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Colby Defends CIA's Congress Files



By James K. W. Atherton—The Washington Post

Reps. Sam Steiger, left, and Michael Harrington listen as Rep. Bella Abzug questions CIA Director Colby.

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Central Intelligence Agency Director William E. Colby acknowledged yesterday that the CIA has files on 75 current members of Congress, but he rejected suggestions that the practice be brought to a halt.

Testifying at a lengthy and often abrasive hearing before the House Government Information Subcommittee, Colby said almost all of the files were routine compilations generated by security clearances or past contacts with the CIA.

Chairwoman Bella Abzug (D-N.Y.) and Rep. John Conyers (D-Mich.), who

have both inspected their CIA files, disputed Colby's disclaimer, but the CIA director replied that members of Congress have never been "immune" from the spy agency's intelligence-gathering activities.

At another point, under questioning

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provoked by an article in Sunday's editions of The Washington Post, Colby said it never occurred to him that his 1973 orders to destroy various CIA files on illegal activities might constitute "obstruction of justice."

"If I had thought of it in those terms, I would not have destroyed them," he told the subcommittee. "The idea was not to destroy evidence," Colby said, but rather "to destroy substantive information we had no business holding."

While Colby slogged through the public hearing, the Senate intelligence committee conducted another executive session on the CIA's involvement in assassination plots, but cut it short because of what members described as unworkable restrictions laid down by the White House.

The chairman of the Senate committee, Frank Church (D-Idaho) said the White House had finally supplied all the requested assassination information Tuesday night, but under a complicated arrange-

ment that prohibited the command that required the return of many top-secret documents to the White House each night.

The committee agreed to try to conduct its inquiry on this basis, but both Church and the ranking Republican on the panel, Sen. John Tower (Tex.), said a test run yesterday with former CIA operative William Harvey proved the impossibility of the arrangement.

As a result, questioning of Harvey about CIA assassination plots directed against Cuban Premier Fidel Castro was abruptly canceled yesterday afternoon at the suggestion of the committee's minority counsel, Curtis Smothers.

Church said a meeting with White House aides would be held this morning in an effort to resolve the impasse. He said the committee staff was able to make a "hasty review" of the documents before questioning Harvey but committee members had nothing in front of them with which to follow the interrogation.

Indicating his own dissatisfaction, Tower said there was "a tremendous volume of material" for the committee to pore over.

Senate committee sources protested that the administration has also put a "hold" on requests to interrogate witnesses and obtain documents concerning two other broad areas of its inquiry into the nation's intelligence community. The sources said White House aides were insisting on giving briefings to the committee without any promise that all the documents would then be supplied.

The elaborate maneuvering, one Senate source said, "is holding up our work."

Making his 38th appearance before a congressional committee this year, CIA Director Colby indicated in his testimony that he considered most of the spy agency's files on

members of Congress of little consequence.

Some lawmakers, he said, used to work for the CIA; others held security clearances that generated dossiers, and others "supplied information that has been helpful to us." Colby said only four of the 75 files were contained in the CIA's "counterintelligence" branch.

"I certainly wasn't cooperating with the CIA," Conyers complained of the file on him. He called it "superficial" and composed largely of newspaper clippings.

Abzug also noted that the file on her contained a letter she wrote as a lawyer which the CIA opened and copied in the late 50s as part of its admittedly illegal program of intercepting mail to and from the Soviet Union.

The letter aside, Colby said he had no intention of leaving members of Congress out of files when, for example, they show up abroad at meetings of groups the CIA might be watching.

The House hearing was held over the protests of two GOP subcommittee members, Reps. Sam Steiger (R-Ariz.) and Paul McCloskey (R-Calif.), who charged that it had been too hurriedly called. When it finally got under way, Colby found himself repeatedly interrupted by Chairwoman Abzug who accused him, among other things, of

"improper behavior" in ignoring a request that he bring several other CIA officials with him.

One of the witnesses she wanted was Richard Ober, formerly head of the CIA domestic spying operation known as "Operation Chaos."

Abzug said she failed to see why the CIA should be "sacrosanct" from congressional inquiry. Colby said he had no intention of "exposing employes in very sensitive positions to retribution in other

parts of Congress" — those outside the committees and subcommittees having explicit CIA oversight authority.

Detailing his August, 1973, directive to "purge" various CIA files following a hurried check for agency misdeeds in the wake of the Watergate scandal, Colby said the documents destroyed included some letters collected in the mail-intercept program and other "substantive information on Americans that the CIA shouldn't have."

But he said no "operational documents" were destroyed and "other material reflecting the illegal activity" of the agency, such as orders and memos involving the mail-intercept program, were still available.

Under questioning by Abzug, Colby said "it is possible" that some evidence of illegal activity could be said to have been destroyed in the purge, but he reiterated that this was not his intention.