

OGC 82-00319  
15 January 1982

MEMORANDUM FOR: Director of Central Intelligence  
THROUGH: Deputy Director of Central Intelligence  
Executive Director  
Director, External Affairs  
FROM: General Counsel  
SUBJECT: Congressman Rosenthal's Intention to Publish  
Classified CIA Documents

1. The Central Intelligence Agency has been furnishing classified documents since 1979 to the House Government Operations Subcommittee on Commerce, Consumer, and Monetary Affairs, chaired by Representative Benjamin S. Rosenthal (D, NY), in the course of the Subcommittee's investigation of OPEC investment in the United States. The Subcommittee's use of the documents is governed by a Memorandum of Understanding (MOU) drafted by the Agency and signed by Chairman Rosenthal in 1979. (Tab A)

2. In early September Chairman Rosenthal sent you a letter notifying you that the Subcommittee planned to use seventeen classified CIA documents in preparing its public report on OPEC investment. (Tab B) You responded that classified information contained in the documents could not be disclosed to anyone lacking the requisite security clearances, and agreed, as an accommodation to the Subcommittee, to initiate an interagency document declassification review of the seventeen CIA documents. (Tab C) The Legislative Liaison Division of the Office of External Affairs, in coordination with my Office and the DDI Congressional Support Staff, has kept the Subcommittee informed of the progress of the interagency declassification review.

3. The responsible officers of the DDI Office of Global Issues, the DDO Near East Division [redacted] reviewed the seventeen documents to redetermine the correctness of the classification of each portion of the documents. Simultaneously, the Departments of State and Treasury, and the National Security Agency examined the documents. This interagency review process was completed in late December. Because of the extreme source sensitivity and foreign policy sensitivity involved in the use of these classified documents, DDI Bob Gates on 6 January requested a final review

STAT  
STAT

of the documents, as sanitized for declassification by reviewers at the working level, at the Assistant-Secretary level in the Departments of State and Treasury, and the National Security Council. State and NSC advised us on 13 January that they have no objection to release of the package of declassified documents. Special Assistant to the Secretary of the Treasury Foster Collins advised us today that Assistant Treasury Secretary Leland has not been able to find time to review the documents, but, recognizing the pressure for quick action and in view of prior Treasury review at the working level, he anticipates no problem if we forward the package to the Chairman.

ILLEGIB

4. The Chairman's letter of 13 January 1982 (inside folder) refers to the Agency's failure to observe a ten working day deadline contained in paragraph 9 of the MOU. However, the deadline to which the Chairman referred applied to your 23 September response to his 8 September written notification of intent to make public use of the CIA documents. Representatives of the Legislative Liaison Division of the Office of External Affairs and of my Office delivered your response within ten working days of your receipt of the Chairman's notification.

5. Under paragraph 9 of the MOU, Chairman Rosenthal may raise his dissatisfaction with our response to his request with you and, if necessary, with the President. The MOU does not give the Chairman an option to publish the classified documents at this point.

6. I recommend that you sign the attached letter to Chairman Rosenthal, transmitting the results of the declassification review and expressing regret at the length of time the review has taken:

[Redacted signature box]

Stanley Sporkin

STAT