

OFFICE OF TELECOMMUNICATIONS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, D.C. 20504

ASSISTANT DIRECTOR

October 30, 1972

MEMORANDUM

To: The Director

From: Bromley Smith *BKS*
Will Dean *Concur wholeheartedly 11/2/72*

Subject: Chairmanship, US Delegation, ITU Plenipotentiary Conference

Robert C. Tyson, former Chairman of the Finance Committee and Board Member of U.S. Steel, is currently serving as an Alternate Representative on the US Delegation to the UN General Assembly. He lives in New York and is doing this job while living at home. He has been active in the TV direct broadcast battle.

He has retired from U.S. Steel, except that he apparently still consults with the Corporation on occasion. He is Chairman of the Board of the Lahey Clinic in Boston and serves on several other boards. He presented no special conflict problems when appointed Chairman of the US Delegation to the ITU Space WARC in 1971.

Will Dean and others commented very favorably about Tyson's performance in Geneva in 1971 and, since he is a known and knowledgeable about ITU matters and conference procedures, he would be an ideal candidate for US Delegation Chairman.

If you think this idea deserves further exploration, we recommend:

1. You check with Flanigan, or we will call Jon Rose and sound out their views;
2. If we get a green light, you would call Tyson and ask him if he would accept;
3. If he does, we will then set wheels in motion at the White House and State to get him appointed formally.

When we are ready, it would be important that you make first contact with him on this matter, if possible. Tyson will thus know who nominated him.

JAN 29 1973

MEMORANDUM

To: The Director
From: Bronley Smith
Subject: ITU Plenipotentiary Conference - Status Report

We are eight months from the opening of the six-weeks ITU Plenipotentiary Conference which will convene in Torremolinos, Spain, September 14, 1973.

A delegation structure has not yet been created. State sources indicate they are pushing Jake Beam (retiring Ambassador to USSR) to head the delegation or some other senior ambassador who "knows the Russians and knows something about communications." Tyson's availability or possible candidacy remains an open question. Other possible candidates could emerge, including FCC Commissioner Robert E. Lee.

Preliminary US proposals have been written and are now in the hands of US industry for comment and reaction (copy attached at Tab A). Informal exchanges of view have taken place with Canada, Australia, the UK, Japan, Mexico, and the CITEL organization. In response to a recent inquiry from the Chairman of CITEL, State is sending a letter on four principal points (copy attached at Tab B). The US proposals were due in Geneva on January 15, but probably will be mailed in early February. State wants industry comments before dispatching the package. These preliminary views are limited in scope and are subject to change. Positions on several additional important questions are being developed in the interagency Preparatory Committee. A summary of major issues and current views on, or status of, those issues is attached at Tab C.

Work To Be Done

1. Designation of US Representative and Delegation

If State nominates and obtains appointment of the US Representative, he will likely be a man sympathetic to State views who will probably rely heavily on State personnel. If OTP nominates and obtains appointment of the Representative, he should be less agency-aligned and more responsive to views of all delegation members.

The composition of the US Delegation is also an important issue. Tom Nelson has expressed the view that one body from OTP will be enough to help do the work at the Conference. At least two staff officers and some senior OTP presence on the delegation should be agreed upon with State. The Director or his Deputy or an appropriate Assistant Director should be delegation members. There will be numerous committee meetings and assignments, and there are two OTP staff officers (Urbany and Doyle) who have put many hours into the preparatory work.

Recommendation

I should convey to Tom Nelson by appropriate means the view that we expect that one senior and two staff OTP officers will participate directly in the work of the Conference.

OK _____ No _____ See us _____

2. Preparation for and Participation in the Administrative Council

The annual session of the ITU Administrative Council for 1973 will convene in Geneva in late April. This Council session will consider the agenda for the Plenipot, along with several major recommendations to the Plenipot on matters such as methods of assessment, collection of arrearsages, technical assistance proposals, and other important issues. It is essential that the US member (probably Tom Nelson) has fully coordinated views and positions on such issues when he goes to Geneva. We are taking steps to obtain all available documentation on the Council, to review the Council agenda, and to fully coordinate with Nelson and the FCC on US positions on the various issues the Council will consider. Based on our review of the substantive issues, we will come to you later with a recommendation on the extent to which we should seek OTP presence at the April Council meeting.

3. Submission of US Proposals

Within the next few months, after we have received reactions to our Preliminary Views from foreign governments and industry, the interagency Preparatory Committee will draft and submit the formal US proposals for the conference. These proposals will be presented for your review prior to their submission.

Attachments

SEDoyle:lmc:1/22/73

cc:

DO Records

DO Chron

Mr. Whitehead ✓

Eva

Mr. Smith

SED Subject

SED Reading

International





DEPARTMENT OF STATE

Washington, D.C. 20520

January 19, 1973

FOR DISTRIBUTION SEE ATTACHED LIST

LETTER TO INDUSTRY

As you know, for some time now we have been critically examining the organization and operation of the International Telecommunication Union (ITU) in preparation for the 1973 Plenipotentiary Conference scheduled to begin September 14, 1973 at Torremolinos, Spain. As a result of these deliberations, during the course of which we have had informal contact with the interested telecommunications community for its views, we have concluded that the present structure and mode of operation of the ITU, on the whole, serve United States interests very well. We are intending, therefore, to propose only a few essentially administrative and financial amendments to the Convention.

Enclosed is a copy of our draft proposals. We would very much appreciate receiving your comments, if any, concerning them.

The Union's present structure, despite some administrative drawbacks, provides certain desirable checks and balances as well as the political and geographical balance needed for a voluntary regulatory system to work. We believe the diffusion of authority contributes to the widespread acceptance of and compliance with the Union's otherwise unenforceable standards and allocations. The alternative, an ITU with enforcement powers, is both undesirable and unacceptable.

These draft proposals, therefore, make no attempt to effect any basic restructuring of the Union. They are designed essentially to improve the efficiency and economic operation of the Union by relatively minor and selective changes.

For your information, I can report that numerous contacts with telecommunications officials in the Americas, Europe and the Far East have disclosed attitudes on their part very similar to our own. While positions can change between now and September, on the basis of what I have heard so far I would not expect the Administrations of the large telecommunications countries to submit proposals for any major restructuring of the Union.

Sincerely yours,

Thomas E. Nelson
Director
Office of Telecommunications

Enclosure:

Draft proposals.

Letter to Industry Representatives
transmitting Draft U.S. Proposals
to the 1973 ITU Plenipotentiary Conference

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Modify the present text as follows:

1. The International Telecommunication Union shall
comprise Members and-Associate-Members who shall be:

~~2.--A-Member-of-the-Union-shall-be:~~

a) any country or group of territories listed in
Annex 1 upon signature and ratification of, or
accession to, this Convention by it or on its
behalf;

Delete in toto Nos. 7,8,9 and 10 and Article 2-No. 15.

All references to Associate Membership throughout the
Convention should be deleted with appropriate editorial
changes.

Comment:

The U.S. proposes eliminating the status of "Associate
Member" for two reasons:

- a. There have been no applications for Associate
Membership during the current (Montreux) Convention.
- b. This change will simplify the text of the Convention.

After this number, insert the following text:

14 bis

A Member which is in arrears in the payment of its financial contribution to the Union shall have no vote in any conference or consultation of the Union, and, if it is a member of the Administrative Council, at any session of that Council, if the amount of its arrears equals or exceeds the amount of the contribution due from it for the two preceeding full years.

14 ter

The provisions of 14 bis shall not apply with respect to arrears outstanding at the effective date of this Convention if the Member has in the twelve months preceeding the vote reduced this arrearage by a sum equal to its current annual contribution.

Comment:

The current high level of overdue contributions is disturbing and indicative that, of itself, the interest penalty is not sufficient incentive to prevent arrearages. The suspension of voting rights for non-payment of contributions is provided for in the charters of most international organizations to meet this problem and it has been generally successful.

Proposal 14 bis is an adaptation of the language used in other international charters to suit the circumstances of the Union. Proposal 14 ter grants relief to existing debtor states making a serious effort to reduce their debts and is proposed as an incentive to encourage gradual elimination of current arrearages.

Drafting Committee Comments:

The U.S. Delegation to the PC should be instructed to support, at its discretion and in light of developments, the addition of the following language to 14 bis:

"The Administrative Council may nevertheless permit such a member to vote if it is satisfied that failure to pay is due to conditions beyond the control of the member."

Modify the present text as follows:

provide, ~~if-it-considers-it-desirable~~ by election
in Administrative Council session, for the filling
ad interim of a vacancy for Deputy Secretary-General;

Modify the present text as follows:

provide, by election in Administrative Council
session, for the filling ad interim of vacancies
for Directors of the International Consultative
Committees;

Comment:

These changes are proposed in order to make explicit
the procedure to be followed in the event of a vacancy
in the post of Deputy Secretary-General or of Director
of one of the International Consultative Committees.
The present text does not specify how the Administrative
Council should provide for filling these posts; the U.S.
believes it should be by election in the Administrative
Council. In the event of a vacancy in the post of
Deputy Secretary-General, the present text makes filling
that post optional; the U.S. believes it should be
mandatory.

Drafting Committee Comment:

The U.S. Delegation should have flexibility to consider supporting other proposals to achieve the same goal.

Modify the existing text as follows:

If the post of Secretary-General falls vacant the Deputy Secretary-General shall ~~discharge-the-duties~~ ad-interim succeed to the office of Secretary-General and shall remain in office until a date determined by the following Plenipotentiary Conference. He shall be eligible for re-election.

Comment:

The status of the successor to the office of Secretary-General requires clarification. The U.S. proposal would make it clear that, in the event the post of Secretary-General falls vacant, the Deputy Secretary-General would succeed to that office on the same terms applicable to the former Secretary-General.

Expand the existing text as follows:

supervise, for administrative purposes only, the staff of those specialized secretariats who shall work directly under the orders of the Heads of the permanent organs of the Union. Moreover, the Secretary-General may, after consultation with the heads of the organs concerned, temporarily assign such staff to other duties to fulfill the requirements of 131;

Modify the existing text as follows:

provide, where appropriate in cooperation with the inviting government, the secretariat of every conference of the Union, and provide the facilities and services for meetings of the permanent organs of the Union in collaboration with their respective Heads; drawing from the Union's staff as he deems necessary in accordance with 129. The Secretary-General may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;

Comment:

The Secretary-General should have authority to make the most efficient use of staff by shifting personnel to meet the workloads presented by conferences and meetings of the Union.

Modify the existing text as follows:

The Committee shall endeavor to reach conclusions unanimously. The Secretary-General may, however, take decisions even when he does not have the support or two or more other members of the Committee, provided he judges ~~the-matters-in-question-to-be-of-an-urgent-nature~~ that decision of the matters in question cannot await the next session of the Administrative Council. In such circumstances he shall, ~~if-requested-by-the-Committee,~~ report in writing on such matters to the members of the Administrative Council on a timely basis, in-terms-approved-by-all-members-of-the Committee setting forth his reasons for such action together with any other written views submitted by other members of the Committee. ~~If,-in-similar-circumstances-the-matters-are not-urgent-but-important, they-shall-be-referred-for consideration-to-the-next-session-of-the-Administrative Council.~~

Comment:

The Secretary-General should have the authority to take action which he deems necessary for the proper functioning of the Union, even in the absence of majority approval by the Coordination Committee. Nonetheless, the members of the Administrative Council would benefit from being informed on a timely basis, of matters of a disputed nature arising in the administration of the Union.

Modify the present text as follows:

The Committee shall ~~meet-when-convened-by-its~~
~~Chairman-and, in-general,~~ be convened at least
once a month.

Comment:

The present text concerning the frequency of
Committee meetings is permissive rather than
mandatory. The U.S. believes the Coordination
Committee should meet regularly if it is to
discharge its function of coordinating the
activities of the organs of the Union.

Modify the existing text as follows:

The five members of the Board shall be elected at ~~intervals-of-not-less-than-five-years-by-a-world administrative-conference-dealing-with-general-radiocommunication-matters~~ at each Plenipotentiary Conference. These members shall be chosen from the candidates sponsored by countries Members of the Union. Each Member of the Union may propose only one candidate who shall be a national of its country. Each candidate shall possess the qualifications described in 170 and 171.

Comment:

World administrative radio conferences dealing with general radiocommunication matters are held at such infrequent intervals (the last was in 1959) as to make this an unsuitable body to be charged with the election of the IFRB. The Plenipotentiary Conference which meets more frequently and is the most representative organ of the Union is a more suitable body. The present members of the IFRB were elected by the last Plenipotentiary Conference as a provisional measure and this method of election should be made permanent.

Modify the existing text as follows:

The members of the Board shall take up their duties on the date determined by the world-administrative ~~conference~~ Plenipotentiary Conference which elected them. They shall normally remain in office until the date determined by the conference which elects their successors.

Modify the existing text as follows:

If in the interval between two world-administrative ~~conferences~~ Plenipotentiary Conferences which elect members of the Board, an elected member of the board should resign.....

Modify the existing text as follows:

If in the interval between two world-administrative ~~conferences~~ Plenipotentiary Conferences which elect members of the Board, the replacement should resign.....

Comment:

The above changes are required to correspond with the proposed change to 172 making the Plenipotentiary Conference responsible for the election of the IFRB.

Modify the existing text as follows:

Each Consultative Committee shall work through the medium of:

(a) The Plenary Assembly, normally meeting every three years. When a corresponding world administrative conference has been convened scheduled, the Plenary Assembly should meet, if possible, at-least eight-months-before within six months prior to this conference;

Comment:

It is essential to have the latest agreed technical recommendations available for every administrative conference.

Modify the existing text as follows:

In case of dispute the French text shall be
authentie authoritative.

Comment:

The proper term is "authoritative."

Modify the existing text as follows:

The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute and to the Secretary-General a notice of the submission of the dispute to arbitration fully describing the dispute and the relief requested.

Comment:

To serve the intended purpose, the "notice" should describe the matters in dispute and the relief being sought by the moving party.

After this number, insert the following text:

508 bis Any Member of the Union, if it considers that it has
a substantial interest in the decision of the dispute,
may petition the arbitrator or arbitrators for permission
to intervene and become an additional party in the
dispute. The arbitrator or arbitrators shall grant the
petition if they decide that the petitioner has a
substantial interest in the decision of the dispute.

Comment:

If any Member demonstrates that it has a substantial interest in the dispute, it should be permitted to participate.

508 ter At any time during the proceedings, the arbitrator
or arbitrators may terminate the proceedings if the
arbitrator or arbitrators decide that the dispute is
beyond their competence as set forth in Article 28 of
the Convention.

Comment:

An arbitral tribunal should have the authority to terminate proceedings which it determines is outside its jurisdiction to decide.

After this number insert the following text:

509 bis

The arbitrator or arbitrators may appoint such experts as deemed necessary to assist in the determination of the dispute. Such experts should not be nationals of the parties involved in the dispute nor have their domicile in the countries of parties to the dispute nor be employed in their service.

Comment:

Where technical questions are involved, the arbitral tribunal should be able to call on experts for assistance.

Modify the existing text as follows:

The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the ^{is} arbitration/entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties. Each decision shall be in writing and shall be supported by a written opinion.

Comment:

The arbitrator or arbitrators should be required to set forth the reasons for any decision.

Modify the existing text as follows:

The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need.

Members of the Union should cooperate in furnishing such information to the arbitrator or arbitrators.

Comment:

. Members of the Union may also have needed information concerning the dispute and should be encouraged to furnish it.

January 18, 1973

Mr. Jacobo Aeppli P.
Vice Chairman, COM/CITEL
Office of the Chairman
Permanent Executive Committee
P.O. Box 50263
Caracas 106, Venezuela

Dear Mr. Aeppli:

Reference is made to Circular Letter 11/72 of November 27, 1972 concerning coordination within CITEL of views on certain subjects likely to be considered at the ITU Plenipotentiary Conference to be held in Torremolinos, Spain beginning in September 1973.

This Administration believes it is useful to exchange views in advance of ITU conferences and we are pleased to be able to offer our comments on the subjects listed in Resolution COM/CITEL 6/72.

Our comments follow:

A. Permanent constitution/charter for the ITU.

My Administration is prepared to consider and debate the concept of a charter at the Conference. While the United States supported the idea of a charter at Montreux in 1965, we are presently approaching this question with an open mind. Among those factors being taken into account is the desirability of making the Union's structure permanent at this time of rapid technological changes in the telecommunications field.

B. Debts owed the ITU by member countries.

My Administration is concerned with the increasing arrearages in contributions due the Union. We are submitting a proposal to be considered at the Conference which is designed to improve this arrearage problem. In drafting these proposals, the situation of existing debtor states and the special circumstances giving rise to the arrears have been borne in

mind, together with the need to find a formula for the settlement of these old debts on a basis of equity to all members of the Union. It is the purpose of our proposal to work out an equitable formula for handling old debts and to propose a mechanism whereby the accumulation of arrearages can be avoided in the future. A copy of this proposal is enclosed.

C. Devising a rational method for establishing the contributory quota.

My Administration supports the views of the ITU Administrative Council which at its Twenty-sixth and at previous sessions thoroughly studied and weighed alternate methods of financing the Union. This work of the Council was required by Resolution 11 of the Montreux Conference, and the Council is recommending to the Conference the maintenance of the present system of free choice of contributory class. We believe the Council's action in this regard certainly indicates that the present system has stood the test of time and is acceptable to a vast majority of the members of the Union. The Council did, however, believe that member countries should verify their class of contribution before the end of a Plenipotentiary Conference rather than as at present at a later date.

D. Establishment of a regional ITU office for the Americas.

My Administration has given serious thought to the idea of establishing regional offices for the ITU. We have concluded that such a decentralization of the Union would not lead to any material improvement in the functioning of the Union or the Union's services to member countries but rather that it would tend to weaken the Union in terms of administrative control, costs and effectiveness. Moreover, we do not see how regional ITU offices could assist in accomplishing the Union's responsibilities for the IPRE, the CCIR and the CCITF. We, therefore, stand to oppose the establishment of regional offices in order to retain at Geneva the essential administrative and secretarial work of the Union. With regard to the technical assistance function that the Union performs for the UNDP, we also question whether it would be wise to establish special regional offices for that purpose since we think the cost of such offices, which would be high, would only reduce the amount of substantive assistance available to the individual countries. Moreover,

taking into account that excellent transport and telecommunications facilities are readily available to the Union, we believe the Union's technical assistance staff can be more effective in Geneva than if they are decentralized on a worldwide basis. In addition, it should be noted that the UNDP will, of course, have a major role in determining whether there should be regional offices to carry out the technical assistance program or whether it will be conducted in a manner similar to the present system. Since the UNDP is now considering the "country programming concept" we believe it is premature for us to reach any conclusions at this time. I understand that this matter will be on the agenda of the next session of the Administrative Council and I believe that at that time we should have a better idea of what is possible for the UNDP-financed program.

I hope that the above views will be helpful and that we will be able to further discuss these matters at the next COM/CITEL meeting in Brazil.

Sincerely yours,

Thomas E. Nelson
Director
Office of Telecommunications

Enclosure:

Draft proposal on arrearsages.

C

January 29, 1973

USG POSITIONS ON MAJOR ISSUES INVOLVED
IN THE ITU PLENIPOTENTIARY CONFERENCE

1. Charter vs. Convention. The overwhelming sentiment among the agencies in the Preparatory Committee is in favor of retaining the Convention. The Bureau of International Organization Affairs at State is still urging that a charter be considered, but the USG position at this time is that in the absence of compelling arguments favoring a charter (which no one seems to be able to produce), the USG will favor continuation of the Convention.

2. Revision of Organizational Structure. Some countries apparently believe that the ITU can be improved by reorganization. Among developing countries, there is sympathy for expansion of the annual Administrative Council beyond its present 29 member size. Some are urging combination of the International Consultative Committees (CCI's) and some are suggesting a new "General Conference" be convened periodically (every two-four years) in lieu of the Plenipotentiary Conference. The USG position is that no major change to or restructuring of the ITU organization appears necessary or desirable at this time. Absent presentation by some foreign government(s) of compelling and persuasive arguments for organizational changes, the USG will not support any major restructuring of the ITU.

3. Financing Questions. There are basically three financial questions which will be dealt with as major issues in the Conference: (1) the method of financial assessment; (2) the elimination of substantial accumulated arrearages; and (3) the establishment of sanctions to discourage accumulation of arrears.

(1) Several foreign countries (an increasing number) have been urging since 1959 that the ITU adopt the UN scale of contributions. The USG and most other large users (including USSR) have consistently urged no change from the present method of voluntary contributions by countries. Each country volunteers to take a number of "units" of the budget. (We currently pay 55 units or about 11%. Our contribution for Calendar 1973 is \$98,000.) To determine each country's contributory share, its volunteered number of units is multiplied by the value of one unit which is determined when the total number of all subscribed units is divided into the total budget. The USG will strongly support continuation of the present method of voluntary contribution.

(2) Accumulated unpaid assessments are particularly noticeable in Latin America. Several million Swiss francs are owed to the ITU by deadbeat members - some of whom haven't paid for over a decade. The USG will propose and support new Convention provisions intended to encourage and facilitate elimination of existing arrearages.

(3) Looking to the future, the problem of arrears will be dealt with by introduction into the Convention of penalties applicable to countries with arrears greater than two years. Numerous penalties are expected to be proposed, including loss of vote. The USG will support introduction of penalties into financial provisions of the Convention.

4. Technical Assistance Funding. Proposals have been made to establish within the ITU a program for funding of technical assistance in telecommunications. The UN Development Program (which the U.S. supports at the 25% level) includes funds for technical assistance in telecommunications as well as in transportation, power, education, health, and other areas. The USG will urge continued reliance on UNDP technical assistance funding with coordination and assistance by the ITU. The USG will oppose establishing a separate technical assistance fund within the ITU.

5. Regional Office Establishment. Proposals have been made to have the ITU create, staff, and maintain regional offices, particularly in developing country areas, to assist developing countries in establishing national and regional telecommunication systems. These offices would add substantially to staffing and administrative budgets of the Union. They will offer little advantage to the present method of dispatching consultants and experts from Geneva or from sponsoring countries in a program coordinated through ITU Headquarters in Geneva. The USG will oppose the establishment of regional offices by the ITU.

6. Revision of ITU Roles and Functions. Several suggestions have been made to expand ITU roles and functions to permit the Union to deal with program content issues, international radio and television program exchanges, copyright and intellectual property issues, worldwide system planning, and even operation of international communication systems. In order to maintain the present beneficial and successful posture and roles of the Union as a technical and an apolitical coordinating body, the USG will urge that no major expansion or change in the roles of the Union be adopted.

7. Modifications in Management and Administrative Matters.

A frequently voiced complaint about the ITU is that it is inefficiently managed from within, and its permanent organizations are poorly coordinated with results of waste of effort and time, and higher administrative costs than are necessary. Many approaches have been and are expected to be suggested in order to improve the efficiency, effectiveness, and responsiveness of Union management. The USG will introduce and support revisions of the Convention intended to improve administration and management of the Union.

8. Changes in Arbitration Provisions. The ITU Convention contains an Annex with Arbitration Provisions to which members may resort for resolution of controversies. The provisions have administrative and procedural inadequacies. The USG will introduce and support modifications to strengthen and streamline the ITU arbitration procedures and practices.

9. Election of the IFRB. The 5-man International Frequency Registration Board as established under the current Convention is intended to be elected at a World Administrative Radio Conference of the ITU. The last such conference was held in 1959 and the next expected one will be about 1980 or later. To permit election of IFRB members at more frequent intervals, it will be proposed to provide in the Convention for IFRB elections at Plenipotentiary Conferences rather than at Radio Conferences. There appears to be widespread acceptance of this idea, and the USG will support a change of venue for IFRB member elections from Radio Conferences to Plenipotentiary Conferences.

10. Political Questions. In addition to review and revision of the Convention, the Plenipotentiary Conference will have to deal with political issues, such as recognition and seating of Rhodesia and South Africa, the status of East Germany, North Korea and North Vietnam, and other political questions which may arise. Development of positions on political issues are done primarily at State and will continue until the Conference convenes.

11. Election of Officials. The Secretary General and Deputy Secretary General will be elected and probably five IFRB members will be elected. Review of the candidates and development of positions on which candidates the USG will support will continue during coming months.

ITU

Wednesday 8/30/72

5:15 Steve advised that the Japanese have invited Sawkins of Australia, Mr. Lovell (P. O.), of the United Kingdom, Mr. Marchand of Canada, Tom Nelson and Steve to attend a meeting in Tokyo on the ITU Plenipot in late September or early October. Mr. Nelson has also invited Robert E. Lee (Commissioner) to join them. Steve advises we will be sending a reply to Tokyo at the end of the week. If you have any reservations about Steve's going on this trip, we should know by Friday.

Bromley Smith is in favor of Steve's going and thinks it's a feather in our cap to be recognized this way.

Steve also asked if I would check with Mr. Brom Smith to see if it's O.K. for us to approach Tom on this and that Mr. Smith is in favor of his going.... before calling Tom.

*Talked with Mr. Smith
and he thought it was
a great idea. Agree*

Mr. Doyle will be going.

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LT
SECSTATE
WASHINGTONDC

FOR MR NELSON DIRECTOR OFFICE OF TELECOMMUNICATIONS STOP TELEGRAM
RECEIVED FROM MR SAWKINS OF AUSTRALIA REGARDING INFORMAL TALKS
IN TOKYO FOR EXCHANGE OF VIEWS IN PREPARATION FOR PLENIPOTENTIARY
CONFERENCE SUGGESTED BY MR LOVELL OF UK STOP WE ACCEPTED MR
LOVELL'S SUGGESTION AND DECIDED TO HOLD SUCH TALKS

COL NIL

LSB19 SECSTATE PAGE 2/50

ON 18TH CMA 19TH AND 20TH SEPTEMBER 1972 STOP INVITATIONS HAVE
BEEN SENT TO MESSRS. SAWKINS CMA MARCHAND AND LOVELL STOP I
HOPE YOU AND MR DOYLE WILL KINDLY FAVOR US WITH YOUR ATTENDANCE
STOP IN ORDER TO FACILITATE OUR PREPARATORY WORK CMA I WISH
TO BE ADVISE OF THE

COL 18TH 19TH 20TH 1972

LSB19 LT SECSTATE PAGE 3/36

FOLLOWING COLON (1) RESERVATIONS OF YOUR ACCOMODATION IN TOKYO
(2) ARRIVAL DATE AND FLIGHT NUMBER STOP I SHOULD BE GRATEFUL
IF YOU WOULD INFORM MR DOYLE (OTP) OF THIS PLAN STOP REGARDS
GENTEL

COL (1) (2)

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF TELECOMMUNICATIONS POLICY
WASHINGTON, D.C. 20504

September 22, 1971

1973
ITU
DIRECTOR

MEMORANDUM FOR THE RECORD

At my meeting with Dean Burch on Friday (9/17/71) we covered the following points:

1. Cable TV. Burch feels that broadcasters will make significant concessions. He thinks a deal along the following lines can reasonably be sold: (a) the proposed FCC distant signal formula, (b) copyright as in the McClellan Bill, (c) Footnote 69 as proposed but perhaps with modification of the viewing percentages, (d) exemplification provision, and (e) total exemption of all systems over 3500 subscribers. Burch feels that this can be sold only if OTP proposes it publicly and applies pressure on all the parties to accept. He is willing to put pressure on the cable people to negotiate.
2. We discussed the EBS problems. I emphasized that I thought it was getting out of hand and was potentially embarrassing to the President. Burch indicated he did not know much about it. Left to Bob Wells of the staff. He asked about Ken Miller as a problem. I indicated my reluctance to tell him who he should and shouldn't have on the Commission staff, but it was the view of my staff and other elements of the Executive Branch that Miller was indeed a big part of the problem. We agreed that Bob Wells might well do us an outgoing favor by firing Miller.
3. We discussed preparatory arrangements for the 1973 ITU Conference. I had previously indicated that I would like him to name a commissioner to work on this. Burch indicated that he did not really have an appropriate commissioner at this time and indicated he would normally send Whitey. I indicated I would like a committee structure parallel to the State Department's committee structure and that it was my committee that I wanted the commissioner on. I thought that in view of the low level I might send a staff member, Whitey if that is what he desires.

4. We discussed forthcoming appointments to the FCC and agreed that in our analysis the best approach would be to name Wiley to replace Wells and to announce the intention to nominate Ledbetter to replace Bartley.

5. In view of the short time, we covered AEROSAT and domestic satellite matters only very briefly. I indicated that the President was interested in both of these and that I would be sending over some material in the very near future in view of the potential political situation.

6. We did not discuss the Atlantic Facility Conference.

7. He indicated that McClellan was unhappy that I had not kept him informed of what we were doing in the cable TV area. He indicated that McClellan felt his program in the copyright area was being conflicted on, and suggested that I ought to call McClellan.


Clay T. Whitehead *rm*

cc: Dr. Mansur
Brian Lamb
DO Records
DO Chron

CTWhitehead:avr:22Sep71

ITU conf 1973

August 16, 1971

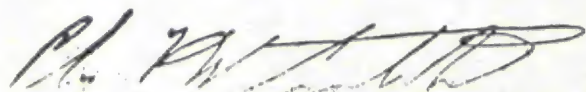
MEMORANDUM FOR

Honorable U. Alexis Johnson
Under Secretary for Political Affairs
Department of State

As you know, the Plenipotentiary Conference of the International Telecommunication Union is due to convene in 1973. Preliminary documents have already been circulated for comment.

The Conference will involve telecommunications policy issues of major importance to both our private and public sectors. I expect to begin shortly the process of establishing our positions on these issues, and am anxious to proceed in a manner which provides close cooperation with the State Department.

I would appreciate your views on how our agencies can work together most effectively to assure that the responsibilities for policy formulation and negotiation be discharged in as coordinated a fashion as possible.



Clay T. Whitehead

AScalia:hmy
8-16-71

cc: Mr. Whitehead - 2 ✓
Subj File
Chron File