

CHRONOOLL 84-4742
17 December 1984MEMORANDUM FOR: Director, Office of Legislative Liaison
Deputy Director, Office of Legislative LiaisonFROM:

Chief, Liaison Division, OLL

SUBJECT: Recommended Changes in the Way We Deal with
Congress

1. The goal for the Office of Legislative Liaison, for the near term at least, should be to attempt to improve personal, procedural, and substantive relations and atmospherics between the CIA and our Oversight Committees. The major obstacle that we face in that regard is our inability to respond in a timely manner to legitimate oversight questions on current Agency activities. The overwhelming majority of Congressional queries are relatively simple and straightforward and can be easily answered by DO Area Division officers. As matters now stand, however, when we receive a question from a committee, we call EPS/LG, which in turn passes a written request to the Area Division concerned. The answer to the question is prepared by the Area Division in writing and coordinated up through the DDO and on to OLL/LD for passage to the Hill. The coordination of these responses through the DO normally takes an inordinate and sometimes unreasonable amount of time.

2. The problem as we see it is that we have made the bureaucratic clearance chain for such responses so cumbersome that it can't possibly work in a reasonable amount of time. This is certainly not any one person's fault, and in no way do we mean to point a finger. Nonetheless, we think that we can do better, and we believe we should take the initiative to try to do so.

3. Following is a fairly typical example of routine coordination. When we receive a request from Congress, OLL phones the requirement to EPS/LG. If the question involves the CATF of LA Division, as is quite frequent, the following generally happens:

- The request is put in writing by EPS/LG;
- Forwarded to CATF;

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- Assigned to a CATF officer for an appropriate response;
- Coordinated through the CATF and cleared by C/CATF;
- Sent to DC/LA and C/LA for their clearance;
- Answer returned to EPS/LG and coordinated through EPS/LG to C/EPS (this answer is often rewritten or modified in EPS);
- In some cases the response will be referred to Counsel/DO;
- Sent to SAs/DDO;
- A/DDO;
- DDO;
- DD/OLL;
- D/OLL;
- C/OLL/LD.

Coordination with the Comptroller, General Counsel, or another Directorate also may be necessary. In some instances, the decision is made that the DCI should look at the response, in which case it would be coordinated through the EXDIR, DDCI and the DCI before it reaches OLL. A change, amendment, or addition at any point along the way usually pushes the paper back to square one and the coordination process begins anew. Urgent matters can sometimes be expedited through EPS in a few days; more routine matters have taken over two months. On occasion they have responded almost instantly, but that is not frequent.

3. In recent conversations with HPSCI staffers, when we have asked for suggestions on how the Agency could improve its performance in the oversight arena, the staffers have stressed the need for the Agency to do something to streamline the system so that they can get timely responses. We have also learned that when it takes us an unreasonable amount of time to answer a simple question, some of the members and staffers are prone to jump to the conclusion that we are in fact trying to hide something, concluding that we are stonewalling, incompetent, or both. This reaction often generates additional questions which might not have been asked had we been able to respond in a reasonable length of time in the first place. Please see the attached record of delays in our response to the committees.

4. It appears to us that there is a way to correct this situation essentially by making the DO Area Division and Staff Chiefs, as subordinates to the DDO, responsible for their own relations with Congress. In practical terms, OLL/LD would deal directly with representatives of each Area Division or Staff Chief in handling their relations with Congress. This has the following advantages:

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a. Dramatic cuts in the time it takes us to respond to questions from the Congress, especially those that are essentially factual and non-controversial.

b. A definition of the lines of command and control, placing the responsibility for knowledgeability and record keeping on the Area Division and Staff Chiefs whose preeminent interest it should be to keep track of Congressional concerns about their respective Area Divisions.

c. As a result, DO officers would be much more concerned with their relations with the Committees. Moreover, their involvement in the process, on a daily basis, would open their eyes to the political implications of what the Divisions are doing and would broaden the knowledge at the working level of the DO about how deeply their activities are affected by Congress.

5. There is, of course, no guarantee that direct contact between OLL/LD and DO Area Divisions and Staffs would eliminate mistakes and delays, but we think we could and should provide better service, both with regard to timeliness and to quality. However, there are at least two key requisites for OLL/Liaison Division to work well with the DO in projecting and protecting DO interests and equities with Congress.

a. DO Rotational Assignments to OLL: As currently constituted, OLL/LD has become fully representative of the four Directorates. The slots of Chief of the Liaison Division and Chiefs of both our Senate and House branches are allocated to senior DO officers on rotational assignment, in great part because most of our controversial business with Congress concerns the DO. These officers must have the full confidence of the DDO himself, and the Directorate in general. Moreover, they must be line officers with a future. Tamper with either of these criteria and OLL can become "politicized" and/or a dumping ground without the writ and clout from the DDO required for the office to function effectively. Further, should OLL/Liaison become a "fetch and carry" function, the DO would have no need to assign senior officers to OLL/LD, and I believe two branch chiefs at a GS-12/14 level could manage.

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b. **Command and Control with Congress:** As noted above, EPS/LG is at present constituted to task DO components to respond to Congressional queries, to coordinate these answers, and to incorporate them into a Directorate data base for queries and replies to Congress. In practice, EPS/LG often writes the reply itself, thereafter coordinating as it considers appropriate. Implicit and explicit in this process has been the goal of attaining a DO data base that would eliminate the need to task Area Divisions to respond to Congressional requests, or at least to "lighten the load" on DO Area Divisions in replying to Congress. In my view, this is dangerous and a distortion of where the responsibility and record-keeping for DO Area Divisions should lie. Area Division and Staff Chiefs, under the guidance of the DDO, should bear that responsibility. Our job should be to ensure that replies from DO Area Divisions and Staffs speak for the Agency and are coordinated within the Agency as appropriate.

6. Finally, one must recognize that there is room for reasonable men to disagree in this matter. Clearly Phil and I are coming at this from two diametrically different points of view; my staff, in the main, agrees with me; I dare say his agrees with him. At issue is an honest professional difference, and I believe it important that this perspective be kept. Although it is my understanding that the DDO has made a decision in this matter, I understand that he and D/OLL may wish to review the changes to be made in our dealing with or without EPS in the oversight process. We stand ready to proceed as instructed.

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Attachment:
As stated

Distribution:

Orig - D/OLL
1 - DD/OLL
1 - OLL Record
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