

INTELLIGENCE ACTIVITIES

SENATE RESOLUTION 21

HEARINGS

BEFORE THE

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

OF THE

UNITED STATES SENATE

NINETY-FOURTH CONGRESS

FIRST SESSION

VOLUME 5

THE NATIONAL SECURITY AGENCY AND FOURTH AMENDMENT RIGHTS

OCTOBER 29 AND NOVEMBER 8, 1975



Printed for the use of the Select Committee To Study Governmental
Operations With Respect to Intelligence Activities

U.S. GOVERNMENT PRINTING OFFICE

67-522

WASHINGTON : 1976

SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES

FRANK CHURCH, Idaho, *Chairman*
JOHN G. TOWER, Texas, *Vice Chairman*

PHILIP A. HART, Michigan	HOWARD H. BAKER, Jr., Tennessee
WALTER F. MONDALE, Minnesota	BARRY GOLDWATER, Arizona
WALTER D. HUDDLESTON, Kentucky	CHARLES McC. MATHIAS, Jr., Maryland
ROBERT MORGAN, North Carolina	RICHARD SCHWEIKER, Pennsylvania
GARY HART, Colorado	

WILLIAM G. MILLER, *Staff Director*
FREDERICK A. O. SCHWARZ, Jr., *Chief Counsel*
CURTIS R. SMOTHERS, *Counsel to the Minority*
AUDREY HATRY, *Clerk of the Committee*

CONTENTS

HEARING DAYS

	Page
Wednesday, October 29, 1975-----	1
Thursday, November 6, 1975-----	57

LIST OF WITNESSES

WEDNESDAY, OCTOBER 29, 1975

Lieutenant General Lew Allen, Jr., Director, National Security Agency; accompanied by Benson Buffham, Deputy Director, NSA; and Roy Banner, General Counsel, NSA-----	5
---	---

THURSDAY, NOVEMBER 6, 1975

Edward H. Levi, Attorney General of the United States-----	84
Philip B. Heymann, Professor of Law, Harvard Law School-----	136

HEARINGS EXHIBITS¹

No. 1—October 20, 1967 cable from Lieutenant General William Yarborough, ACSI, to Lieutenant General Marshall Carter, Director, NSA-----	145
No. 2—October 21, 1967 cable from Lieutenant General Marshall Carter, Director, NSA to USIB members-----	147
No. 3—July 1, 1969 memo from an Assistant Director, NSA, establishing Project MINARET as a Sensitive SIGINT Operation, and attached MINARET Charter-----	149
No. 4—April 10, 1970 memo from John E. Ingersoll, Director, Bureau of Narcotics and Dangerous Drugs, to Director, NSA-----	151
No. 5—January 26, 1971 memo from Vice Admiral Noel Gayler, Director, NSA, to the Secretary of Defense and the Attorney General-----	156
No. 6—September 17, 1973 letter from Lieutenant General Lew Allen, Jr., Director, NSA, to Clarence M. Kelley, Director, FBI-----	158
No. 7—October 1, 1973 letter from Attorney General Elliot Richardson to Lieutenant General Lew Allen, Jr., Director NSA-----	160
No. 8—October 4, 1973 letter from Lieutenant General Lew Allen, Jr., Director, NSA, to Attorney General Elliot Richardson-----	162

APPENDIX

November 10, 1975 letter from Attorney General Levi to Senator Schweiker concerning discussion of FBI Manual of Instructions-----	164
---	-----

¹ Under criteria determined by the Committee in consultation with the White House, the Departments of Defense and Justice, the National Security Agency, and the Federal Bureau of Investigation, certain materials have been deleted from these exhibits, which were previously classified, to maintain the integrity of the internal operating procedures of the agencies involved, and to protect sensitive communications intelligence sources and methods. Further deletions were made with respect to protecting the privacy of certain individuals and groups.

