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Huston Says NSA Urged Break-Ins

Second in a series

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Tom Charles Huston, the former White House aide who urged President Nixon to approve a wide range of illegal activities by U.S. intelligence agencies, testified that the National Security Agency pushed hard for a go-ahead on illegal break-ins in this country.

"It is my recollection that the principal discussion with regard to surreptitious entry was fundamentally related to the request of NSA," Huston told the House Armed Services Committee on July 9, 1973.

The so-called "Huston plan" of illegal activities that President Nixon said he approved and then rescinded five days later in the summer of 1970 was drafted by Huston and the directors of the four principal U.S. intelligence agencies, including NSA.

Why was NSA, this nation's super-secret code-breaking organization that has a global network of electronic surveillance stations, allegedly urging break-ins in the country?

Huston gave the reason when he wrote a July, 1970, "top secret" memo urging adoption of the Huston plan: "Present restrictions should be modified to permit procurement of vital-

ly needed foreign cryptographic material."

Huston added: "Also, present restrictions should be modified to permit selective use of this technique against other urgent and high-priority internal security targets."

"Use of this technique is clearly illegal: it amounts to burglary," the White House aide continued. "It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful tool and can produce the type of intelligence which cannot be obtained in any other fashion," he wrote.

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Huston's memo continued, "NSA has a particular interest since it is possible by this technique to secure materials with which NSA can break foreign cryptographic codes. We spend millions of dollars attempting to break these codes by machine. One successful surreptitious entry can do the job successfully at no dollar cost."

Does NSA, whose headquarters complex at Ft. George G. Meade, Md., is larger than the CIA's in Langley, Va., direct its surveillance toward American citizens or others in this country?

Seven former employees of NSA or other U.S. intelligence agencies who were interviewed recently agreed that in at least two areas, the answer is yes.

They said NSA routinely monitors the international telephone traffic of Americans as well as foreigners in and out of this country.

The former intelligence employees disagreed as to the extent that NSA listens in on international telephone conversations. Some said it tapes a vast volume of such calls, while others said its telephone eavesdropping is quite limited.

In his July, 1970, memo Huston said, "Present interpretation should be broadened to permit and program for coverage by NSA of the communications of U.S. citizens using international facilities."

The White House aide continued, "The FBI does not have the capability to monitor international communications. NSA is currently doing so on a restricted basis, and the information it has provided has been most helpful."

"Much of this information is particularly useful to the White House and it would be to our disadvantage to allow the FBI to determine what NSA should do in this area without regard to our



ADM. NOEL GAYLER
 ... signed "Huston plan"

own requirements. No appreciable risk is involved in this course of action," the Huston memo said.

The former employees of NSA and other U.S. intelligence agencies also agreed that NSA regularly intercepts radio and teletype communications sent from embassies here to their home countries.

Almost all embassy communications are sent in codes, often ones that even NSA's most sophisticated computers can't break. Which is why, according to Huston, NSA was so interested in presidential approval of embassy break-ins.

Rep. Lucien Nedzi (D-Mich.) asked Huston when he appeared before the House Armed Services Committee whether Adm. Noel Gayler, NSA's director from 1969 to 1972, suggested "that NSA actually do this [break-in] themselves?"

Huston answered: "He was very strongly against that. I was strongly against it. My position was that NSA's charter was to deal with communications intelligence, and to the extent they needed assistance in that respect that fell beyond the scope of their operational method or charter, that the agency who could

that should do it, and that was the FBI."

Huston had written in his July, 1970, "top secret" memo about illegal break-ins, "The FBI, in Mr. [J. Edgar] Hoover's younger days, used to conduct such operations with great success and with no exposure. The information secured was invaluable."

Nedzi asked during the closed hearings, whose confidential testimony since has been made public, whether NSA was involved in "electronic surveillance," meaning wiretaps.

Huston replied, "No sir. Well, by 'electronic surveillance,' to a certain extent NSA—well, I guess—I do not know NSA had—the FBI had in the past placed taps on cable machines or something."

"Again, I don't know anything about the operational end of this. But I do know at the request of NSA, the FBI had, for example, under President Johnson, placed taps on the South Vietnamese embassy, not just on telephones but on some sort of cable-sending device or something," he said.

Asked to comment on this allegation, an FBI spokesman declined, saying any comment would be made by FBI Director Clarence M. Kelley when he testifies before congressional committee investigating U.S. intelligence operations.

The employees of NSA or other intelligence agencies who were interviewed disagreed of over who they suspected have done embassy break-ins here—the FBI, "plumbers" or other clandestine outfits.

Police have never determined who committed a break-in on May 13-14, 1972, at the Chilean embassy here in which valuable office equipment and cash were left untouched but the burglars searched through files of the ambassador and first secretary.



TOM CHARLES HUSTON
 ... recalled NSA role

The censored version of the 1970 "Huston plan" said only that break-ins "are performed by a small number of carefully trained and selected personnel under strict supervision. This technique is implemented only after full security is assured. It has been used in the past with highly successful results and without adverse effects."

The "Huston plan" stating this, a report to President Nixon, was signed by then-FBI Director Hoover, CIA then Director Richard Helms, Lt. Gen. D.V. Bennett, then head of the Defense Intelligence Agency (DIA), and Gayler, then head of NSA.

The Nixon administration has said that the "Huston plan" was revoked after five days because of objections by Hoover.

According to Huston's testimony, Gayler of NSA was the one mainly at odds with Hoover, who opposed the "Huston plan's" proposed go-ahead on illegal activities.

"I think with Adm. Gayler there was a more fundamental difference because he had talked to me about the question of surreptitious entry with respect to acquisition of information that would be useful to the NSA, and apparently he had discussed this with Mr. Hoover and not gotten a satisfactory response," Huston testified.

He continued, "I do recall Adm. Gayler had indicated to me his predecessor direc-

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tor at the NSA (Lt. Gen. Marshall S. Carter, USA) had raised the question with Mr. Hoover and had gotten no satisfaction."

Huston added, "It was obvious to me that this was essentially a longstanding dispute that had apparently gone on for some time between NSA and the FBI. I presumed quite obviously that if NSA had felt they could do this thing [embassy break-ins] on their own they never would have bothered to raise the question of presenting the issue to Mr. Hoover, because Adm. Gayler certainly realized the problem of trying to push Mr. Hoover to doing something he didn't want to do."

All five of Gayler's predecessors as NSA director left the agency by retiring as three-star lieutenant generals or as vice admiral. However, in August, 1972, President Nixon promoted Gayler to four-star rank and made him commander in chief, Pacific, the top American military officer in the Pacific.

When Gayler was asked to

comment on Huston's testimony, a spokesman said, "The admiral wants to be responsive but cannot talk about NSA. Statutes prohibit as a matter of law the public availability of information concerning the activities of the NSA, except to appropriate committees of the Congress."

However, Gayler's spokesman said, "The admiral wants to emphasize that to his knowledge there have been no illegal, unauthorized activities by the NSA, nor beyond the scope of its proper responsibilities."

Gayler's spokesman concluded by saying that Gayler believes "NSA is an essential part of the total U.S. intelligence requirement. Its staffed with outstanding people who are dedicated to the United States."

NSA officials declined to answer most questions, including a written inquiry whether the agency has ever conducted activities with the primary objective of obtaining intelligence about American citizens within the United States?"

When the four copies of the "Huston plan"—one for each of the four intelligence agencies—were called back to the White House, Huston testified, "I think three of the four of them had the staples removed, which indicated they of course kept copies."

The Nixon administration maintained that the "Huston plan" was never implemented. However, the NSA,

FBI, CIA, DIA and Secret Service met weekly for two years afterward under the Intelligence Evaluation Committee, a group started by then Assistant Attorney General Robert C. Mardian, since sentenced to 10 months to three years in prison for his part in the Watergate scandal.

Harry Howe Ransom, a Vanderbilt University professor who has written extensively about the American intelligence agencies, said recently, "I have developed a disturbing fear that NSA, like CIA, may have been engaged in electronic surveillance on American citizens that I had not assumed was part of their charter."

A former military intelligence analyst was much less worried about NSA's role saying he doubts that the

agency has been involved in domestic surveillance aimed at Americans. "That's for the low-level flatfoot. These people [at NSA] are working in the stratosphere," he said.

However, the former military intelligence analyst said secret spy organizations are a potential threat to any government. "The Czar and Hitler couldn't control covert activities. Why does the President think he can?" he asked.

Retired Air Force Col. L. Fletcher Prouty, who wrote "The Secret Team" on U.S. intelligence activities also said he doubted that NSA has been directly involved in domestic surveillance aimed primarily at Americans, saying, "That would be like using a sledgehammer to go after a fly."

But Prouty said the

"Huston plan" could hardly have been the product of one White House aide, and had to have had substantial support from within the intelligence establishment. "No 29-year-old from Indianapolis can create that out of thin air," he said.

Ransom, author of "The Intelligence Establishment," said recently, "The lesson of history is that secret apparatuses are a danger to any governmental authority. Information is power and secret information is secret power."

Ransom warned, "Human liberty is now doing battle with technology. The technological ability to collect and store information really challenges the viability of individual freedom which is the linchpin of democracy."

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