



US Department of Defense Role in Export Controls

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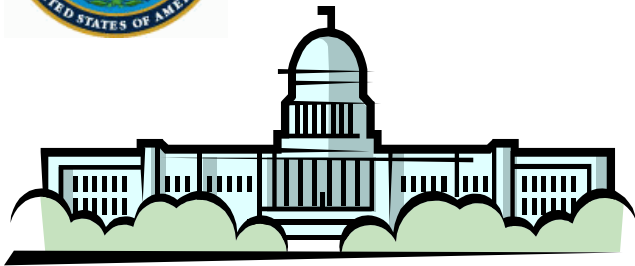


Outline

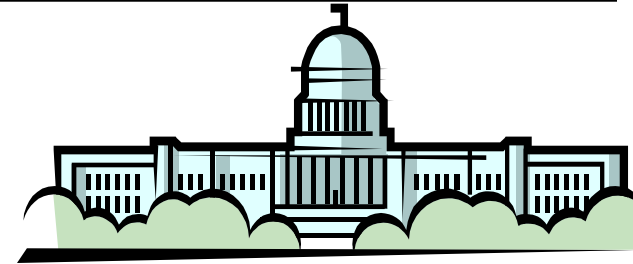
- **DoD's role/scope in export controls/technology security**
- **Authority**
- **DoD/DTSA mission**
- **Value of your MoDs in the review process**



US DoD Role in Export License Review



State
(Munitions)



Commerce
(Dual-Use)

Referrals
Recommendations

Referrals
Recommendations



National Security Review

Defense





DoD Authority in Review Process

Munitions: Arms Export Control Act, via Executive Order 11958, grants authority to the Secretary of State, executed through the State Department's International Traffic in Arms Regulations (ITAR); DoD is referral agency

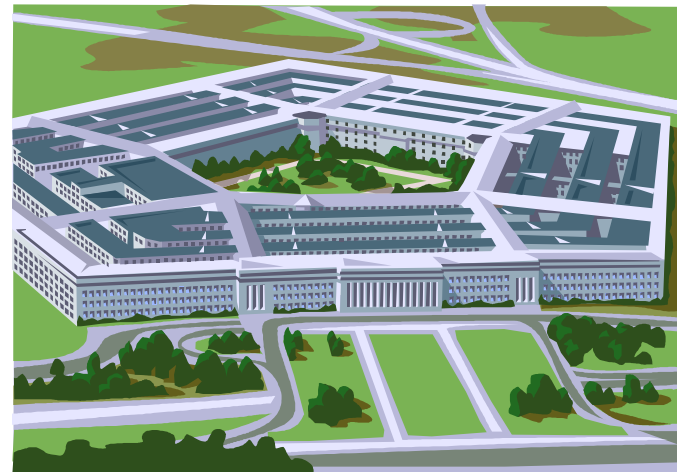
Dual-Use: Export Administration Act (EAA) grants authority to the Secretary of Commerce; DoD is referral agency via Executive Order 12981



DoD License Review Community

Office of the Secretary of Defense (OSD) for Policy/Defense Technology Security Administration Plus

- **Military Services (Army, Navy, Air Force)**
- **Joint Chiefs of Staff**
- **OSD Acquisition, Technology, and Logistics**
- **Military laboratories**
- **Other DOD Agencies, as required**





DOD Export License Review

Assessing Impact on National Security

Among the Factors Considered:

- **Policies (Region, Country & Technology)**
- **Level of Technology (vs. U.S. systems and U.S. countermeasures)**
- **End-user & End-use History**
- **Military Operational Impact**
- **Inter-operability Requirements**
- **Bilateral, Multilateral and International Agreements**
- **Foreign Availability of Like Systems**



DoD/DTSA Mission

- **Preserve critical US military technological advantages**
- **Support legitimate defense cooperation with foreign friends and allies**
- **Control and limit transfers that could prove detrimental to US security interests**
- **Prevent proliferation of WMD and their means of delivery**
- **Prevent diversion of defense-related goods to terrorists**
- **Assure the health of the defense industrial base**



Some Key Issues and Technologies for Defense

- **Night Vision (Focal Plane Arrays)**
- **High Powered Computers**
- **Analogue to Digital Converters**
- **Terrorism Catch-All Controls**
- **Intangible Transfers**
- **Emerging technologies of concern**
- **Arms Transparency**
- **MANPADS controls**



Value of MoDs in the Review Process

- **Defense role essential in the license review process**
- **Other government interests include diplomatic and business**
- **MoDs bring a different perspective for their governments—security**
- **MoDs devoting some resources for license review now will pay off in the long run—result will be a more complete and valuable review process**