

Charter Would Let FBI Disrupt Some Domestic Groups

3/19/80
By George Lardner Jr.
Washington Post Staff Writer

FBI Director William H. Webster acknowledged yesterday that disruptive techniques could be used against domestic groups suspected of ties to foreign powers under a proposed new charter for the U.S. intelligence community.

Under questioning before the House Intelligence Committee, the FBI chief conceded that disinformation campaigns and other counterintelligence tactics could be employed against U.S. citizens or groups who "may be engaged" in clandestine intelligence activities on behalf of a foreign power.

It was suspicions such as these that led to the employment of the FBI's controversial COINTELPRO (counterintelligence program) against the antiwar movement and other targets in the 1960s and early 1970s.

Webster told reporters after the House hearing that he doubted such tactics would be resurrected even if the bill were passed as it stands. He said he expects that additional safeguards will be laid down under secret guidelines to be promulgated by the attorney general under still other provisions of the legislation.

CHARTER, From A1

thorized] in this bill and the old COINTELPRO program," he said.

The possibility that some of the old tactics might be used again was raised by an aide to Rep. Les Aspin (D-Wis.). He noted toward the end of the hearing that except for some specific prohibitions such as one against assassinations, the bill would allow a full range of counterintelligence activity.

Other provisions of the intricate, 172-page measure state that "counterintelligence and counterterrorism" activities may be carried out against domestic groups and individuals without their consent when they are or "may be" engaged in terrorism or in espionage on behalf of a foreign power.

"Certain ranges of activities may not be expressly prohibited," Webster told reporters after testifying that "we probably could" use disinforma-



WILLIAM H. WEBSTER
... doubts techniques would be used

"We didn't draft the bill," the FBI director said of the measure. "It isn't something we tried to build in."

Webster added that "we may be talking about different things when we talk about 'disinformation.' One legitimate technique in any counterintelligence investigation is to make a foreign power uncertain about the reliability of its contacts in this country.

"I really see no relation between the counterintelligence activities [au-

See CHARTER, A12, Col. 1

tion and disruption. He said that Congress could add more prohibitions as far as he is concerned.

The bill was drafted by the Senate Intelligence Committee in conjunction with the Carter administration over the past several years. The administration, however, has refused to endorse it primarily because of provisions that would entitle the House and Senate Intelligence committees to prior notice of covert CIA actions and to whatever after-the-fact information they want about U.S. intelligence activities.

Testifying earlier in the day "on behalf of the president," CIA Director Stansfield Turner sharply criticized this prior-notice provision and charged that it amounted to an unwarranted attempt by Congress to gain veto power over covert actions.

Although the bill specifically states that congressional approval of such

actions is not required, Turner dismissed this as meaningless because, he said, "every individual with access to the prior notification would have the power to veto the activity through a threat to disclose it."

Committee Chairman Edward Boland (D-Mass.) said Turner's testimony suggested "a rather low vote of confidence" in the congressional committees to be supplied with the secret notifications, but Turner said he wanted to make it clear that "we're not just talking about notification, we're talking about approval."

"It is the executive branch's responsibility," Turner added later in an exchange with Aspin about covert actions, "and it is not proper to share that responsibility with the Congress."

The CIA director also charged that his Feb. 21 testimony before the Senate Intelligence Committee has been

"seriously misrepresented in the press." Turner reported as having said in an exchange with Sen. Walter D. Huddleston (D-Ky.) that the CIA had been holding back from Congress more information about covert actions than its members had suspected.

Calling this "patently false" Turner said prior notice has been withheld from Congress on only one occasion in the Carter administration. When his testimony was read back to him by Rep. Romano Mazzoli (D-Ky.), Turner said he "may have misunderstood" Huddleston's question.

Turner said he had, in any case, simply been trying to disabuse Huddleston of the impression that other lawmakers had been told of the covert operation in question while the Intelligence committees had not. The CIA director said this was not the case, as far as he knew.