

# Senate Committee Backs Silbert for Confirmation, 10-2

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Former Watergate prosecutor Earl J. Silbert appeared headed for confirmation as U.S. attorney for the District of Columbia yesterday as the Senate Judiciary Committee voted 10 to 2 in favor of the long-pending nomination.

Sen. John V. Tunney (D-Calif.), Silbert's chief opponent in the nearly 18-month-long fight over the nomination, said after the vote that he would oppose Silbert on the Senate floor but expected to lose. He said he would not filibuster against confirmation.

Sen. James Abourezk (D-S.D.) was the only other committee member to join Tunney in voting against Silbert's nomination, which was sent to the Senate originally by President Nixon in early 1974 and resubmitted twice by President Ford.

The vote was 9 to 2 for Silbert when the meeting adjourned, but Sen. Edward M. Kennedy (D-Mass.) later cast his vote for confirmation.

The battle over the nomination of Silbert, who is now serving in the post under court appointment, has been one of the longest in Senate history. The debate centered on whether Silbert was lax in his prosecution of the Watergate case in its initial stages.

Contending that Silbert was

lax, Tunney charged yesterday in a last-ditch effort to block his confirmation that Silbert was "intimidated, whether by ambition or by fear, from pursuing the duty entrusted to him" as prosecutor.

Senate confirmation of Silbert, he said, would be interpreted "as a sign that prosecutors who do not vigorously investigate political officials can expect to be rewarded."