Jack Anderson

NSA Invades Americans' Privacy

A secret congressional report bears directly on the current debate over the limits that should be set on operations of U.S. intelligence agencies in this country and overseas. The verdict: Uncle Sam is still intercepting private conversations.

The report, prepared by the House subcommittee on government information and individual rights, deals with the key issue: Should government-paid spooks be allowed to spy on American citizens and corporations, and if so, under what circumstances?

Titled "Interception of International Telecommunications by the National Security Agency," the secret report details some of the shadier workings of this little known intelligence agency.

"It has become apparent that the activities of the NSA have had, and continue to have, an adverse impact upon the rights and privacy of American citizens . . .," the report declares. "Enough has appeared on the public record, and been conveyed to this committee, to indicate NSA's enormous potential to silently violate the rights of Americans on an immense scale."

In the wake of Watergate-era disclosures about illegal wiretaps, burglaries and spying on politically suspect Americans, the NSA announced that it no longer "targets" U.S. citizens by name for any purpose. But the House subcommittee spotted a loophole in this assurance. By targeting certain *activities*, the NSA still manages to invade the privacy of individual Americans.

"It may be of foreign intelligence interest, for example, to know what is being said between U.S. banks and their large Middle East depositors, whose actions could have a substantial impact on the U.S. economy," the report notes. "It may be of foreign intelligence interest to know the details of oil transactions between U.S. importers and their foreign suppliers . . .

"Thus while an American citizen or company might not be targeted by name, by virtue of his international activities his communications might be selected by NSA on the basis of its 'foreign intelligence' criteria. NSA has not denied that it in fact selects U.S. messages of this nature, and indeed several uncorroborated reports have reached this committee indicating that such monitoring is presently under way."

The 1977 report cites these examples:

- An American businessman selling commercial building products to an Arab sheikdom reported that, soon after his first international communication regarding such a sale, he and his wife were visited by federal intelligence agents who knew details of the proposed transaction.
- A Washington, D.C., lawyer whose client was involved in international trade reported that in litigation with the Justice Department, the government presented evidence it could have obtained only by intercepting his client's international communications.
- A senior official of a large multinational corporation told the committee he knew that NSA was intercepting the firm's communications. Though the company sent its international messages in code, government regulations forbid the code to be so sophisticated that the NSA can't decipher it.

Although the NSA no longer sends its messengers to the offices of international telegraph carriers every morning for copies of wireless messages, it still intercepts international communications "just as effectively and just as indiscriminately," the report states.

"In fact, the international communications of Americans are presumably being intercepted today in a significantly greater volume than was ever available [before]. Moreover, the ability of NSA to sort such great volumes of material has undoubtedly improved with advances in computer technology."

The report concludes on this somber note: "Apart from a fundamental concern for the privacy of one's communicatons, these practices unavoidably bring other possibilities to mind.

"Could the government be using information gleaned from such communications to influence or disrupt international business transactions? Could it provide NSA or executive branch employes with 'insider' information which might give them a competitive advantage in come economic venture? Could such information be used to blackmail or threaten some individual or business? Could this information be turned over to a federal agency . . . in pursuit of its administrative responsibilities? Would information relating to a potential civil disturbance or forthcoming political rally be turned over . . .?"