

Dr. DRYDEN. They do not apply except—

Mr. MOSS. They go to any information obtained or developed—

Dr. DRYDEN. Yes.

Mr. MOSS (continuing). And shall be made available to the Congress. I don't think it is fruitful at the moment for this committee to go to the extent of insisting on the inclusion of that information which came to you because of arrangements made by NASA. Remember, always, that you are only bound on this CIA information and Defense Intelligence information by an agreement made by you.

Dr. DRYDEN. Well, it is a personal thing, if you are familiar with it. It is a very special sort of arrangement.

Mr. MOSS. Because it was felt in the case of CIA that it would be more economical, certainly more feasible, for NASA to arrange for the collection of this data.

Dr. DRYDEN. No; I am sorry.

Mr. MOSS. From other existing agencies.

Dr. DRYDEN. I am sorry. We are simply like other agencies of the Government in receiving the services of the CIA.

Mr. MOSS. That is right.

Dr. DRYDEN. That is right.

Mr. MOSS. But does CIA have the right to tell you and to restrict you absolutely in the use of the information?

Dr. DRYDEN. They don't have to give it to you, and they won't give it to you unless you make an agreement that you won't tell it to other members of your own organization.

#### QUESTION OF LAW VIOLATIONS RAISED

Mr. HARDY. Doesn't that put you in the position of violating the law?

Dr. DRYDEN. Yes, essentially.

Mr. HARDY. So you have to violate this statute in order to get the information from CIA.

Dr. DRYDEN. No; I don't think so.

Mr. MOSS. It then becomes a rather interesting question. We have to go back to the original CIA statute.

Dr. DRYDEN. Yes.

Mr. MOSS. Which is the more compelling under law, the agreement with CIA or the statutory language drafted by the Congress?

Dr. DRYDEN. There is no problem with the ordinary classified information, confidential, secret, top secret. This committee is entitled to it, if we have it, whether it is a Defense document or a NASA document. There is only this one very special area.

Mr. MOSS. But I think it was clearly the intent of this provision that the fullest possible dissemination of information be provided. The two exceptions applying to public disclosure relate to those classified or authorized and directed to be withheld by statute, and those classified under Executive Order 10501.

Mr. REUSS. Mr. Chairman, I would like to make my point, which is this: That while section 303, that is the access to information section, does say that the NASA Administrator, "shall make available for public inspection" information he develops, it doesn't put upon him as I read it the same affirmative obligation to see that the public