

DCA-315

Document No. TID/RB 077-80  
This document contains 2

No. 1 of 2 A

December 9, 1955

MEMORANDUM TO: Mr. Gerard C. Smith  
Department of State

SUBJECT: DRAFT TELEGRAM RE OPERATIONAL AGREEMENT WITH INDIA

I refer to the draft instruction to Embassy New Delhi, dated October 14, 1955, prepared in response to telegrams 445 and 536, dated September 6 and 16, 1955, respectively, from the Embassy on the subject of the draft operational agreement providing for the procurement by India of certain scientific equipment for use in conducting research.

This will confirm Mr. Slawson's telephone conversation with Mr. Hamilton on Thursday, December 8, 1955, that we concur in the comments made in the draft instruction and that we have the following additional comments to make in connection with the draft operational agreement.

With respect to Paragraph 2(G), we feel that the second sentence should be deleted since this sentence appears to render less effective the effectiveness of the conditions set forth in the first sentence of the paragraph.

As we advised you last summer, the 5.5 MEV Van de Graaf generator desired by the Indians is presently a "production facility" within the meaning of the applicable regulations of the Commission. The Commission, however, has published proposed rules and regulations which would remove this machine from the category of "production facility", and when these regulations are finally promulgated by the Commission, which it is the Commission's present intention to do early in January, and the regulations become effective, the machine can be exported to India without an Agreement for Cooperation. Accordingly, the

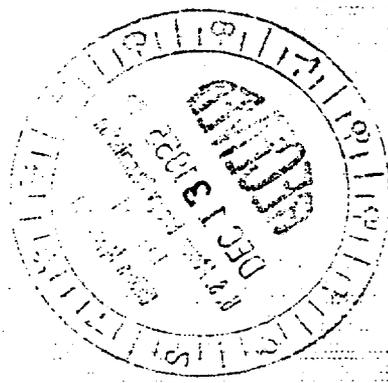
THIS DOCUMENT HAS BEEN DECLASSIFIED UNDER  
THE PROVISIONS OF EO 12958, DATED 4/17/95  
By Authority of 2635 RA  
(Declassification Authority/Number)  
Date of Declassification 3/9/01

181-4  
#17

~~SECRET~~

International Affairs

~~SECRET~~



Addresses - 1A  
K. E. Fields/GM - 2A  
A. A. Wells/OCC - 3A  
H. T. Piles/CA - 4A  
1028 Files - 5A  
1028 Reading File-6A  
1008 Reading # - 7A

Distribution:

John A. Hall, Director  
Division of International Affairs

Commission has no objection to the I.C.A. agreement containing reference to this machine. Thereafter, the export control of 5.5 KW Van de Graaf generators will be under the jurisdiction of the Department of Commerce. We understand that under the Department of Commerce rules the export of this machine, as well as other items which appear on the list, will require a license by the Department.

~~SECRET~~