

## SENATE UNIT SETS HEARINGS ON N.S.A.

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### Open Sessions to Examine Security Agency Despite Administration's Pleas

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WASHINGTON, Oct. 23—Rejecting pleas from the Ford Administration, the Senate Select Committee on Intelligence agreed today to hold public hearings on certain operations of the National Security Agency.

The move came in the face of the strongest arm-twisting yet used by the Ford Administration in its dealings with Congress on the intelligence issue. President Ford spoke to Senator Frank Church, the chairman of the committee, and later the group received pleas from Edward H. Levi, the Attorney General; James R. Schlesinger Jr., the Secretary of Defense, and senior White House aides.

Nevertheless, Mr. Church announced today that the committee had agreed in a closed meeting to hold public hearings next week on some aspects of the security agency's operations.

"We hope these public sessions will bring to light certain questionable practices that raise constitutional as well as statutory legal questions," said Mr. Church, the Idaho Democrat.

#### Closed Hearings Sought

He and Senator Charles McC. Mathias, a Maryland Republican who was a member of a subcommittee that recommended the public sessions, said that the Ford Administration wanted the hearings kept secret on "generalized" national security grounds.

Mr. Church said that the committee had concluded that it could hold public hearings and still protect "legitimate security interests that ought not be destroyed."

The committee also agreed to order John N. Mitchell, the former Attorney General, to testify in public session tomorrow on whether he had ordered the C.I.A. to open mail or whether he knew the agency was opening and reading letters.

Senator Church declined to specify the National Security Agency operations his committee would delve into next week, but informed Congressional sources listed these areas of interest:

¶The agency's involvement in a domestic surveillance operation conducted by the Central Intelligence Agency against the American antiwar move-

ment in which it monitored the overseas calls and cables of various radicals.

¶A program in which—according to the Rockefeller Commission, which was established to investigate activities by the Central Intelligence Agency—the National Security Agency asked the C.I.A. to monitor telephone calls between the United States and Latin America to eavesdrop on alleged narcotics traffickers.

¶The security agency's practice of eavesdropping upon virtually all cable traffic and other data transmissions entering or leaving the United States.

Top officials in the Administration have said privately that a large portion of the N.S.A.'s activities were probably illegal, but that they were a vital part of national security intelligence. The President, they said, has ordered that every effort be made to prevent disclosure.

#### Testimony Barred

Earlier today, for example, Administration officials tried to persuade Representative Bella S. Abzug, the Democrat of Manhattan, to halt public hearings on the security agency's activities. Executive Branch officials were forbidden to testify before Mrs. Abzug's House subcommittee.

According to the Associated Press, however, two officials of Western Union International, one of the four major carriers of overseas cable traffic, were prepared to testify that the N.S.A. and the Federal Bureau of Investigation regularly obtained information about cables sent overseas.

Thomas Greenish, an executive vice president of Western Union, was expected to tell the subcommittee that in 1965 he discovered a special copying machine in the company's operations room. The machine belonged to the N.S.A., Mr. Greenish later learned, and was serviced by an N.S.A. employe. It was used to transmit to the agency cables sent by foreign governments.

Mr. Greenish told the subcommittee staff that he had sought but never received a letter of authorization for the machine, adding that the machine was removed a week later.

#### F.B.I. Sought Data

George Callahan, a supervisor in Western Union's New York office, told the subcommittee staff that from 1970 to 1972 F.B.I. agents visited him to obtain Telex channel numbers for foreign businesses and governments.

The Telex channel numbers would be useful in arranging to monitor the communications. Mr. Callahan was expected to testify. The two Western Union men had not appeared before Mrs. Abzug's subcommittee when the hearing was recessed at noon.

The National Security Agency is responsible for preparing United States codes and pro-

tecting these codes from intrusion by foreign governments. It also directs electronic intelligence gathering, or "signal intelligence," as it is often called, and maintains monitoring stations throughout the world. Its headquarters are at Fort Meade, Md., 35 miles from Washington.

#### Executive Privilege Debated

WASHINGTON, Oct. 23 (AP)

—The Ford Administration pelated with Congress today not to eliminate the doctrine of executive privilege "merely because it may sometimes have been abused."

However, other witnesses appearing before the Senate Government Operations Committee applauded a bill that would set up a procedure under which the courts would settle disputes over Congressional subpoenas for information withheld by the Executive Branch. Samuel Dash, formerly chief

counsel for the Senate Watergate committee, said that if Congress were to prevent future Watergates, it would have to insist that Presidents be accountable for their actions.

Rabul Berger, a constitutional scholar, said that the public could not tolerate "a situation where Congress is spoon fed only that information which 'Big Brother' and the White House think is good for it."

Assistant Attorney General Antonin Scalia, on the other hand, described executive privilege as "indispensable to the functioning of our system of checks and balances and separation of powers."

"I hope that whatever action your committee takes with respect to the present legislative proposals, you will not seek to eliminate a vital element of our system merely because it may sometimes have been abused," he said.