

Central Intelligence Agency



Washington, D. C. 20505

RECORD COPY

LEGISLATIVE LIAISON

84-4571/1

21 DEC 1984

Mr. Peter Sharfman
Program Manager
International Security and Commerce Program
Office of Technology Assessment
United States Congress
Washington, D.C. 20510

Dear Mr. Sharfman:

I am writing in response to your letter of 28 November 1984 requesting additional support from the Central Intelligence Agency (CIA) for the Office of Technology Assessment (OTA) in connection with your study on Soviet ballistic missile defense.

As you know, the CIA has provided OTA with a great deal of assistance on this study. Since August 1984 some 17 Agency intelligence officers, including--at your specific request--the National Intelligence Officers for Strategic Programs and for the Soviet Union, have participated in three separate briefings for you and your colleagues. The most recent of these briefings occurred on 10 December, involved seven Agency officers, and lasted three hours.

In your letter of 28 November you also requested access to six classified Agency reports, including two National Intelligence Estimates and a typescript manuscript whose dissemination was limited to its requester. Senior managers of the Agency have carefully considered your request for access to these documents. It has been determined, however, that your request must be denied because of the particularly sensitive intelligence sources and methods used in preparing the documents. As you know, the Director of Central Intelligence is required by statute to protect intelligence sources and methods, and this responsibility requires us to withhold the documents in question. We note, however, that the documents--with the exception of the limited distribution typescript which is an internal document--are available to the Congressional Committees (Senate Foreign Relations and House Armed Services) that commissioned your OTA study should they need to review them.

In your letter you cited your experience in 1980 when you and other OTA staffers were given special compartmented clearances in connection with your study on the MX missile. You have been able to retain these special clearances, but retention of such clearances does not ensure your access to reports bearing that classification. Indeed, access to reports is governed on a strict need to know basis and by the Director's statutory mandate to protect sensitive intelligence sources and methods.

We hope that you and your associates have found your briefings from CIA officers helpful to you in your study. We regret that we cannot provide you additional assistance at this time.

Sincerely,

/s/Charles A. Briggs

Charles A. Briggs
Director, Office of Legislative Liaison

Distribution:

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OLL/LD (14 Dec 84)

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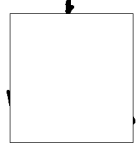
MEMORANDUM FOR: ~~Chuck,~~ *CD*

21 DEC 1984

John thinks this letter is appropriate way to handle this. He suggests that you advise our Oversight Committee of the situation and tell them we might need them to intercede for us if Sharfman comes back again.



DD/OLL **21 DEC 84** **SECRET**



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Put it your ball.

Date 21 December 1984

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Director, Office of Legislative Liaison 19 December 1984

NOTE TO: EX DIR *See*
DDCI

REF: Office of Technology Assessment Request

- o I think you both ought to weigh in on this issue.
- o I have discovered several recent examples of the absence of institutional memory here, occasioned by reorganization and rapid turnover of personnel, being the cause of distrust between the Agency and the Congress.
- o In fact, Ed and I have concluded that the root cause of almost all of our current difficulties is distrust: us of them in a security context; them of us in a information denial context.
- o I'm asking, with regard to the attached exchange with OTA, whether this is the smartest way to go.

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Charles A. Briggs

cc: DDI



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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM: OLL/LD 7B02 Hqs.	EXTENSION 	NO. OLL 84-4571/1 DATE 14 Dec 84
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	RECEIVED	FORWARDED		

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For your coordination. This is consistent with your conversation with Chuck Briggs about giving documents to OTA.



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OFF 34-4571

Office of Legislative Liaison Routing Slip

TO:	ACTION	INFO
1. D/OLL		X
3. DD/OLL		X
3. Admin Officer		X
4. Liaison		
5. Legislati		
6. <i>ingler</i>		X
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SUSPENSE Dec 34
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Action Officer:	
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Jan / 24 Nov 64
Name/Date

[Redacted]

*is this a
problem - "magi" or
substantive?*

[Redacted]

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Congress of the United States

OFFICE OF TECHNOLOGY ASSESSMENT

WASHINGTON, D.C. 20510

JOHN H. GIBBONS
DIRECTOR

LEGISLATIVE LIAISON

84-4571

November 28, 1984

[redacted]
Office of Legislative Liaison
Room 7B02
Central Intelligence Agency
Washington, DC 20505

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Dear [redacted]

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This letter responds to our telephone conversation today, in which you confirmed that "senior management" at CIA (specifically the DDI) had instructed you to reject our requests for documents, and to seek more information regarding our requests for meetings. These requests are contained in our letter of November 20, a copy of which is attached for reference.

I understand that before you feel able to schedule the requested meetings with CIA analysts regarding Soviet policies and attitudes towards ballistic missile defense, you want a more detailed statement of the questions we wish to discuss. We have drawn up such a list, and it is attached to this letter. Of course, we are quite aware that most of these questions cannot be answered with high confidence, and that some of them are difficult to answer at all. For our purposes, it is just as important to gauge the degree of uncertainty and gaps in information which confront American policy-makers as it is to understand what it is that we do know. It is for this reason, among others, that we want to talk at least briefly with some of your most senior analysts.

With regard to the documents we wish to read before these meetings, I am frankly astonished to encounter a response so inconsistent with our previous experiences with the Agency. CIA policy has been that OTA staff can have access to appropriate CIA documents when these documents are pertinent to an ongoing OTA assessment approved by the Congressional Technology Assessment Board. While the CIA has never permitted us to review intelligence products routinely in order to discover whether some new development might call for a technology assessment, we have never before been refused access when the specific need-to-know was for an existing OTA project. It has been my understanding, based on conversations with [redacted] of your office at the time (1979-1980) when OTA staff first received codeword access, that while CIA would not necessarily give us access to the most

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sensitive material, we could (given a bona fide need-to-know) review any of the documents that are widely available within the national security community, and that we might request access to information in the smaller intelligence compartments on a case-by-case basis. We have further understood that while CIA was willing to let OTA have copies of less sensitive collateral intelligence analyses, we would have to visit CIA headquarters to read anything codeword and/or sensitive.

On the basis of this understanding, OTA staff members have from time to time received access to NIEs and to documents of roughly equivalent sensitivity. For example, in the summer of 1980 Jeremy Kaplan and I reviewed all the volumes of NIE 11-3/8 in the course of OTA's study of MX Missile Basing. In the spring of 1981, I reviewed a contractor report on Soviet silo design and silo hardness in support of the same study. Approximately one year ago, Bruce Blair (the Project Director of our study of Strategic C³I) reviewed sensitive materials relating to Soviet command, control, communications and intelligence.


You mentioned on the telephone that it is CIA policy to restrict access to sensitive materials to those Congressional committees whose duties require such access. This is why our November 20 letter called attention to the fact that our study of ballistic missile defense technology is being carried out at the request of two Committees (House Armed Services and Senate Foreign Relations) whose staffs have routine access to sensitive intelligence materials.

Finally, I call to your attention a provision of Public Law 92-484, the "Technology Assessment Act of 1972," which established OTA. Section 6 (d) reads as follows: "The Office [of Technology Assessment] is authorized to secure directly from any executive department or agency information, suggestions, estimates, statistics, and technical assistance for the purpose of carrying out its functions under this Act. Each such executive department or agency shall furnish the information, suggestions, estimates, statistics, and technical assistance directly to the Office upon its request." You will note the inclusion of the word "estimates."

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I hope that you will be able to act expeditiously on this request, in view of the fact that the requesting Committees have imposed rather tight time constraints upon us. Please call me (226-2020) if you have any questions.

Sincerely,


Peter Sharfman
Program Manager
International Security
and Commerce Program

cc: Alex Gliksman (Senate Foreign Relations Committee staff)
Warren Nelson (House Armed Services Committee staff)

Attachments

Congress of the United States
OFFICE OF TECHNOLOGY ASSESSMENT
WASHINGTON, D.C. 20510

JOHN H. GIBBONS
DIRECTOR

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JOHN H. GIBBONS

November 20, 1984

[Redacted]

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Office of Legislative Liaison
Room 7B02
Central Intelligence Agency
Washington, DC 20505

Dear Ms. Brown:

As you may recall from my letter of August 10, 1984, we at OTA are conducting a study of ballistic missile defense for the House Armed Services Committee and the Senate Foreign Relations Committee. Our visit to the CIA following that letter was extremely helpful, and we would like to make at least one more visit to read certain documents and to confer further with appropriate CIA personnel. I understand that Dr. Robert Rochlin telephoned you yesterday about our request.

We would like to meet informally with Larry Gershwin, Fritz Ermarth, [Redacted] and any other people you may suggest, to discuss Soviet policies and attitudes regarding ballistic missile defense, the ABM Treaty, and strategic arms control in general. There would be no need for formal briefings. We would be glad to meet with these people either separately or together, to suit their convenience. (Mr. Ermarth invited us to visit him, and Messrs. Gershwin and [Redacted] have also indicated willingness to meet with us, but no dates have been fixed as yet.)

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Before holding these discussions, we would like an opportunity to read appropriate documents, including the six listed below and any other available CIA reports which cover Soviet ballistic missile defense activities and policies. If possible, we would like to arrange to read the documents in the morning and then meet with CIA experts that afternoon.

[Redacted]

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The five OTA staff members who would like to make this visit are as follows:

Gerald L. Epstein

Thomas H. Karas

Robert S. Rochlin

Peter J. Sharfman

Alan H. Shaw

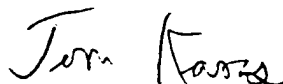
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I believe SI/TK clearances for all of them are on file at CIA.

Our preferred dates for this visit are December 3, 6, or 10. Please phone Dr. Rochlin (226-2021) or me (226-2014) to let us know whether one of these dates would be satisfactory.

Thank you very much for your help.

Sincerely,



Thomas H. Karas
Project Director

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