

# Webster Eases Toward Confirmation

## A Bouquet to His FBI Predecessor, Rejection of Earlier Abuses

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J. Edgar Hoover's name didn't come up until just before lunchtime. Richard Nixon wasn't mentioned by name until around 3 p.m.

There was nothing but praise—hearts and flowers, almost—for Clarence M. Kelley, who is giving up the FBI directorship Feb. 15.

Senators talked about "black-bag jobs," the leaking of personal information to the press and the "sad events," as Sen. Birch Bayh (D-Ind.) put it, that have made the FBI a target of intense recent criticism.

In that atmosphere yesterday, President Carter's choice to head the FBI, federal judge William H. Webster of St. Louis, eased toward quick Senate committee approval.

Webster, 53, a member of the Eighth U.S. Circuit Court of Appeals since 1973, will return to the Senate Judiciary Committee today for a final round of questioning.

Several public witnesses are scheduled to testify but not substantial opposition to the nomination has arisen.

and eventual floor confirmation seemed certain as one senator after another indicated support for the Missourian.

On the one subject where Webster seemed vulnerable—his membership in St. Louis social clubs that have no blacks—he blunted potential opposition by pointing to his own efforts to break down racial barriers.

During close questioning by Sen. Edward M. Kennedy (D-Mass.), Webster flatly rejected the notion that he ought to drop out of the four clubs because they have no black members.

"I am as color-blind as any man in this room," the Republican judge said. He noted that he had sponsored resolutions in two of the organizations—a luncheon club and the University Club—to reaffirm their nondiscriminatory policies.

Webster refused repeatedly to be drawn into comment on the specifics of various excesses of which the FBI has been accused in the past, but he made these general points, among others:

• He would resist any White House attempts to involve the FBI investiga-

the apparatus in political activities and he would seek help from Congress in resisting such high-level pressures.

• He would not permit the FBI to utilize practices of the past—"black bag jobs" (illegal break-ins in search of evidence), subversion of social dissent organizations, discrediting individuals with leaks of personal information to the public.

• He intends to step up the FBI's recruitment of women and members of minority groups for positions as agents, but not at the expense of the existing force as long as agents are performing as expected.

• He thinks cases of illegal acts by agents and FBI officials in the past must be treated individually and he declined to make an overall statement of attitude on their prosecution.

While Webster and most of the 14 senators who interrogated him during the day-long session dealt in generalities, he scored a number of points that put him heavily on the side of change in the agency.

"My style may be different than the popular conception of a tough guy,

but my determination is just as strong," he told Sen. James Abourezk (D-S.D.), who wondered if Webster was tough enough to deal with the FBI's "old bureaucracy."

"Do you think you are up to the job of facing down those people?" Abourezk wondered.

"Of course I do, or I wouldn't be sitting here right now," Webster said. The St. Louis judge, a former U.S. attorney in Missouri and executive officer on a Navy tanker, conceded he had little administrative experience.

But he said he intended to continue the policies of Kelley—of whom he spoke glowingly, calling his tenure "outstanding"—and would call on outside experts, if necessary, to help him deal with any administrative problems.

Webster agreed in part with Sen. Robert Byrd (D-W.Va.) that agents in the field have a morale problem, but he said he would approach this by clarifying to them the limits of what they can do and by defining more clearly what is expected of them.

Although he mentioned no precise case, Webster spoke forcefully on the limits he envisions for the agency and its 20,000-plus agents and employees. He said, for example, that "there is

no justification . . . for dirty tricks." He said the bureau has no right "to wage war on individual citizens."

Responding to questions by Sen. James B. Allen (D-Ala.), he said he would rate both Kelley and Hoover as "oustanding" FBI directors, but dodged efforts to draw him into deeper comment on the Hoover era.

Webster was nominated to the \$57,500-a-year job by President Carter 10 days ago after a months-long search for a successor to Kelley. Carter had pledged during the 1976 presidential campaign to put the FBI under a new director.