

Release of Colby's Report Stirs Confusion in Capital

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WASHINGTON, July 9 — There is growing confusion in Washington over why the Central Intelligence Agency made a midevening yesterday release of its internal report on domestic spying and exactly when President Ford authorized the intelligence agency to make the documents public.

Earlier this year Morton Halperin, a former member of the National Security Council staff who has been a critic of some C.I.A. activities, filed a lawsuit under the provisions of the Freedom of Information Act to obtain the report.

His lawyer, William Dobrovir, was assured orally and in a letter from J. Roger Edgar, a Department of Justice lawyer representing the C.I.A., that the document, with certain deletions, would be turned over to Mr. Halperin prior to the taking of a deposition from agency officials. The first assurance came on June 20 and the second July 8, in a letter dated June 25.

Late yesterday, Mr. Dobrovir received word that he would receive the document, delivered to his home, by midevening. He did.

Last-Minute Decision

Apparently sometime during that day, the agency also decided to make the document available to the general public. The decision, one agency official said, appeared to have been made at the last minute. He cited printing difficulties encountered in preparing enough copies for the various press agencies.

A White House spokesman said that the agency recommended three weeks or more ago that the Dec. 24, 1974, report be made public but that President Ford did not formally authorize the publication until yesterday morning. A Presidential spokesman earlier was mistaken when he said that Mr. Ford approved the release of the report several weeks ago. The White House said today.

It appeared that the C.I.A. hoped to make the report public itself before it could

be released as a result of the Halperin lawsuit.

The half-inch-thick report, with several "annexes," was delivered to President Ford by William E. Colby, director of Central Intelligence on Dec. 24, 1974, two days after The New York Times quoted government sources as saying that the agency had conducted a massive domestic spying operation.

In a covering letter to the President, Mr. Colby said, "As I stated to you on the telephone, Mr. President, you have my full assurance that the agency is not conducting activities comparable to those alleged in The New York Times article."

'Conformed to Mission'

"Even in the past," he went, "I believe the agency essentially conformed to its mission of foreign intelligence."

Mr. Colby has consistently denied the "massive" nature of C.I.A. domestic spying ever since.

But the report of the commission on the C.I.A. headed by Vice President Rockefeller, sketched a vast array of questionable agency domestic activities, including the maintaining of index files on 300,000 United States citizens and organizations in a 20-year-long program including illegal mail openings, burglaries, wiretappings and the keeping of files on members of Congress.

White House sources said that the President felt Mr. Colby characterized the activities in his report as completely as he could in view of the haste with which the report was compiled.

The "Colby report" released last night disclosed several new facets of the domestic intelligence operations. It disclosed the most significant beef-up of the staff and facilities of Operation Chaos, the core of the domestic activities, came after President Nixon took office.

It also said that the C.I.A. had recruited construction workers engaged in building its headquarters in Langley, Va., to prevent the placing of surreptitious listening devices.