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Summary of an interview with Lou Tordella. Interview took place in Carroll Arms, Room 610 on September 17, 1975 at 2:30 pm. Present were Tordella, Ray Tadaki, who like Tordella is from NSA, Britt Snider and Eric Richard from the Senate Select Committee.

VII-B-4-b(USA)-1-w(Tordella)

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(NOTE: This summary of the discussion with Tordella does not cover his comments concerning Project LPMEDLEY. For information on that matter, see the summary by Britt Snider.)

BACKGROUND

Tordella came to the Naval Security Group in 1942. He remained there and then began with NSA at the time of its creation in 1952. Tordella became Deputy Director of the Agency on August 1, 1958, and retired from that position on April 23, 1974. Since that time he has been a consultant. He claims that he now works a 30-hour week instead of 60-hour week.

WATCH LIST

Tordella had little memory of the watch list and pre-1967. He does not recall when the first watch list containing U.S. citizens was established; he believed that it may have been in response to negotiations with the Secret Service following the assassination of President Kennedy. Tordella stated that, at that time, the Secret Service did ask NSA to establish a watch list of "names" but that no specific discussion took place as to whether or not these included names of U.S. citizens. Tordella said he simply never saw any meaningful distinction between placing U.S. names and other names on the watch list. In fact, Tordella claims

that he never saw an actual list of any of the names until sometime in the early 1970's, probably 1972. Tordella did not know whether the early watch list activity included telephone monitoring, or only monitoring for printer traffic.

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Tordella said that he believed that in this early period, names were submitted to the watch list by the FBI, the CIA and the Secret Service. He did not think that any other agency had submitted names. He said it was possible that the Office of Security might have submitted names, but that he had no specific recollection of this. He stated: "I would not have considered that a bad idea."

1967-1969

Tordella was shown the Yarborough cable which bore his initials. He had no independent recollection of the communication, however. He stated that he did not know whether this cable was the first time that NSA was tasked to place names of U.S. citizens and groups associated with Black and anti-war movements on the watch list. Similarly, he did not know what, if anything, was included on the watch list for the first time in response to the Yarborough cable. Tordella knew of no meetings that took place inside NSA, or with other agencies, as a result of the telegram. In addition, he did not know whether the ACSI had ever received any product from NSA. In general, Tordella knew of no new measures taken by NSA because of the Yarborough communication.

Tordella was shown the roughly-typed 4-page document containing a list of names that was supplied to the Committee by NSA. He said that he had never seen it before, but that

it looked like an internal NSA working paper. He stated that it was possible, although he did not remember whether this was the case, that this document had resulted from discussions between NSA and ACSI.

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Tordella was shown the reply from Gen. Carter in response to the Yarborough telegram, which was sent out to all the members of USIB. Although Tordella had no independent recollection of this document, he surmised that the wide distribution it was given did not imply that Yarborough's telegram had also been sent to all the members of USIB. Rather, he felt that Carter had sent out his wider response in order to bring to the attention of the other members of USIB this new and constructive project that Yarborough was proposing. That is, the wide dissemination of the reply was meant as a "pat on the back" for Yarborough.

AFTER 1 JULY 1969 (MINARET)

Tordella did not know who authored the MINARET charter. He said that he did not believe that he had seen it til after it was issued, and in fact not until about 1973. Tordella stated that this charter was simply a way of making sure that materials from an ongoing project were being properly controlled, and receiving appropriately restricted distribution.

Tordella had no recollection of whc was consulted within the National Security Agency in the preparation of the MINARET charter, and did not know who suggested that it be prepared. He doubted that anyone outside NSA had been consulted. He

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said that the primary motivation for the document was probably to avoid problems that would arise if any of the communications intercepted by NSA were forced to be produced in open court.

Tordella was then asked when the first time was that BNDD had first become involved in the watch list activity with NSA. Tordella stated that he though it had been originated by William Sullivan of BNDD around 1973, and that this was NSA's contact with BNDD. Tordella was then shown the memorandum that John Ingersoll sent to NSA concerning watch list activity in 1970. Tordella said that he stood corrected and that contacts with BNDD probably began in 1969.

Tordella stated that in his opinion the monitoring on behalf of BNDD was never connected with law enforcement. However, he said that NSA at the time had no objection to BNDD's using the materials produced by NSA for leads in law enforcement investigations. Tordella noted that in this period, whenever the Justice Department canvassed various federal agencies in response to discovery motions on wire-tapping in criminal cases, the Justice Department request was worded in terms of "wire tapping," rather than electronic surveillance. Therefore, NSA always denied that it had engaged in any of the practices as to which the Justice Department was inquiring. Later, the Justice Dept. modified the wording of its requests to included all electronic surveillance. After this time, NSA began to answer the relevant inquiries in the affirmative.

Tordella stated that he did not know how many total entries of U.S. citizens were on the watch list from its start to its termination. He also did not know what the greatest number of U.S. citizens on the watch list at any one time was. In fact, Tordella can only remember two specific names from the watch list: Jane Fonda and Mohammed Ali.

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Tordella had no information on the amount of product that was generated on an average month or what criteria were used to decide which messages were worth processing. While he stated that he may have been shown the product at various points, he had no recollection of this he stated that:

"It just wasn't interesting enough to bring to my attention." He did state however that the human judgment of the analyst probably determined what product was disseminated. Analysts simply developed a "feel" for what a particular customer wanted. Tordella however knew of no key individuals or groups as to which all interceptions were always disseminated. He stated that an exception to his lack of recollection might be that all messages to or from Hanoi were disseminated.

Tordella was asked about how the footnotes on the MINARET product were compiled. While Tordella knew nothing of the role of NSA's biographic files in this matter, he stated that SIGINT analysts had discretion to call the FBI, CIA, or other agencies on their own for the purpose of obtaining identification information on persons mentioned in SIGINT.

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Tordella stated that the distribution of the MINIRET product to the agencies would not be limited to the product concerning names submitted by the receiving agency. Here again, the judgment of the analyst was key. The analyst would have in mind the substantive requirement that had come in from the consumer agency (such as foreign connections to domestic demonstrations). Anything that the analysts saw relevant to the substantive requirement would be sent to the consumer agency.

Tordella stated that by the time of the institution of Project MINIRET, the product was distributed only by courier. In the early days of the watch list, it is possible that the product was electrically distributed.

Tordella could not remember the precise time when the watch list activity was ceased. He thought this took place about the time of Attorney General Richardson's letter. Subsequent to receiving that letter, Tordella said that he had first refused to accept the name of the five people who are presently on the watch list as Secret Service protees. However, after receiving the oral approval of the Attorney General for these names, Tordella approved their submission to the computer dictionary.

Tordella said he did not remember whether the idea of terminating the watch list came from inside NSA or from the Dept. of Justice. He said he did not know when the Dept. of Justice first became aware of the watch list activity. He said he thought the first time that Justice obtained this

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awareness was just before the issuance of Richardson's letter. Tordella could not recall any of the legal issues or cases which were discussed in the course of terminating the watch list.

Tordella then recounted that he had had a meeting with Secretary of Defense James Schlesinger within about one month of the time that Schlesinger assumed that post.

Tordella thought that this meeting had taken place shortly before the watch list activity had terminated in 1973.

Schlesinger's response was simply to say "I'm glad you told me everything you are doing. Is that all?" Tordella replied "Yes." No orders or instructions to NSA concerning the watch list activity were issued as a result of the meeting.

Gen. Sam Phillips, then Director of NSA, was also at the meeting. No one else was present. Tordella stated that after the meeting, he wrote a memo in longhand, which was never typed. He stated that he had supplied this to NSA and Ray Tadaki said that he had seen the memo. Tadaki said that he thought that David Lowman had a copy of the memo. Tordella then told Tadaki that if Lowman had made any copies of the memo, Tordella would slit Lowman's throat.

Tordella stated that no subsequent action of any kind was taken by NSA as a result of the Schlesinger meeting.

Tordella also stated that he thought that the President's Foreign Intelligence Advisory Board knew of the watch list at some point, through routine briefings provided to it by NSA. Tordella could not remember any specific times when

this knowledge had been imparted to PFNAB, but he did not remember anyone on that board having disapproved the matter.

VOICE MONITORING

As stated earlier, Tordella did not remember when NSA had first initiated voice monitoring at the request of BNDD. He did however remember the CIA takeover of this monitoring. He said that CIA had initially undertaken this responsibility from a station in Florida. However, Tordella did not know who at NSA had requested CIA to take over this responsibility or whether NSA had provided CIA with a list of names for monitoring. Tordella said that when CIA discontinued its activity in this area, he was told the reason, and in fact saw the Houston memorandum on the lawfulness of this activity. Tordella said he felt that Houston was simply using legal matters as an excuse to disentangle the CIA from an expensive operation. He said that CIA offered to put its personnel who had been involved in the project on NSA's budget, but that NSA refused this offer. Tordella said that he simply did not read Houston's memo as stating that monitoring for law enforcement purposes was unlawful, but rather to state that CIA monitoring from within the United States was unlawful.

Tordella said that he personally issued a verbal order to stop the drug watch list activity after consulting with the Director of NSA. He said his reason for this was that he feared "uninformed public criticism".

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Tordella did not know why NSA had continued to monitor U.S.-South American telephone calls after the termination of the watch list. He did state, however, that this activity was "utterly a waste of time" from the point of view of productivity. Tordella stated, if fact, that he did not know for sure that the monitoring had continued. He stated that if it had continued, it may have had other independent value.

Tordella was questioned about the destruction of documents relating to the drug watch list. He stated that these materials were destroyed because no one saw any future use for them, and that "It was a nice tidy little package." Tordella did not know why DEA had sent its materials back to NSA for destruction but guessed that it was probably because DEA had no secure facilities for destruction. He stated that this was not an unusual action.

Tordella stated that the lack of serialization on the watch list product was designed as further protection in case some of these materials had to be produced in open court.