

NSA Still Overhears Citizens

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The National Security Agency, the nation's largest and most sophisticated electronic spying operation, is still eavesdropping on American citizens, Senate investigators have found.

Although the military-run NSA no longer keeps "watch lists" of American individuals and groups on whom to spy, the agency still gathers up the international communications of Americans in its electronic sweeps for foreign intelligence, according to a staff report of the Senate Intelligence Committee.

"NSA picks up all communications carried over a Pacific link that it is monitoring. The combination of this technology and the use of words to select communications of interest results in NSA analysts reviewing the international messages of American citizens, groups and organizations for foreign intelligence," the staff report said.

THE REPORT said that the names of the American citizens, groups or organizations are in "practically all cases" removed from the electronically gathered intelligence before it is disseminated to NSA's clients.

"In short, NSA's pursuit of international communications does result in the incidental interception and dissemination of communication which the American sender or receiver expected to be kept private," the staff report said.

After reviewing the methods and techniques at NSA's disposal to gather intelligence, the committee staff concluded that "space-age technology has outpaced the law. The secrecy that has surround-

ed much of NSA's activities and the lack of congressional oversight have prevented, in the past, bringing statutes in line with NSA's capabilities."

The committee today released another staff report on the Internal Revenue Service, the agency of government with by far the most information on the private lives of Americans. The committee staff demonstrated in its report that the tax men have not kept that vast store of information to themselves.

"BOTH THE FBI and the CIA have had virtually unrestricted access to any tax information they sought for any purpose," the report said, adding that restrictions in law and regulations have failed to stem the improper flow of information.

The IRS did not ask the CIA or the FBI what they wanted the information for, in effect delegating a decision on the propriety of the request to the individual making it.

Supervising government departments didn't help. "The Justice Department's failure to prevent FBI abuse of access to returns suggest strongly that the control device must be in the hands of the IRS," the staff report read.

CIA agents were so used to spying that they used their own contacts within IRS to gather tax information illegally when they could have had the great majority of it through lawful channels, the committee report said.

"THE ATMOSPHERE of extralegal cooperation between intelligence agencies out of which the CIA's ille-

gal access to returns arose did lead to at least two serious breaches of IRS responsibility for impartial, evenhanded enforcement of the tax laws," the report continued.

The reference was to two instances when IRS showed a willingness to investigate Ramparts magazine and former CIA employe Victor Marchetti, author of the book "The CIA and the Cult of Intelligence."

The committee report also reveals that IRS gathered information beyond that required for a tax audit. This general intelligence eventually swelled to include nearly a half million names of individuals and groups before the program collapsed of its own weight.