

## EXHIBIT 5



NATIONAL SECURITY AGENCY  
FORT GEORGE G. MEADE, MARYLAND 20755

26 January 1971

MEMORANDUM FOR THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL

SUBJECT: NSA Contribution to Domestic Intelligence

Consistent with our conversation today, these are the agreed ground rules on NSA contribution to intelligence bearing on domestic problems.

Character

To be consistent with accepted standards in respect to protection of individual constitutional rights and civil liberties.

Source

Telecommunications with at least one foreign terminal.

Scope

Intelligence bearing on:

- (1) Criminal activity, including drugs.
- (2) Foreign support or foreign basing of subversive activity.
- (3) Presidential and related protection.

Procedures

Tasking by competent authority only.

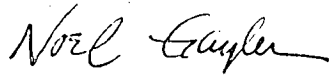
Special procedures to protect source, to include:

- (1) Compartmented reporting to FBI or BNDD for criminal activity, to FBI and CIA for foreign-related subversive activity, and to the Secret Service for Presidential protection.

- (2) No indications of origin.
- (3) No evidential or other public use under any circumstances.
- (4) Screening at source (NSA) to insure compliance with the above criteria.

It is further understood that NSA will insure full availability of all relevant material by competent and informed representation in the Justice working group.

With warm regard,



NOEL GAYLER  
Vice Admiral, U. S. Navy  
Director