

HEARINGS EXHIBITS¹

EXHIBIT 1

FM YARBOROUGH ACSL DA WASHINGTON

TO CARTER DIR OF NSA

1. AS YOU KNOW, THE DEPARTMENT OF THE ARMY IS, AND EXPECTS TO BE FOR SOMETIME TO COME, INVOLVED IN THE CIVIL DISTURBANCES TAKING PLACE WITHIN THE CONUS. WITH RESPECT TO THIS INVOLVEMENT, MY COUNTERINTELLIGENCE STAFF IS TASKED WITH KEEPING THE DA STAFF APPRISED OF THE COUNTERINTELLIGENCE MATTERS PERTAINING TO SUCH DISTURBANCES, INCLUDING

INVOLVEMENT OF INDIVIDUALS AND ORGANIZATIONS. CONCERNING THE ANTI-VIETNAM DEMONSTRATION OF 21-22 OCTOBER 1967, THE DEPARTMENT OF THE ARMY HAS BEEN DESIGNATED AS THE EXECUTIVE AGENCY TO SUPPORT CIVILIAN AUTHORITIES WITH REGARD TO THIS ACTIVITY.

2. I AM PARTICULARLY INTERESTED IN DETERMINING WHETHER OR NOT THERE IS EVIDENCE OF ANY FOREIGN ACTION TO DEVELOP OR CONTROL THESE ANTI-VIETNAM AND OTHER DOMESTIC DEMONSTRATIONS, REALIZING, OF COURSE, THAT THIS IS THE "BIG" QUESTION. I NEVERTHELESS FEEL THAT WE SHOULD MAKE EVERY

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.

EFFORT TO OBTAIN THE ANSWER. SINCE YOUR AGENCY IS A MAJOR US INTELLIGENCE COLLECTOR, I WOULD APPRECIATE ANY INFORMATION ON A CONTINUING BASIS COVERING THE FOLLOWING:

A. INDICATIONS THAT FOREIGN GOVERNMENTS OR INDIVIDUALS AND ORGANIZATIONS ACTING AS AGENTS OF FOREIGN GOVERNMENTS ARE CONTROLLING OR ATTEMPTING TO CONTROL OR INFLUENCE THE ACTIVITIES OF US "PEACE" GROUPS AND "BLACK POWER" ORGANIZATIONS.

B. IDENTITIES OF FOREIGN AGENCIES EXERTING CONTROL OR INFLUENCE ON US ORGANIZATIONS.

C. IDENTITIES OF INDIVIDUALS AND ORGANIZATIONS IN US IN CONTACT WITH AGENTS OF FOREIGN GOVERNMENTS.

D. INSTRUCTIONS OR ADVICE BEING GIVEN TO US GROUPS BY AGENTS OF FOREIGN GOVERNMENTS.

3. FURTHER REQUEST THAT THIS OFFICE BE ADVISED ANY INDICATIONS ARE INTERCEPTED

BY NSA

DURING

THE NEXT THREE OR FOUR DAYS.

EXHIBIT 2

FROM: DIRNSA

DATE: 31 OCTOBER 1967

TO: CIA, CHAIRMAN, USIB

CIA,

STATE/

/DIA,

ACSI DA, MAJ GEN WILLIAM P. YARBOROUGH

-CNO,

-AEC,

FBI,

IN RESPONSE TO A REQUEST FROM ACSI DA AND LAW DESIGNATION
 OF DA AS EXEC AGENT TO SUPPORT CIVIL AUTHORITIES WITH RESPECT
 TO CIVIL DISTURBANCES, WE ARE CONCENTRATING ADDITIONAL AND
 CONTINUING EFFORT TO OBTAIN SIGINT

TO NSA ON FOLLOWING:

A. INDICATIONS THAT FOREIGN GOVTS OR INDIVIDUALS AND
 ORGS ACTING AS AGENTS OF FOREIGN GOVTS ARE CONTROLLING OR
 ATTEMPTING TO CONTROL OR INFLUENCE ACTIVITIES OF US "PEACE"
 GROUPS AND "BLACK POWER" ORGS.

B. IDENTS OF FOREIGN AGENCIES EXERTING CONTROL OR
 INFLUENCE ON US ORGS.

C. IDENTIS OF INDIVIDUALS AND ORGS IN US IN CONTACT
WITH AGENTS OF FOR GOVTS.

D. INSTRUCTIONS OR ADVICE BEING GIVEN TO US GROUPS
BY AGENTS OF FOREIGN GOVTS.

2. YOU WILL BE ADVISED IN THE EVENT ANY SUCH
INFO DEVELOPS FM SIGINT SOURCES.

3.

EXHIBIT 3

Establishment of Sensitive SIGINT Operation
Project MINARET (C)

DATE: 01 Jul 69

Project MINARET is
approved as a Sensitive SIGINT Operation.

Assistant Director, NSA

QUARTER FOR SENSITIVE SIGINT OPERATION MINARBT (C)

1. MINARBT (C) is established for the purpose of providing more restrictive control and security of sensitive information derived from communications as processed which contain (a) information on foreign governments, organizations or individuals who are attempting to influence, coordinate or control U.S. organizations or individuals who may foment civil disturbances or otherwise undermine the national security of the U.S. (b) information on U.S. organizations or individuals who are engaged in activities which may result in civil disturbances or otherwise subvert the national security of the U.S. An equally important aspect of MINARBT will be to restrict the knowledge that such information is being collected and processed by the National Security Agency.

2. MINARBT specifically includes communications concerning individuals or organizations involved in civil disturbances, anti-war movements/demonstrations and military deserters involved in anti-war movements.

3. MINARBT information will not be serialized, but will be identified for reference purposes by an assigned date/time. Information will be classified TOP SECRET, stamped "Background Use Only" and addressed to named recipients. Further, although MINARBT will be handled as SIGINT and distributed to SIGINT recipients, it will not be identified with the National Security Agency.

EXHIBIT 4

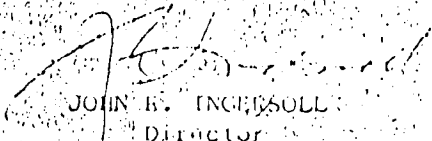
10 April 1970

MEMORANDUM FOR: The Director
National Security Agency

SUBJECT: Request for NSA Assistance

This is to express my desire to receive information produced by your Agency which will assist the BNDD to more effectively combat the illicit traffic in narcotics and dangerous drugs. Attached you will find a requirement paper which I believe can serve as an initial statement of our need for pertinent reports published by NSA. Additional supplementary statements will be forwarded to you as appropriate to amplify our interest in more precise detail.

At this time, I wish to convey my most sincere appreciation for the hospitality and cooperation which was extended to my representative who recently conferred with Dr. Tordella and other NSA personnel on this subject.



JOHN B. INGERSOLL

Director

Bureau of Narcotics and
Dangerous Drugs

Incl:

a/s

MEMORANDUM FOR: Director, National Security Agency
Ft. George G. Meade, Maryland

SUBJECT: Request for COMINT of Interest to
Bureau of Narcotics and Dangerous
Drugs (BNDD)

I. OBJECTIVE: To obtain Communications In-
telligence information necessary to satisfactorily
fulfill the mission of the BNDD.

II. BACKGROUND: The BNDD was established to
more effectively combat the abuse of narcotics and
dangerous drugs. The primary responsibility of the
BNDD is to enforce the laws and statutes relating to
narcotic drugs, marihuana, depressants, stimulants,
and the hallucinogenic drugs. To achieve this goal
the Bureau has stationed highly trained agents along
the traditional routes of illicit traffic both in the
United States and in foreign countries. Their objec-
tives are to reach the highest possible sources of
supply and to seize illicit drugs before they reach
the abuser. The Bureau assists and cooperates with

State and local law enforcement agencies, legislators, and prosecutors, in the free exchange of information and mutual assistance aimed at the effective control of narcotics and dangerous drugs.

III. REQUIREMENTS:

1. The BNDD has a requirement for any and all COMINT information which reflects illicit traffic in narcotics and dangerous drugs. Our primary interest falls in the following categories:

- a) organizations engaged in such activities
- b) individuals engaged in such activities
- c) information on the distribution of narcotics and dangerous drugs
- d) information on cultivation and production centers
- e) international agreements and efforts to control the traffic in narcotics and dangerous drugs

f) all violations of the laws of the U. S. concerning narcotics and dangerous drugs

2. To assist NSA in the selection of pertinent COMINT information, the BNDD will provide a list of organizations and individuals with a history of illicit drug activities. This Watch List will be updated on a monthly basis and any additions/deletions will be forwarded to NSA. Any COMINT information developed on these individuals/organizations should be brought to the attention of the BNDD.

IV. USIB SIGINT PRIORITY:

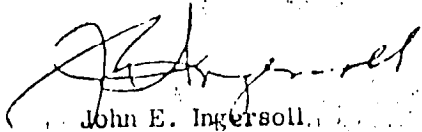
In consideration of the President's keen interest in eliminating the problem of drug abuse, it appears appropriate to include this requirement under Priority National Intelligence Objectives.

V. HANDLING PRECEDENCE:

Any information developed under this requirement should be released as appropriate in the judgment of the releasing authority.

VI. REVIEW DATE:

This requirement will be supplemented as warranted.
A complete review will be made within one year of its
acceptance.



John E. Ingersoll
Director
Bureau of Narcotics and Dangerous
Drugs

EXHIBIT 5



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755

26 January 1971

MEMORANDUM FOR THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL

SUBJECT: NSA Contribution to Domestic Intelligence

Consistent with our conversation today, these are the agreed ground rules on NSA contribution to intelligence bearing on domestic problems.

Character

To be consistent with accepted standards in respect to protection of individual constitutional rights and civil liberties.

Source

Telecommunications with at least one foreign terminal.

Scope

Intelligence bearing on:

- (1) Criminal activity, including drugs.
- (2) Foreign support or foreign basing of subversive activity.
- (3) Presidential and related protection.

Procedures

Tasking by competent authority only.

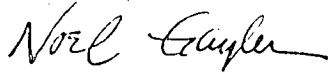
Special procedures to protect source, to include:

- (1) Compartmented reporting to FBI or BNDD for criminal activity, to FBI and CIA for foreign-related subversive activity, and to the Secret Service for Presidential protection.

- (2) No indications of origin.
- (3) No evidential or other public use under any circumstances.
- (4) Screening at source (NSA) to insure compliance with the above criteria.

It is further understood that NSA will insure full availability of all relevant material by competent and informed representation in the Justice working group.

With warm regard,



NOEL GAYLER
Vice Admiral, U. S. Navy
Director

EXHIBIT 6



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755

17 September 1973

The Honorable Clarence M. Kelley
Director, Federal Bureau of Investigation
Justice Building
9th and Pennsylvania Avenue, NW
Washington, D. C. 20535

Dear Mr. Kelley:

In the course of acclimating myself to my new assignment I asked my staff to review with yours our Watch List procedures, and they have been pursuing that subject diligently.

Meanwhile, I thought it would be worthwhile for us, as the heads of cooperating agencies, to correspond directly on the Watch List matter. The need for proper handling of the list and related information has intensified, along with ever-increasing pressures for disclosure of sources by the Congress, the courts, and the press, and naturally I am concerned ultimately for the protection of highly vulnerable SIGINT sources. Of paramount importance, however, is to insure that the procedures we have established for compiling the lists, and for changing them as needs dictate, remain adequate and fully appropriate to our authorities and responsibilities.

Certainly, I expect NSA to remain as responsive to your future requirements for information as we have to those of the past. Also, as in the past, we at NSA will lack the wherewithall for verifying the appropriateness of the Watch List entries, and we will continue to rely upon you, as the requesting agency, for that assurance. However, the requirement for us to perform the NSA mission in ways that remain unquestionably within the framework of our existing authorities has never been more clearly evident. I am confident that current procedures are designed to insure that we do so; however, I ask your help in my efforts to make doubly certain that in the process of our providing you Watch List information acquired during the performance of our foreign intelligence mission we do not — even inadvertently — exceed the letter or spirit of any controlling law or directive.

It would be of great value to me in establishing this kind of positive assurance if, at the earliest possible date, you will review the current list your agency has filed with us in order to satisfy yourself regarding the appropriateness of its contents, and if you will reaffirm for me the adequacy of your agency's procedures for making changes to it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lew Allen, Jr.", written in dark ink.

LEW ALLEN, JR.
Lieutenant General, USAF
Director

EXHIBIT 7



Office of the Attorney General
Washington, D. C. 20530

October 1 1973

Lt. General Lew Allen, Jr., USAF
Director
National Security Agency
Fort George G. Meade, Maryland 20755

Dear General Allen:

- It has recently come to my attention for the first time that your Agency is disseminating to the Federal Bureau of Investigation and the Secret Service information obtained by NSA by means of electronic surveillance.

Recently, the Supreme Court held, in a case entitled United States v. Keith, 407 U.S. 297, that the Federal Government could not conduct electronic surveillance on citizens of this country without a warrant in certain circumstances. The practice by NSA of conducting electronic surveillance at the request of an investigative agency and disseminating the information obtained thereby raises a number of serious legal questions which have yet to be resolved.

Until I am able more carefully to assess the effect of Keith and other Supreme Court decisions concerning electronic surveillance upon your current practice of

disseminating to the FBI and Secret Service information acquired by you through the use of electronic devices pursuant to requests from FBI and Secret Service, it is requested that you immediately curtail the further dissemination of such information to these agencies.

Of course, relevant information acquired by you in the routine pursuit of the collection of foreign intelligence information may continue to be furnished to appropriate Government agencies. What is to be avoided is NSA's responding to a request from another agency to monitor in connection with a matter that can only be considered one of domestic intelligence.

I will communicate with you further on this in the near future.

Sincerely,



Attorney General

EXHIBIT 8



NATIONAL SECURITY AGENCY
 FORT GEORGE G. MEADE, MARYLAND 20755

4 October 1973

The Honorable Elliot L. Richardson
 Attorney General
 Washington, D. C. 20530

Dear Mr. Attorney General:

This replies to your letter of October 1, 1973 concerning the dissemination to the Federal Bureau of Investigation and the United States Secret Service of information derived from the interception of foreign communications.

Our missions include the production and dissemination of intelligence information in response to needs expressed to us by the United States Intelligence Board and its members. We carry out that mission in part by the interception of messages transmitted over certain foreign communications facilities.

[DELETED]

For some years, the FBI and the Secret Service have been asking us to provide, and we have been providing to them, copies of any messages contained in the foreign communications we intercept that bear on named individuals or organizations. These compilations of names are commonly referred to as "Watch Lists." No communications intercept activities have been conducted by NSA, and no cryptologic resources have been expended solely in order to acquire messages concerning names on the Watch Lists; those messages we acquire always are by-products of the foreign communications we intercept in the course of our legitimate and well recognized foreign intelligence activities.

The NSA has no facilities or charter that would allow it to ascertain whether specific Watch List entries are appropriate, and has always

depended upon the agencies compiling the lists to warrant that they are entitled, in the context of their authorities, to the information they request, and that the names they have entered on their Watch Lists are lawful objects of their inquiries, and are necessary and appropriate to their missions.

For this reason, I recently requested that Mr. Kelley and Mr. Rowland review and re-certify the lists they currently have on file here, and that they reaffirm the adequacy of their procedure for modifying the lists. They both have done this, and I plan to meet with each of them later in order to discuss in detail this same subject.

I believe that our current practice conforms to your guidance that, "relevant information acquired by you in the routine pursuit of the collection of foreign intelligence information may continue to be furnished to appropriate government agencies." However, to insure that our procedures are proper I request your consideration of providing the guidance you feel necessary to the FBI and the Secret Service for them to follow in the preparation of requests to NSA for information. I wish to add that the information we have provided appears to have been very useful to these agencies in the proper pursuit of their responsibilities.

In light of your concern, I have directed that no further information be disseminated to the FBI and Secret Service, pending advice on legal issues. I look forward to hearing further from you at an early date; in the meantime, I would be pleased to provide you whatever further detail might assist in your review.

Sincerely,



LEW ALLEN, JR.

Lieutenant General, USAF
Director