

# The New York Times

January 9, 2009

## Obama Is Urged to Open High-Tech Exports

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When Barack Obama takes office as president, he should immediately change or even scrap many cold-war-era regulations on high-tech exports and on immigration by foreign scientists and engineers, an expert panel said Thursday.



Carol T. Powers/Bloomberg News

Brent Scowcroft, a former national security adviser, was on a panel that criticized immigration restrictions on scientists.

Restricting foreigners' access to strategically important technology might have been useful decades ago, when the United States was the undisputed world leader across the technological spectrum, the panel said in a report issued by the National Academy of Sciences. But today, it said, the nation is losing scientific and engineering dominance even as militarily useful advances come increasingly from civilian research.

The regulations do little for the nation's security, the panel said, while significantly hampering economic growth and innovation.

"We have failed to distinguish between technology which really does pose a fundamental threat, such as things having to do with nuclear weapons, and technologies which are broadly available," like some computer or telecommunication technology, John Hennessy, a co-chairman of the panel, said in an interview. "In some cases, we have technologies that go on our export control list that are legally available outside the United States in unrestricted form."

The National Research Council, the research arm of the National Academy of Sciences, convened the expert panel, headed by Dr. Hennessy, an electrical engineer who is president of Stanford; and Brent Scowcroft, the retired Air Force general who was national security adviser to Presidents Gerald R. Ford and George Bush. The report is at [www.nas.edu](http://www.nas.edu).

Export rules or immigration restrictions on scientists and engineers draw little public attention, but they are an important part of what some analysts call "the ecology of innovation," factors in society that inhibit or enhance the development of useful and profitable technologies.

Over the years, several federal panels and private groups have suggested changes in the rules. But the report said the issue never gained political traction because it was "arcane" and "under the radar" of most Americans.

Other experts say some potential critics held back for fear of being labeled soft on national security. That fear arose often when the country in question was China, which is progressing quickly in computing, aerospace and other high-tech areas.

Mr. Scowcroft said the restrictions limited the collaboration of American scientists and engineers with colleagues from other countries, “harming our national security by harming our economy.”

He said in an interview that the government should assume that technology was eligible for export unless shown to be a danger, rather than requiring would-be exporters to prove the opposite.

Dr. Hennessy said it would be difficult to put a dollar figure on the costs the regulatory environment had exacted on the American economy. But, he said: “It inhibits companies from going into certain technologies. They don’t want to deal with the whole uncertainty.”

The people expected to deal with these issues in the Obama administration would not comment on the report. But in a technology position paper issued during his presidential campaign, Mr. Obama said he supported “comprehensive immigration reform” to encourage skilled workers to enter and remain in the United States.

Speaking of the aerospace industry, he said he would review export rules that had “unduly hampered” competitiveness.

In their report, panel members said they had deliberately designed recommendations that could be put into effect at once, through an executive order, which they said should be “one of the first orders of business in January.”

But Baker Spring, a national security analyst with the Heritage Foundation, a conservative research group in Washington, said that while there might be merit in some immediate changes, anything that could be done quickly “is almost certain to be incomplete.”

Mr. Spring, who said he had not read the report, said he favored a country-by-country approach because policies appropriate for “close allies” like Britain or Australia might not be appropriate for countries like China.

Among other things, the panel said the president should do the following:

- Restructure the export-control process to advance economic competitiveness as well as national security, allowing “openness and engagement to prevail unless a compelling case can be made for restrictions” which, in turn, must have “a rational basis.”
- Require controls to be reassessed at least yearly.
- Establish two independent panels within the National Security Council to assess controls and decide disputes about export limits.

- Streamline the visa process for scientists and engineers and automatically allow foreign students to remain in the country at least a year after earning advanced degrees in scientific or technical fields.
- Allow American experts to vouch for “well-known scholars and researchers” seeking to enter the United States.

“The U.S. cannot protect U.S. jobs by denying access to foreign professionals,” the panel said. “Jobs will simply go abroad.”