

CIA Director Is Confirmed By the Senate

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Despite increasing congressional concern over the activities of the Central Intelligence Agency in domestic affairs, the Senate yesterday confirmed, by a vote of 83 to 13, the nomination of William E. Colby as director.

Colby, a career intelligence officer who spent most of his time in the clandestine Directorate of Operations, headed the controversial U.S. pacification program in South Vietnam from 1968 to 1971.

He underwent intensive grilling by the Senate Armed Services Committee, fearful that attempts to link the CIA with Watergate may have reflected the ways the agency may have tried to skip the legal ban on domestic intelligence operations by the CIA.

There had been allegations of CIA help to former CIA employee E. Howard Hunt in the 1971 break-in at the office of Daniel Ellsberg's psychiatrist in California, plus allegations of attempted CIA help in the cover-up of Watergate.

Colby was in many ways more forthcoming with the senators than previous directors, but not all of his answers

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to queries were reassuring to liberal senators.

Sen. William Proxmire (D-Wis.) submitted a long questionnaire and was disturbed to learn that the agency's Domestic Contact Service, which asks traveling academics, businessmen and other Americans to volunteer information about conditions abroad, has recently been put under operational control of Clandestine Services to improve coordination with CIA's collection activities abroad.

In a floor speech yesterday, Proxmire posed "the possibility that the DCS, which has a

good reputation, may now become tainted by the covert side of the agency," the so-called "department of dirty tricks."

In answering the questionnaire, Colby also revealed that the CIA is training Secret Service agents and the new Drug Enforcement Administration officers in Counter-intelligence techniques. And he disclosed that diplomats and other foreign visitors are subject to CIA scrutiny while they are in this country.

Sen. Charles Percy (R-Ill.) said he was assured by Colby that the CIA would not train domestic police forces except in the most extraordinary circumstances. And in that case, Percy said, Colby promised to let the CIA Oversight Subcommittee know.

Colby also said that for the first time the Armed Services Committee will get a look at the secret charter from which the CIA and a variety of other intelligence agencies draw their authority.

But Proxmire was dissatisfied with Colby's answer regarding how far he would go in revealing the CIA budget, which is classified and hidden in the budgets of the Defense Department and other agencies.

Proxmire said Colby and his predecessor, James Schlesinger, now Secretary of Defense, had both testified earlier that release of the total budget figure for the CIA would not violate national security.

Proxmire's questionnaire asked Colby this time how far down the line this could go. The senator said, "he used this question as a platform to back off from his earlier position. Now he says that although the disclosure of the total figure of the intelligence community budget would not present a security problem at this time, it is likely to stimulate requests for additional details." He goes on to note that he cannot positively recommend the publication of the total or any subdivision thereof.

Proxmire asked the Armed Services Committee's acting chairman, Stuart Symington (D-Mo.), why he couldn't get that figure. Symington assured Proxmire he was working toward that end and would get together with him off the

floor on the matter.

In spite of his reservations Proxmire voted for confirmation. So did both Maryland and both Virginia senators.

Sen. Harold Hughes (D-Iowa), who voted against confirmation, said Colby would not promise that the CIA would not get involved in another secret war as it did in Laos.

Hughes said Colby would only assure the Armed Services Committee that "I will try to keep it out of the kind of exposure that some of these larger activists got us into."

Hughes also pressed for "where the line should be drawn between CIA and Defense Department activities involving the use of armed force."

Colby answered, "In general, the line should be drawn at the point in which the United States acknowledges involvement in such activities. As a practical matter, however, the scale of the activity will, in many cases, also affect whether the United States is revealed as engaged in the activity."

Hughes added, "Again, the point to be made is that Mr. Colby believes that CIA-run military operations are perfectly acceptable so long as they can be concealed. This is unacceptable to me."

Sen. Edward M. Kennedy (D-Mass.) questioned Colby about the pacification program called Phoenix, which attempted to neutralize the "infrastructure" of South Vietnamese civilians providing assistance to the Vietcong.

Kennedy said that, between 1968 and 1971, 68,972 Vietnamese were killed under Phoenix, but said Colby "clearly feels that Phoenix-type functions, organization and programs . . . are a proper function of the CIA and serve a useful purpose in U.S. foreign policy."