

SFChronicle AUG 9 1975  
NSA Denies Listening In  
on U.S. phones -- 'Now'  
Washington

Officials of the National Security Agency said in a closed-door session of the House Select Committee on Intelligence yesterday that "at the present time" the agency is not eavesdropping on domestic or overseas telephone calls of Americans, the committee chairman reported.

But Chairman Otis Pike (Dem-N.Y.) said that after over four hours of testimony, he and a "great many members" of the committee still have "doubts" that the NSA is not intruding on telephone calls placed in this country by American citizens.

Although the NSA officials said they do not now eavesdrop on overseas telephone calls placed by American citizens, the general counsel for the agency, Roy Banner, said in public session the NSA believes that current wiretapping law does not prohibit the agency from doing so.\*

In a brief portion of the hearings held in public yesterday morning, Pike asked, "You think that although wiretaps are prohibited by the law that interception of telephone calls of American citizens heading overseas is not prohibited by that decision?"

Banner answered, "That is correct."

The confusion over what the agency actually does and what its officials said it does is a "semantic" problem, Pike said. He said that he would not delve into the details of the operation during a news briefing.

The strongest stream of speculation, tacitly confirmed by two members of the committee, was that the NSA scans all overseas telephone calls placed from this country using a computer and selects out calls it wants to record. The scanning, one source suggested, may be done outside the United States and possibly could involve the communications satellites, which carry overseas telephone connections.

When agency officials said they did not intrude on the telephone calls of Americans, one source suggested, it meant that the computer reject calls involving conversations between U.S. citizens after picking up a few moments.

The atmosphere of yesterday's hearing was pervaded by the emphasis that NSA capabili-

ties was one of the country's most important national secrets.

Air Force General Lew C. O. Allen Jr., director of the NSA told the committee that "no director of the National Security Agency has ever before been required to come before a congressional committee in open session."

A few moments before, John Marsh, counsellor to President Ford, met with Pike and told him of the White House's concern that the NSA testimony be treated as "top national security."

An administration adviser said privately that the White

House had become concerned with the committee's activities after its staff members came to believe that Representative Les Aspin, (Dem-Wis.) used material taken in an earlier closed session to pose questions to William Colby, the director of Central Intelligence, on Wednesday in public.

"We started getting a little nervous when guys like Aspin disclose in open session what was said in an executive session," this official said. Aspin led the questioning of Colby on Wednesday and it was under his questioning that Colby reluctantly acknowledged that the NSA eavesdropped on American telephone calls.

Aspin said yesterday he was unconvinced that much of what the NSA officials said in closed session had a legitimate national security reason for remaining secret.

New York Times



AP Wirephoto

GENERAL LEW ALLEN JR.  
Director of the NSA

and WXP  
\*See NYT/24 Jun 75, this  
file, on court ruling.