	265,931	243,079	318,763	329,085	438,850
Romania	130,516	132,956	198,745	233,287	346,620
U.S.S.R.	350,223	254,528	220,901	234,633	540,390
TOTAL	890,167	731,311	864,399	914,904	1,506,690

* Source: Selected Trade and Economic Data of the Centrally Planned Economies. U.S. Department of Commerce. June, 1979.

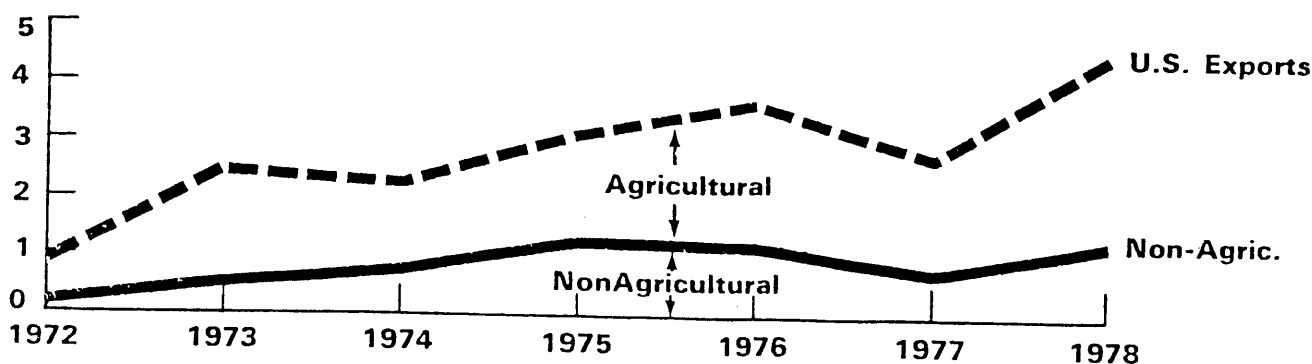
U.S. - Eastern* Trade, 1972-78**

Billions of Dollars



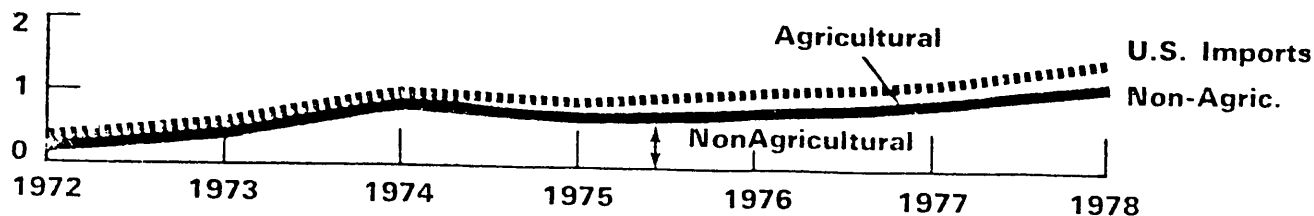
U.S. Exports:

Billions of Dollars



U.S. Imports:

Billions of Dollars



*Bulgaria, Czechoslovakia, GDR, Hungary, Poland, Romania, U.S.S.R. and PRC.

**1978 trade estimated imports do not include U.S. imports of nonmonetary gold from U.S.S.R.

APPENDIX IV

CHART 3

Trade Promotion Events Staged or to be Staged
by the Bureau of East-West Trade
during July 1, 1978 - June 30, 1979

<u>Type of Event</u>	<u>Number of Firms Represented</u>
<u>Commercial Exhibitions</u>	
Sept. 1978 Plovdiv, Bulgaria	11
Sept. 1978 Leipzig, GDR	7
Sept. 1978 Moscow, USSR	17
Sept. 1978 Brno, Czechoslovakia	23
Oct. 1978 Bucharest, Romania	15
Oct. 1978 Moscow, USSR	28
Mar. 1979 Leipzig, GDR	32
May 1979 Budapest, Hungary	35
May 1979 Moscow, USSR	24
June 1979 Poznan, Poland	41
<u>Technical Sales Seminars</u>	
Oct. 1978 "Meat and Dairy Processing Equipment" to Bulgaria, Hungary, Poland and Yugoslavia	12
Jan. 1979 "Lasers and Electro-Optics" to Czechoslovakia, Hungary, Poland and Austria	6
Feb. 1979 "Sewing and Garment Production Equipment" to Bulgaria, Czechoslovakia and Romania	7
June 1979 "Pesticides" to Czechoslovakia, GDR and Romania	6
<u>Seminars/Exhibitions in U.S. Commercial Office, Moscow</u>	
Nov. 1978 "Plastics Production Equipment"	7
Dec. 1978 "Ferrous Metallurgy"	6
Feb. 1979 "Industrial Packaging"	6
Mar. 1979 "New Technology in Mining"	12
Mar. 1979 "Medical Equipment"	8

APPENDIX V

Publications issued by Treasury of types mentioned in the Final Act in the section on publication of economic and commercial information

Annual Report of the Secretary of the Treasury on the State of the Finances

Contains data on the policies and administration of Government finances; review of fiscal operations; administrative reports of organizational units and supporting exhibits.

Statistical Appendix to Annual Report of the Secretary of the Treasury on the State of the Finances

Contains historical data relating to Treasury and Government-wide fiscal and financial operations.

Annual Combined Statement of Receipts, Expenditures and Balances of the United States Government

Contains data on financial operations of the U.S. Government.

Monthly Statement of Receipts and Outlays of the United States Government

Contains monthly data on financial operations of the United States Government.

Daily Statement of the United States Treasury

Contains daily data on financial operations of the United States Government.

Treasury Bulletin

Issued monthly; contains financial and statistical tables relating to Federal fiscal operations as well as other monetary data, including international financial statistics such as claims and liabilities reported by U.S. banks and nonbanking concerns with respect to foreigners, and their foreign-currency positions.

Statement of United States Currency and Coin Issued

Monthly report on issuance of currency and coin.

Importation of Distilled Spirits, Wines and Beer

Report issued by Bureau of Alcohol, Tobacco and Firearms (Department of the Treasury Report ATF P 5100.4).

Exportation of Liquors

Report issued by Bureau of Alcohol, Tobacco and Firearms (Department of the Treasury Report ATF P 5180.1).

Commerce in Firearms and Ammunition

Report issued by Bureau of Alcohol, Tobacco and Firearms (Department of the Treasury Report ATF P 5300.3).

The World's Monetary Stocks of Gold, Silver, and Coins

Data on a calendar-year basis, issued by the Bureau of the Mint.

Annual Report of the Office of the Comptroller of the Currency

Information concerning U.S. banking system.

Banking Competition and the Banking Structure

Information on the U.S. banking system provided by the Comptroller of the Currency

Annual Financial Report of the Comptroller of the Currency

Financial information relating to the U.S. banking system.

Statistics of Income--Corporation Income Tax Returns

Aggregate data concerning U.S. corporations' Federal income tax returns; annual.

Annual Report of the Commissioner of Internal Revenue

Information on operations of the Internal Revenue Service.

Statistics of Income--Individual Income Tax Returns

Aggregate data concerning Federal income tax returns of individuals; annual.

Statistics of Income--Business Income Tax Returns

Aggregate data concerning Federal income tax returns of businesses; annual.

Withholding of Tax on Nonresident Aliens and Foreign Corporations

Information concerning withholding of U.S. Federal taxes on foreigners.

United States Tax Guide for Aliens

Instructions concerning U.S. Federal taxes on foreigners.

Information on the United States-Canada Income Tax Treaty

Internal Revenue Service Publication No. 597.

Certification Required to Obtain Reduced Rates Under Income Tax Treaties

Internal Revenue Service Publication No. 686.

Annual Report of the National Advisory Council on International Monetary and Financial Policies

Issued by the Office of the Assistant Secretary for International Affairs, Department of the Treasury.

Report on Developing Countries External Debt and Debt Relief Provided by the United States

Issued by the Office of the Assistant Secretary for International Affairs, January 1977.

East-West Foreign Trade Board Report

Quarterly reports on trade between the United States and nonmarket-economy countries, including the status of negotiations of bilateral trade agreements, the activities of joint commissions, the resolution of commercial disputes, and any exports from such countries which have caused disruption of U.S. markets.

Foreign Assets Control Regulations and Related Documents

Information on controls administered by the Office of Foreign Assets Control, Department of the Treasury

Cuban Assets Control Regulations and Related Documents

Information on controls administered by the Office of Foreign Assets Control with respect to Cuban assets.

Transaction Control Regulations

Information on controls administered by the Office of Foreign Assets Control with respect to transactions involving certain countries.

Phodesian Sanctions Regulations and Related Documents

Information on controls administered by the Office of Foreign Assets Control with respect to transactions involving Rhodesia.

Foreign Funds Control Regulations and Related Documents

Information concerning controls administered by the Office of Foreign Assets Control with respect to certain foreign funds.

Customs Tips for Visitors

Information on customs regulations for visitors arriving in the United States, issued in English, French, German, Spanish, Italian, Hungarian, Polish, Czechoslovakian, and Serbo-Croatian languages.

U.S. Customs Trademark Information

List of most popular tourist items prohibited or restricted importation because the trademark owners have recorded their marks with the Treasury Department.

Books: Copyrights & Customs

Information about copyright restrictions or prohibitions applying to importation of books.

U.S. Import Requirements

General statement of U.S. Customs requirements for imported merchandise.

Prospective Imports--Customs Duty

Explains how importers may obtain a binding U.S. Customs duty ruling on items before importation.

Import Quota

Summary of information on import quotas administered by U.S. Customs Service.

Drawback

A nontechnical leaflet to explain drawback--how to obtain a duty refund on certain exports.

Marking of Country of Origin

Customs requirements for marking imported merchandise with name of country of origin.

Alcoholic Beverages

General customs requirements for importing alcoholic beverages for commercial distribution.

Notice to Carriers of Bonded Merchandise

Precautions carriers and customhouse brokers should take to safeguard merchandise moving in-bond.

Importing into the United States

A 100-page booklet for foreign exporters planning to ship goods to the United States.

Customs Regulations of the United States

A looseleaf volume of regulations for carrying out customs, navigation, and other laws administered by the U.S. Customs Service.

Customs Bulletin

A weekly pamphlet containing current amendments to Customs Regulations; and decisions of U.S. Customs Court and U.S. Court of Customs and Patent Appeals.

Customs Antidumping Handbook

Policies and procedures manual issued July 1978 by United States Customs Service.

Report to the Congress on Foreign Portfolio Investment in the United States

Reports on foreign portfolio investment, as required by the Foreign Investment Study Act of 1974; published 1976.

The Textile Industry: A Study of Capital Investment, Technology and Other Factors Affecting Prescribed Capital Recovery Allowances of Textile Machinery

Issued February 1976 by Office of Industrial Economics, Department of the Treasury

Essays in International Taxation

A tax policy research study, issued 1976.

APPENDIX VI

CHART I

Illustrative List of U.S. Industrial Cooperation Agreements Concluded
in 1976 and 1977 with East European and Soviet Partners

<u>Country</u>	<u>U.S. Partner</u>	<u>Communist Partner</u>	<u>Description</u>	<u>Date of Signature</u>	<u>Duration</u>	<u>Est. Value</u>	<u>Other Comments</u>
HUNGARY	Steiger	N.A.	Technology and components for mfg. of tractor axles	1976	5 years	\$100 mil.	Countertrade, extension of 1974 agreement
	Katy Indus.	Minosegi Cipoyar Tannimpex Interco-operation	Equipment, management, designs, know-how to mfg. women's shoes	1976	N.A.	\$69.2 mil.	Countertrade
	Levi-Strauss	N.A.	Material for Levi's	1977	N.A.	N.A.	Countertrade
	Fairchild	Tungfram	Integrated circuits license and machinery; licensor; U.S. party	1976	N.A.	N.A.	

Country	U.S. Partner	Communist Partner	Description	Date of Signature	Duration	Est. Value	Other Comments
HUNGARY (Cont'd)	Grand Rapids, Inc.	Institute for Materials Handling and Packaging Licencia	Rolling path licenses; licensor; U.S. party	1976	N.A.	N.A.	
	Swift & Co.	Licencia	Joint marketing of vepex protein process; U.S. party	1976	N.A.	N.A.	
	Research Corp.	Reanal, Novex	Joint commercialization of surgical implant, licensor; Hungarian party	1976	N.A.	N.A.	
	Nova-Jersey, Knit Co. (UK sub)	Habselyem Kottot-tarugyar, Intercooperation	Supply of technology for mfg. of double knit jersey material and apparel	1976	N.A.	N.A.	Buyback
	ITT	N.A.	Mfg. of telephone sets	1977	N.A.	\$3-4 mil.	
	Hesston Corp.	Mosogep-troszt	Hesston equipment	1977	1977-1981	N.A.	Linked with buyback of Hungarian gear boxes and other items for use in tractors

Country	U.S. Partner	Communist Partner	Description	Date of Signature	Duration	Est. Value	Other Comments
POLAND	Katy Indus.	N.A.	Machinery and working programs for shoe production for shoes	1976	5 years	N.A.	Countertrade, some part of production to be sold in U.S.
	G.E.	N.A.	Licensing and machines for joint production of medical equipment, particularly electro-cardiogram meters	1976	N.A.	N.A.	Countertrade
	FMC	Polimex	Potato granule production plant	1975-1976	1978	\$5.5 mil. U.S. sales	
	Squibb	Polfa	Production and marketing of antibiotics	N.A.	N.A.	N.A.	
	Trans-America Computer	Unitra	Joint development of computer systems	N.A.	N.A.	N.A.	Joint sales in their markets
	Piper	Pezetel	Mfg. of Piper Planes under license	1977	N.A.	\$2.5 mil.	Two contracts signed; Pezetel will sell under its own name - counterpurchase involved

Country	U.S. Partner	Communist Partner	Description	Date of Signature	Duration	Est. Value	Other Comments
ROMANIA	Air Products & Chemicals	Romchim	License for produc- tion of benzene	N.A.	1978- 1980	N.A.	
	Chemtex/ Toray Rayon	N.A.	Polyester chip and stable fiber plant	1977	N.A.	\$136 mil.	World Bank credits of \$50 mil.

Country	U.S. Partner	Communist Partner	Description	Date of Signature	Duration	Est. Value	Other Comments
BULGARIA	G.M.	Balkan-car impex	Heavy duty trucks for fork lift carts and trucks	1976	N.A.	N.A.	Countertrade, UK also a partner; initially GM will use Bulgarian fork lifts in own plants, but other marketing possibilities later on
	Globe Eng. Co.	N.A.	Silistra agricultural rationalization project	1975-1976	N.A.	N.A.	Value of contract granted \$300,000; but some long range potential
	Continental Can	N.A.	Equipment and technology for production of lids for baby food jars	1977	N.A.	N.A.	

Country	U.S. Partner	Communist Partner	Description	Date of Signature	Duration	Est. Value	Other Comments
GDR	G.M.	N.A.	Chemicals for metal working products, plastics and chemicals	1976	10 years	N.A.	Countertrade

Country	U.S. Partner	Communist Partner	Description	Date of Signature	Duration	Est. Value	Other Comments
USSR	Abbott Labs./FMC	Techno-promimport	Plant for producing Similac baby food	1976	N.A.	\$25 mil.	FMC's share is \$18 mil. of equipment
	Philip Morris	Licensin-torg	Machinery and equipment for products in Moldavia	1977	N.A.	N.A.	Countertrade, parti. payment in product
	NCR	N.A.	Licensing for micro-encapsulation	1976	N.A.	\$2.7 mil.	A second contract for \$2.5 mil. of equipment expected shortly
	Union Carbide	N.A.	Licensing of gas phase technology for polyethylene	1977	1981	N.A.	Contracts signed for 2 plants total capacity 200,000 mt/yr.
	Armco Steel	Avtoprom-import	Equipment and technology for oil and gas drilling equipment	1977	N.A.	\$30 mil.	Rucker & Co., Stewart & Stevenson are major subcontractors

Deals concluded in 1975 (some 13, mostly Hungarian) are not included in the above chart. While it is possible that some of these were signed after the Helsinki Final Act, the negotiations leading to the conclusion of the 1975 agreements would most certainly have preceded the Final Act. In fact, any of the deals listed here resulted from negotiations begun long before August 1975.

U.S. Industrial Cooperation Agreements Reported to be
Under Negotiation in 1976 and 1977 with East European and Soviet Partners

Country	No. of Agreements	Areas	Other Comments
HUNGARY	4	Transportation equipment, medical equipment, consumer goods	
POLAND	2	Chemicals	Estimated combined value of over \$200 million
ROMANIA	7	Food processing, chemicals, textiles, aviation, computers, transportation equipment	
CZECHOSLOVAKIA	3	Electronics, chemicals	Estimated combined value of about \$50 million
BULGARIA	3	Chemicals	Estimated combined value of over \$40 million
GDR	2	Electronics, chemicals	Estimated combined value of about \$115 million
USSR	6	Oil drilling equipment, chemicals, automotive parts	Estimated combined value of about \$633 million

APPENDIX VI

CHART 2

Summary of Selected U.S. Cooperative Activities in Science and Technology Under the Helsinki Final Act

Subject	Type	Country or Organization	Agreements	Activities
Agriculture	Bilateral	Bulgaria	Joint Statement on Development of Agriculture Trade (April 1979)	Exchange of germ plasm and breeding materials; exchange of scientists and information; joint projects
		Czechoslovakia	No official government protocol.	Informal visits; U.S. proposals to hold joint seminars on livestock breeding and feeding; possible future university exchanges
		GDR	Memorandum of Understanding	Economic consultations; visits of farm cooperators
			National Academy of Sciences Exchange Agreement	Involves more than 200 U.S. and foreign scientists annually
		Hungary	U.S.-Hungarian Agreement on Cooperation in Culture, Education, Science and Technology (April 1977)	Exchanges of agricultural scientists
			Joint Statement on the Development of Agricultural Trade and Cooperation (May 1979)	Mutual promotion of trade, information exchanges and cooperation in agricultural science, technology

Subject	Type	Country or Organization	Agreements	Activities
		Hungary (Con'd)	Exchange Agreement with 4-H Youth Program	
			U.S.-Hungarian Trade Agreement (July 1978)	Working Group on Agricultural Trade
		Poland	U.S.-Polish Agreement on Funding Cooperation in Science and Technology (1974)	U.S.-Polish Joint Board to administer program; 62 active research projects pending; 36 projects being prepared
			USDA Foreign Research Associate Program	35 Polish scientists have participated
			Joint Statement on the Development of Agricultural Trade (October 1974)	Working Group on Agricultural Trade; technical exchanges; joint agricultural trade promotion projects
			4-H Youth Program	400 participants since 1975
			University Exchange Programs	
		Romania	Protocols on Development of Agricultural Trade and Cooperation in Agriculture (1976)	Regular exchange of agricultural economic information; cooperative ventures in plant, animal and soil science and mechanization; university exchanges

Subject	Type	Country or Organization	Agreements	Activities
		Romania (Con'd)	Memoranda of Understanding with Iowa State University and University of Nebraska (1976)	University exchanges
			Farm Training Program, International Farmer Association for Education (California, 1972)	Meetings, instruction and training
			Future Farmers of America	Experts exchange program
			IREX, Fulbright-Hays Fellowships	
		USSR	U.S.-USSR Agreement on Cooperation in Agriculture (June 1973-renewed for an additional 5 years in December 1978)	Joint working group on agricultural research and technological development; exchange of specialists and information in plant science, soil science, animal and veterinary services, mechanization; Joint working group on Agricultural Economic Research and Information; cooperative activities in agribusiness, forecasting, agricultural economic information exchange, inter-library exchange. Teams exchanged, joint research

Subject	Type	Country or Organization	Agreements	Activities
		USSR (Cont'd)	U.S.-USSR Agreement for Cooperation in the Fields of Science and Technology	Forestry working group involved in five active projects in fields of fire, insect and diseases, biogeocenosis, har- vesting, reforesta- tion
	Multilateral	International Institute for Applied Systems Analysis		Exchange of informa- tion and specialists; research coordination
		Organization for Economic Cooper- ation and Development		U.S. participation in meetings; preparation of reports
Energy, New Technologies, Rational Use of Resources	Bilateral	Poland	1974 Coal Research Agreement and Mining Technology Research Agreement (U.S. Bureau of Mines)	Coal extraction and utilization including coal liquefaction and gasification; automated longwall and mining; coking methods; magneto- hydrodynamics. Eight cooperative projects under Coal Research Agreement and five cooperative projects under Mining Tech- nology Research Agree- ment

Subject	Type	Country or Organization	Agreements	Activities
		USSR	U.S.-USSR Agreement on Cooperation in the Field of Energy (June 1974)	To accelerate research and development in the areas of existing and alternative sources of energy as well as to increase effectiveness in the use of energy and its conservation; to achieve a better mutual understanding of each country's national energy programs and outlook. 14 joint projects coal, gas, oil & energy information and forecasting, meetings, exchanges of information and statistics
			U.S.-USSR Agreement on Cooperation in the Peaceful Uses of Atomic Energy (June 1973)	Cooperation and working groups in 3 major areas: controlled thermonuclear fusion, fast breeder reactors research in fundamental properties of matter; 5 joint committee meetings to work out agreement's details

Multilateral

ECE Coal Committee

U.S. participation: annual coal committee meeting, experts groups on coal statistics and coal trade

study tours, provision of statistics

Subject	Type	Country or Organization	Agreements	Activities
	ECE Coal Committee (Cont'd)			published in the quarterly and annual Bulletin of Coal Statistics (UN-ECE)
	ECE Symposium on Coal Liquefaction and Gasification (April 1979, Poland)			U.S. Participation: provided rapporteur for one of the specialized sessions; provided technical papers on coal gasification technology
	ECE Symposium on World Coal Prospects (Oct. 15-23, 1979-Poland)			Providing rapporteur for coal transportation; providing National Paper on Coal Prospects exhibits
	ECE International Institute for Applied Systems Analysis			U.S. submitted forecasts and reports
Physics and Chemistry	Bilateral	Hungary	U.S.-Hungarian Agreement on Cooperation in Education, Science, Technology and Culture	Exchanges and joint activities in the fields of pure and applied sciences; joint programs in ion implantation in semi-conductors, cationic copolymerization, Mosbauer spectroscopy of passive films
		Romania	U.S.-Romanian Agreement on Cooperation in Culture, Education, Science and Technology	Joint projects in transformation of carotenoids, atomic and molecular physics

Subject	Type	Country or Organization	Agreements	Activities
		Poland	U.S.-Polish Agreement on Funding of Cooperation in Science and Technology	Cooperative projects in reactions of carbocations, crystallization of polymers, mathematical physics, ribonucleic acids, study of close binary systems
		USSR	U.S.-USSR Agreement on Scientific and Technical Cooperation (1972, renewed 1977)	Working group on chemical catalysis: projects in areas such as homogeneous catalysis and reactor modeling; working group on physics: projects in areas such as solid state physics and relativistic astrophysics
Meteorology and Hydrology	Bilateral	USSR	U.S.-USSR Agreement on Scientific and Technical Cooperation	Working group on water resources; joint projects which include plastics in hydrotechnical construction and planning and management of water resources
			U.S.-USSR Environmental Protection Agreement	Working group on "The Influence of Environmental Changes on Climate"; 3 major projects which involve exchange of scientists, meetings and symposia and data exchanges

Subject	Type	Country or Organization	Agreements	Activities
Oceanography	Bilateral	USSR	U.S.-USSR Agreement on Cooperation in Studies of the World Ocean (1973)	Five working groups established in large-scale ocean-atmospheric interaction; ocean currents and dynamics; geology, geophysics and geochemistry of the world ocean floor; intercalibration and standardization of oceanographic instruments and methods; and biological productivity and biochemistry
			U.S.-USSR Agreement on Environmental Protection	Marine Mammal Project to develop collaborative research into the biology, ecology and population dynamics of marine mammals of interest to both countries; to contribute to sound management and conservation of these animals through exchange of info and current data, coordinated and shared national research projects and joint research projects
			Joint program between U.S. scientists from Northeast Fisheries Center of National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries	Life history studies and assessments of major commercial fish species in the fisheries zone of the Northeast Atlantic U.S. coast as well as

Subject	Type	Country or Organization	Agreements	Activities
			ies Services and Soviet Scientists from the Atlantic Scientific Research Institute of Marine Fisheries and Oceanography (AtlantNRO)	extensive ecosystem studies
		Poland	Joint program between U.S. and Polish Fisheries Scientists	Joint projects in such areas as herring studies, environmental assessment project and lining and patch studies
			U.S. helps fund and operate a Plankton Sorting and Identification Center in Poland	
		GDR	Program of cooperation between GDR Institute for Deep Sea Fishing and Fish Processing and NOAA's Northeast Fisheries Center	Activities for the next 2 years include joint projects on herring and plankton surveys, herring stock samplings, and mackerel feeding investigation
	Multilateral	UNESCO-Intergovernmental Oceanographic Commission		
		United Nations Environment Program		

Subject	Type	Country or Organization	Agreements	Activities
		Intergovernmental Maritime Consultative Organization		
		International Council for the Exploration of the Sea		
		International Hydrographic Organization		
Seismological Research	Bilateral	USSR	U.S.-USSR Agreement on Environmental Protection (1972)	Working group to study problems of earthquake prediction
			U.S.-USSR Agreement on Cooperation in the Field of Housing and Other Construction (1974)	Working group on techniques for construction in areas of frequent seismic activity; exchange of data, information and specialists
	Multilateral	Worldwide Seismic Network of Stations		U.S. exchanges seismic records with several of the CMEA signatories including Bulgaria, Czechoslovakia, GDR, Hungary, Poland, Romania and the USSR
Research on Glaciology, Permafrost and Problems of Life under Conditions of Cold	Bilateral	USSR	U.S.-USSR Housing Agreement	Working Group on building for extreme climates and unusual geologic conditions; exchange of specialists, joint publications, cooperative research, joint seminars

Subject	Type	Country or Organization	Agreements	Activities
		USSR (Cont'd)	U.S.-USSR Environmental Agreement	Studies and joint research on permafrost related environmental problems caused by the construction and operation of pipelines, roads and engineering difficulty
			U.S.-USSR Energy Agreement	Mutual exchange of data and research on problems of constructing dams and hydro-power stations in cold weather conditions
Computer Communication and Information Technologies	Bilateral	USSR	U.S.-USSR Science and Technology Agreement	Joint working group on scientific and technical cooperation in the field of the application to computers to management (1972); activities focus on economic modeling, computer analysis applied to economics and management of large systems, application of computer to the management of large cities, theoretical foundations of applications in economics and management, and the use of computers in decision-making and the advanced training of high-level adminis-

Subject	Type	Country or Organization	Agreements	Activities
		USSR (Cont'd)		trative personnel; 18 meetings under joint working group program Oct. 1972-Feb. 1976; 65 meetings Feb. 1976-June 1979; 10 long-term joint research projects developed; 15 seminars convened; 150-200 specialists exchanged and extensive material published, disseminated and shared
Space Research	Bilateral	USSR	Agreement Between the U.S.A. and the USSR Concerning Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes (1972)	Six joint working groups established to implement Agreement on near-earth space, the moon and the planets; the natural environment, space biology and medicine; space meteorology; search and rescue; and on possible U.S. Space Shuttle and Soviet Salyut Space Station Mission
		Romania		Exchange visits of specialists, selection of a Romanian scientist as a Landsat-2 principal investigator, selection of Romanian proposal for flight on the shuttle-borne

Subject	Type	Country or Organization	Agreements	Activities
	Multilateral	U.N. Committee on Peaceful Uses of Outer Space		U.S. helped negotiate agreements on several space regulatory treaties
		Internal Telecommunications Satellite Organization		
		International Magnetospheric Study		
Medicine and Public Health	Bilateral	Poland	U.S.-Polish Cooperation in the Field of Health Agreement (1974)	To combine Polish and U.S. resources in joint efforts towards the solution of health problems of mutual interest; U.S.-Polish Joint Committee for Health Cooperation created and established 42 active projects and 12 project proposals; U.S. contributed \$8 million to joint fund
		USSR	U.S.-USSR Agreement for Cooperation in Medical Science and Public Health (1972)	U.S.-USSR joint committee for health cooperation to implement the practical aspects of cooperation including the oversight of policy and administration; to conduct cooperative efforts in the biomedical field through joint research projects & exchange scientists

<u>Subject</u>	<u>Type</u>	<u>Country or Organization</u>	<u>Agreement</u>	<u>Activities</u>
		USSR (Cont'd)	U.S.-USSR Agreement for Cooperation in Artificial- Heart Research and Development (1974)	Approximately 75 joint activities; cooperation in card- iovascular diseases, artificial heart, malignant neoplasia, environmental health, arthritis, influen- za and respiratory disease, eye disease
	Multilateral	World Health Organization (WHO) and UNICEF		U.S. participation in programs concerning maternal & child care, research & training in tropical diseases, improvement in the status of nutrition, disease control, health man- power development and promotion of en- vironmental health
Transport Technology	Bilateral	Czechoslovakia	Memorandum of Under- standing (June 1968)	Exchange of informa- tion and specialists in specific subject areas
		Hungary	Memorandum of Under- standing between DOT & the Ministry of Trans- portation and Postal Affairs (MOTPA) (Oct. 1978)	R&D, specialists, delegations. Since 1970, 15 U.S. specialists to Hun- gary, 4 Hungarian specialists to U.S.

Subject	Type	Country or Organization	Agreement	Activities
		Poland	Memorandum of Understanding between DOT and Ministry of Transport (MOT)(Nov. 1971)	Research projects in driver habits and training, pedestrian behavior, use of coal fly ash in highway construction, rail safety, rail track structure improvement and human factors (aging and shift work) rail research; since 1972, 35 DOT specialists to Poland, 16 MOT specialists to U.S.
		Romania	Memorandum of Understanding between DOT and Ministry of Transport and Telecommunications (MOTT)	Limited exchanges of information; since 1970, 18 U.S. specialists to Romania, 10 Romanian specialists to U.S.
		USSR	U.S.-USSR Agreement on Cooperation in the Field of Transportation (June 1973)	U.S.-USSR Joint Committee on Transportation created to oversee implementation of the Agreement through annual meetings; working groups on civil aviation, marine transport, transport construction (bridge construction and tunneling), railroad transport, automobile transport (highway safety), facilitation (trade documentation) and transport of the future, urban trans-

Subject	Type	Country or Organization	Agreements	Activities
		USSR (Cont'd)		portation and hazardous materials transport; exchange of specialists, information, meetings and seminars and joint research programs and projects in all the groups; 1970-1979: 66 U.S. delegations involving 309 U.S. specialists to USSR, 65 Soviet delegations involving 274 Soviet specialists to U.S.
			U.S.-USSR Environmental Agreement	Joint projects on urban environment, prevention and clean-up of ship pollution
	Multilateral	ECE's Inland Transport Committee		To promote an efficient, safe and economical inland transport network in Europe
		ECE Working Party on Facilitation of International Trade Procedure		Working on the simplification, standardization & reduction of documents used in international trade; is presently pursuing the development of standards for the application of computer & communication technology to the interchange of cargo data

Subject	Type	Country or Organization	Agreements	Activities
	Multilateral	ECE Group of Experts on Construction of Vehicles		To harmonize motor vehicle safety standards
		ECE Group of Experts on Road Traffic Safety		Exchange information & harmonize practices pertaining to road & traffic safety; U.S. participation: supply major sources of info, research & experience in highway & traffic safety to other participating nations
		The International Civil Aviation Organization (ICAO) (est. 1974)		To coordinate international civil aviation in a safe and orderly manner
		Intergovernmental Maritime Consultative Organization (IMCO)		U.S. participation: to concentrate on developing international standards to improve safety at sea & control vessel-source marine pollution
		European Conference of Ministers of Transport (ECMT)		To resolve inland surface transportation questions, primarily among West European developed nations; 1977-U.S. became associate member

Subject	Type	Country or Organization	Agreements	Activities
	Multilateral	Organization for Economic Cooperation and Development (OECD)		U.S. participation; primarily in the Road Research Program and the experts group in Traffic Policies for the Improvement of the Urban Environment
		International Standards Organization (ISO)		To further international cooperation in the area of transport standardization; U.S. actively pursued harmonization of motor vehicle safety and international intermodal containerization; U.S. also deposited its instruments for the International Convention on Safe Containers
		International Union of Public Transport (UIPT)		To exchange information on urban transportation policy, planning and R&D technology
		International Union of Railways (UIC)		To adopt rules, regulations and standardization relating to the operation and improvement of rail transportation in Europe; U.S. member since 1973, submitted several R&D reports to the UIC's Documentation Bureau

CHART 3

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Activities with International Organizations and CSCE States*

Organization/Activity	Research, Development, and Demonstration Programs							
	Air Pollution ^a	Water Pollution ^b	Radiation	Pesticides	Noise	Waste Mgmt ^c	Toxic Subst	Energy
International Organizations								
Commission of European Communities (CEC)	•	•			•	•	•	
Committee on Challenges to Modern Society (CCMS)	•	•				•		•
International Organization for Legal Metrology (OIML)	•	•	•	•	•	•	•	•
International Standards Organization (ISO)	•	•	•	•	•	•	•	•
Organization for Economic Cooperation and Development (OECD)	•	•	•	•	•	•	•	•
United Nations Economic Commission for Europe (ECE)	•	•				•	•	•
Food and Agriculture Organization (FAO)				•		•		
Intergovernmental Maritime Consultative Organization (IMCO)		•				•		
International Atomic Energy Agency (IAEA)			•			•		•
International Civil Aviation Organization (ICAO)	•				•			
World Health Organization (WHO)	•	•	•	•	•	•	•	•
World Meteorological Organization (WMO)	•	•						
United Nations Educational, Scientific, and Cultural Organization (UNESCO)	•	•						
United Nations Environmental Program (UNEP)	•	•	•	•	•	•	•	•
Bilateral Cooperation								
Canada	•	•						
Federal Republic of Germany	•	•				•	•	•
France		•					•	
France and United Kingdom ^d	•				•			
Soviet Union	•	•		•		•		•
United Kingdom	•	•					•	•
Scientific Activities Overseas Program								
Poland	•	•	•			•	•	•
Yugoslavia	•	•		•			•	•

^aIncludes troposphere and stratosphere.^bIncludes marine, estuarine, and freshwater environments.^cIncludes hazardous, solid, and radioactive wastes.^dTripartite agreement.From U.S. EPA, Research Outlook, 1978, June 1978, page 73.

APPENDIX VII

TABLE XXII -- IMMIGRANT AND NONIMMIGRANT VISAS REFUSED -- Reasons for Refusal

FISCAL YEAR 1976		IMMIGRANT		NONIMMIGRANT	
		Visas Refused	Refusals Overcome	Visas Refused	Refusals Overcome
Grounds for Refusal Under the Immigration and Nationality Act					
Section					
101(a)(15)	Aliens who fail to establish that they are entitled to nonimmigrant status			231,089	30,259
212(a)(1)	Aliens who are mentally retarded	271	171	503	367
(2)	Aliens who are insane	5	2	14	4
(3)	Aliens who have had one or more attacks of insanity	33	13	103	100
(4)	Aliens who are afflicted with psychopathic personality, sexual deviation or a mental defect	19	4	39	24
(5)	Narcotic drug addicts or chronic alcoholics	20	2	26	56
(6)	Aliens afflicted with any dangerous contagious disease	1,846	1,092	27	20
(7)	Aliens who have a physical defect, disease or disability which may affect their ability to earn a living	209	81	2	2
(8)	Paupers, professional beggars, vagrants		-	-	-
(9)	Aliens convicted of a crime involving moral turpitude or who admit having committed such a crime or committing acts constituting essential elements of such a crime	666	274	777	616
(10)	Aliens convicted of two or more offenses other than purely political offenses for which aggregate sentences actually imposed were five years or more	7	5	27	20
(11)	Immigrants who practice or advocate the practice of polygamy	4	-		
(12)	Prostitutes or procurers - persons coming to the United States to engage in other unlawful commercialized vice	978	659	61	56
(13)	Aliens seeking admission to engage in any immoral sexual act	-	1	2	-
(14)	Aliens seeking admission to perform skilled or unskilled labor for which sufficient workers are available in the United States	1,909	386		
(15)	Aliens likely to become public charges	47,786	16,835	14,905	4,298
(16)	Aliens excluded and deported seeking admission within one year from date of their deportation who have not obtained permission from the Attorney General to apply for readmission	6	3	4	2
(17)	Aliens previously arrested and deported, or removed from the United States who have not obtained permission from the Attorney General to reapply for admission	336	95	160	68
(19)	Aliens who committed fraud or wilfully misrepresented a material fact to obtain a visa or other documentation	1,253	429	1,248	176
(22)	Immigrants who are ineligible to citizenship and persons who avoided or evaded military service in time of war or national emergency	21	3	83	59
(23)	Aliens convicted of violation of law or regulation relating to illicit possession of or traffic in narcotic drugs	76	12	213	134
(24)	Aliens who seek admission from foreign contiguous territory or adjacent islands, having arrived there on a vessel or aircraft of a nonsignatory line	1	-	-	-
(25)	Immigrants over 16 years of age physically capable of reading who cannot read and understand some language or dialect	96	75		
(26)	Nonimmigrants not in possession of valid passports or other suitable travel documents			379	138
(27)	Aliens who, after entry, might engage in activities prejudicial to the public interest, or endanger the welfare, safety or security of the United States	4	1	63	-
(28)	Aliens who are or at any time have been anarchists, communists or other political subversives	49	16	19,305	18,500
(29)	Aliens who, after entry, probably would engage in espionage, sabotage or other subversive activity - or who would join, affiliate with or participate in any organization registered or required to be registered under Section 7 Subversive Activities Control Act of 1950	1	-	6	-
(31)	Aliens who have encouraged, induced, assisted, abetted or aided other aliens to enter the United States in violation of law	19	1	33	53
212(e)	Former exchange visitors who have not resided abroad for two years following departure from the United States	25	9	-	192
221(g)	Aliens whose applications do not comply with the provisions of the Immigration and Nationality Act or regulations issued pursuant thereto	56,584	34,033	97,073	33,319
Total Grounds for Refusal		112,224	54,252	366,151	89,546
Number of Applicants 1/		109,204	53,317	354,033	86,830

1/ The total of grounds for refusal may exceed the total number of applicants refused a visa because an applicant may be refused under more than one section of the Immigration and Nationality Act.

APPENDIX VIII

Waiver Language of Section 212(d)(3)

"(d)(3) Except as provided in this subsection, an alien (A) who is applying for a nonimmigrant visa and is known or believed by the consular officer to be ineligible for such visa under one or more of the paragraphs enumerated in subsection (a)(other than paragraphs (27) and (29)), may, after approval by the Attorney General of a recommendation by the Secretary of State or by the consular officer that the alien be admitted temporarily despite his inadmissibility, be granted such a visa and may be admitted into the United States temporarily as a nonimmigrant in the discretion of the Attorney General, or (B) who is inadmissible under one or more of the paragraphs enumerated in subsection (a)(other than paragraphs (27) and (29)), but who is in possession of appropriate documents or is granted a waiver thereof and is seeking admission, may be admitted into the United States temporarily as a nonimmigrant in the discretion of the Attorney General."

APPENDIX IX

IMMIGRATION AND NATIONALITY ACT, SECS. 212(a)(27), 212(a)(28), and 212(a)(29)

General Classes of Aliens Ineligible to Receive Visas and Ex- cluded from Admission; Waivers of Inadmissibility

8 U.S.C. 1182

"Sec. 212.(a) Except as otherwise provided in this Act, the following classes of aliens shall be ineligible to receive visas and shall be excluded from admission into the United States...

"(27) Aliens who the consular officer or the Attorney General knows or has reason to believe seek to enter the United States solely, principally, or incidentally to engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States;

"(28) Aliens who are, or at any time have been, members of any of the following classes:

"(A) Aliens who are anarchists;

"(B) Aliens who advocate or teach, or who are members of or affiliated with any organization that advocates or teaches, opposition to all organized government;

"(C) Aliens who are members of or affiliated with (i) the Communist Party of the United States, (ii) any other totalitarian party of the United States, (iii) the Communist Political Association, (iv) the Communist or any other totalitarian party of any State of the United States, or any foreign state, or of any political geographical subdivision of any foreign state, (v) any section, subsidiary, branch, affiliate, or subdivision of any such association or party, or (vi) the direct predecessors or successors of any such association or party, regardless of what name such group or organization may have used, may now bear, or may hereafter adopt: Provided, That nothing in this paragraph, or in any other provision of this Act, shall be construed as declaring that the Communist Party does not advocate the overthrow of the Government of the United States by force, violence, or other unconstitutional means;

"(D) Aliens not within any of the other provisions of this paragraph who advocate the economic, international, and governmental doctrines of world communism or the establishment

in the United States of a totalitarian dictatorship, or who are members of or affiliated with any organization that advocates the economic, international, and governmental doctrines of world communism or the establishment in the United States of a totalitarian dictatorship, either through its own utterances or through any written or printed publications issued or published by or with the permission or consent of or under the authority of such organization or paid for by the funds of, or funds furnished by, such organization;

"(E) Aliens not within any of the other provisions of this paragraph, who are members of or affiliated with any organization during the time it is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950,* unless such aliens establish that they did not have knowledge or reason to believe at the time they became members of or affiliated with such an organization (and did not thereafter and prior to the date upon which such organization was so registered or so required to be registered have such knowledge or reason to believe) that such organization was a Communist organization;

"(F) Aliens who advocate or teach or who are members of or affiliated with any organization that advocates or teaches (i) the overthrow by force, violence, or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage;

"(G) Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the

*Sec. 7 of the Subversive Activities Control Act of 1950 (50 U.S.C. 786) was repealed by the Act of January 2, 1968 (81 Stat. 766).

purpose of circulation, publication, distribution, or display, any written or printed matter advocating or teaching opposition to all organized government, or advocating or teaching (i) the overthrow by force, violence, or other unconstitutional means of the Government of the United States or all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage; or (v) the economic, international, and governmental doctrines of world communism or the establishment in the United States of a totalitarian dictatorship;

"(H) Aliens who are members of or affiliated with any organization that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in paragraph (g);

"(I) Any alien who is within any of the classes described in subparagraphs (B), (C), (D), (E), (F), (G), and (H) of this paragraph because of membership in or affiliation with a party or organization or a section, subsidiary, branch, affiliate, or subdivision thereof, may, if not otherwise ineligible, be issued a visa if such alien establishes to the satisfaction of the consular officer when applying for a visa and the consular officer finds that (i) such membership or affiliation is or was involuntary, or is or was solely when under sixteen years of age, by operation of law, or for purposes of obtaining employment, food rations, or other essentials of living and where necessary for such purposes, or (ii)(a) since the termination of such membership or affiliation, such alien is and has been, for at least five years prior to the date of the application for a visa, actively opposed to the doctrine, program, principles, and ideology of such party or organization or the section, subsidiary, branch, or affiliate or subdivision thereof, and (b) the admission of such alien

into the United States would be in the public interest. Any such alien to whom a visa has been issued under the provisions of this subparagraph may, if not otherwise inadmissible, be admitted into the United States if he shall establish to the satisfaction of the Attorney General when applying for admission to the United States and the Attorney General finds that (i) such membership or affiliation is or was involuntary, or is or was solely when under sixteen years of age, by operation of law, or for purposes of obtaining employment, food rations, or other essentials of living and when necessary for such purposes, or (ii)(a) since the termination of such membership or affiliation, such alien is and has been, for at least five years prior to the date of the application for admission actively opposed to the doctrine, program, principles, and ideology of such party or organization or the section, subsidiary, branch, or affiliate or subdivision thereof, and (b) the admission of such alien into the United States would be in the public interest. The Attorney General shall promptly make a detailed report to the Congress in the case of each alien who is or shall be admitted into the United States under (ii) of this subparagraph.

"(29) Aliens with respect to whom the consular officer or the Attorney General knows or has reasonable ground to believe probably would, after entry, (A) engage in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activity subversive to the national security, (B) engage in any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States, by force, violence, or other unconstitutional means, or (C) join, affiliate with, or participate in the activities of any organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950; *..."

*Sec. 7 of the Subversive Activities Control Act of 1950 (50 U.S.C. 780) was repealed by the Act of January 2, 1968 (81 Stat. 766).

APPENDIX X

Nonimmigrants Admitted by Classes under U.S. Immigration Laws:

1970-1978*

<u>Country</u>	<u>FY 1970</u>	<u>FY 1971</u>	<u>FY 1972</u>
Austria	26,322	24,586	25,758
Belgium	24,998	27,777	31,764
Bulgaria			1,208
Czechoslovakia	18,151	15,493	11,455
Denmark	29,043	28,340	29,783
Finland	14,590	14,657	17,367
France	147,598	155,723	184,531
Germany	256,583	257,369	308,459
Greece	42,268	39,632	47,636
Hungary	12,205	11,659	11,848
Iceland			4,006
Ireland	40,528	42,375	52,448
Italy	161,324	151,414	178,005
Luxembourg			1,255
Malta			2,073
Netherlands	72,477	74,693	83,897
Norway	27,550	28,259	36,565
Poland	24,633	22,213	25,188
Portugal	30,686	28,011	36,437
Romania			5,651
Spain	45,780	41,577	51,456
Sweden	46,299	44,028	53,098
Switzerland	46,756	45,845	52,316
Turkey (Europe & Asia)	11,968		
United Kingdom	389,587	389,907	489,952
USSR	10,501	8,881	9,995
Yugoslavia	20,585	21,236	20,922
Other Europe	19,634	17,109	2,971
<u>Total Europe</u>	<u>1,520,066</u>	<u>1,490,784</u>	<u>1,776,084</u>

*Source: Immigration and Naturalization Service, Annual Reports.
Table 16.

<u>Country</u>	<u>FY 1973</u>	<u>FY 1974</u>	<u>FY 1975</u>
Austria	28,197	33,963	31,588
Belgium	32,958	41,653	37,174
Bulgaria	1,301	1,720	1,747
Czechoslovakia	11,555	11,880	11,883
Denmark	32,542	35,236	33,454
Finland	20,082	19,961	22,365
France	210,564	214,997	190,982
Germany	361,063	412,370	385,296
Greece	53,572	63,051	52,000
Hungary	13,583	14,365	14,063
Iceland	4,924	6,281	4,887
Ireland	55,372	54,400	48,237
Italy	179,166	184,428	170,628
Luxembourg	1,828	1,812	1,855
Malta	2,141	2,311	2,353
Netherlands	89,810	95,045	97,703
Norway	40,004	41,766	41,321
Poland	28,046	30,258	42,242
Portugal	37,963	44,218	42,990
Romania	7,324	9,129	8,969
Spain	65,727	71,481	68,350
Sweden	61,668	63,365	64,892
Switzerland	63,574	72,783	72,521
USSR	11,796	14,050	15,781
United Kingdom	570,915	630,876	581,795
Yugoslavia	24,353	28,621	27,337
Other Europe	3,343	9,250	3,868
<u>Total Europe</u>	2,013,371	2,212,756	2,076,281

<u>Country</u>	<u>FY 1976</u>	<u>FY 1977</u>	<u>FY 1978</u>
Austria	31,664	38,376	46,145
Belgium	39,520	48,235	61,513
Bulgaria	2,042	2,764	2,705
Czechoslovakia	12,600	12,181	16,055
Denmark	38,627	44,360	51,801
Finland	25,383	26,043	29,851
France	215,553	245,651	282,025
Germany	413,854	449,581	550,356
Greece	53,707	59,734	65,006
Hungary	14,807	15,770	18,857
Iceland	8,774	7,588	10,396
Ireland	50,405	52,664	66,495
Italy	185,780	182,666	220,010
Luxembourg	1,814	2,240	2,818
Malta	2,405	2,693	3,167
Netherlands	108,208	126,013	158,502
Norway	44,999	49,997	56,351
Poland	41,080	38,974	49,439
Portugal	42,469	48,343	56,476
Romania	10,494	14,362	15,930
Spain	79,972	85,784	98,528
Sweden	75,906	85,968	103,390
Switzerland	79,950	97,634	115,601
USSR	16,399	15,664	18,539
United Kingdom	619,114	664,594	878,035
Yugoslavia	28,526	29,674	35,353
Other Europe	4,374	3,630	5,683
<u>Total Europe</u>	2,245,856	2,541,126	3,019,885

APPENDIX XI

Cultural and Educational Exchange: U.S. Organizations Involved in East-West Cooperation

African Bibliographic Center

AIESEC-U.S. -- International Association of Students in
Economics and Business Management

Alley Theater -- Houston

Alliance College

American Association for the Advancement of Slavic Studies

American Association of Teachers of Slavic and East European
Languages

American Bar Association

American Business Press

American Conservatory Theater

American Council of Learned Societies

American Council of Teachers of Russian

American Council of Young Political Leaders

American Economic Association

American Field Service

American Film Institute

American Friends Service Committee

American Hungarian Foundation

American Library Association

American Newspaper Publishers Association

Appeal of Conscience Foundation

Arena Stage
Association of American Publishers
Association of American University Presses
Bryn Mawr College
University of California -- Los Angeles
Catholic University
Center for Applied Linguistics
Center for Strategic and International Studies -- Georgetown University
Citizen Exchange Corps
University of Connecticut
Council of Chief State School Officers
Council for International Educational Exchange
Council on International Nontheatrical Events
Duquesne University
Educational Testing Service
Eisenhower College
Eisenhower Exchange Fellowships
Experiment in International Living
University of Florida
Fordham University
Forum for U.S.-Soviet Dialogue
Friendship Ambassadors
Future Farmers of America

Georgetown University
Goshen College
Guthrie Theater -- Minneapolis
Harvard University
Hungarian Cultural Foundation
IAESTE-U.S. -- Association for International Practical Training
University of Illinois
Indiana University
International Research and Exchanges Board
International Theater Institute of the United States
University of Iowa, International Writing Program
Iowa State University
Jane Addams Peace Association
Johns Hopkins University
Juilliard School
University of Kansas
Kennan Institute of the Wilson Center, Smithsonian Institution
-- Washington, D.C.
Kent State University
Charles F. Kettering Foundation
Kosciuzko Foundation
League of Women Voters
Lock Haven State College
University of Lowell -- Massachusetts

Mankato State University
University of Maryland
The Metropolitan Museum of Art
Michigan Institute of Technology
Michigan State University
Midwest Universities Consortium for International Activities
-MUCIA -- University of Minnesota
The Museum of Modern Art
National Academy of Sciences
National Council for Social Studies
National Education Association
National 4-H Council
National Gallery of Art
National Governors Association
State University of New York
New York University
Oberlin College, Writer-in-Residence Program
University of Oklahoma
Pacific Film Archive
People-to-People International
University of Pittsburgh
Portland State University
Renwick Gallery
Rutgers -- The State University of New Jersey
Sister Cities International (Town Affiliation Association)

Smithsonian Institution Traveling Exhibitions Service
Stanford Research Institute
Texas Technological University
University of Texas
United Nations Association
Universities Film Association -- International Liaison Center
for Film and Television Schools
U.S. Conference of Mayors
U.S. General Services Administration -- National Archives and
Records Service
U.S. Library of Congress
Virginia Polytechnic Institute
University of Washington
University of Wisconsin
Women for Racial and Economic Equality
Yale University
YMCA