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Hill Panel Will Seek CIA Data

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The new Senate Select Committee on Intelligence Operations will ask the Rockefeller Commission for all of its secret records on the Central Intelligence Agency, committee Chairman Frank Church (D-Idaho) said yesterday.

Church said he hoped the request would be granted so that the Senate inquiry into alleged abuses of power by the CIA and other government intelligence agencies could get off "to a running start." He said he did not think it would be in the public interest to have a "protracted investigation."

A spokesman for the White House Commission headed by Vice President Rockefeller, which was established last month in response to charges of illegal domestic spying by the CIA, declined to comment on the proposal.

At a closed meeting yesterday, the Senate Committee also approved 18 staff appointments for the investigation, including that of New York trial lawyer F. A. O. (Fritz) Schwartz Jr. as chief counsel.

A member of the Wall Street law firm of Cravath, Swaine & Moore, Schwarz, 39, plans to begin working full time on the inquiry within two weeks. He previously represented International Business Machines Corp. in government antitrust litigation. Church said that gave him considerable experience "in extracting evidence from government agencies."

Burke Marshall, a former assistant attorney general in the Kennedy and Johnson administrations and later general counsel for IBM, was named a committee consultant and will assist in organizing the investigation. He is on the faculty at Yale law school.

Pressing for cooperation from the administration on various levels, Church will meet today at 10 a.m. with CIA Director William E. Colby, partly to seek a waiver of the pledges of silence that the agency requires of its employees. Texas Sen. John Tower, ranking Republican on the committee, is expected to attend the closed session.

Church said he plans to ask Colby about the status of a 50-page report the CIA submitted to President Ford in early January. The CIA director last week refused to supply a copy to a House Appropriations Subcommittee, saying that he was "not authorized" to release it.

A government official familiar with the Rockefeller Commission's work said all of its records are classified "top secret," including nearly 1,000 pages of testimony from past and present CIA officials and a substantial number of interviews with CIA employees. The Commission, however, reportedly has been inspecting raw files at the agency's headquarters and thus possesses very little documentary material.

Ultimately, the official added, it will be up to Mr. Ford to decide on any congressional request for the Commission's files. But he said there was no understanding with the CIA that would prevent their turnover.

Church said he and Tower also expect to ask the President to issue a directive calling on all government agencies to cooperate with the Senate inquiry. After that, Church said, the two senators will seek a similar meeting with Vice President Rockefeller to ask him for the Commission's records.

The Select House Committee on Intelligence, which also has been set up to investigate the government's "intelligence community," had a brief meeting yesterday afternoon for what Chairman Lucien Nedzi (D-Mich.) called an "informal discussion" of procedural and staffing requirements. No decisions were made, Nedzi said.