

# Panel likely to grill Webster on FBI action in North case

By John McCaslin  
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A delay by the FBI in securing the National Security Council office of Lt. Col. Oliver North last November is expected to be a key element of today's hearing on the nomination of William Webster as CIA director.

"To say he's not apprehensive is not correct," William M. Baker, an assistant FBI director, said of Mr. Webster, current FBI director nominated March 3 by President Reagan to head the CIA.

When the Iran-Contra affair erupted last November, Attorney General Edwin Meese III decided to leave the FBI out of the initial investigation. At that time vital documents were destroyed by Col. North and his secretary, Fawn Hall.

"Given hindsight, everyone involved knows it would have been better [for the FBI] to get there first," Mr. Baker said. "Timeliness is a factor."

Mr. Webster, nominated to succeed the gravely ill William Casey who resigned Feb. 2, will be questioned in an open hearing today before the Senate Select Committee on Intelligence.

Lawmakers also are expected to ask Mr. Webster about his decision to honor a request from Mr. Meese to delay an FBI probe of Southern Air Transport Inc., a Miami-based air cargo firm once operated by the CIA and now linked to efforts to supply arms and other equipment to the Nicaraguan resistance.

Mr. Baker denied that a "strain" exists between Mr. Webster and the attorney general over the incidents. Sources within the department recently disclosed, in published reports, that this is the case.

"I deny that a strain exists; the director has assured me that no strain exists," Mr. Baker said.

Mr. Webster, questioned by reporters Dec. 4 about the Iran-Contra affair, defended Mr. Meese's conduct during the early phase of the investigation when he said it had not yet been determined whether "criminal implications" existed.

"The attorney general got the ticket to find out exactly what had taken place. It was not in the context of any unlawful conduct but to get it straight," said Mr. Webster, adding the FBI was called in as soon as possible wrongdoing was established by the Justice Department's criminal division.

Col. North was fired Nov. 25 for his role in the Iran-Contra affair.

Mr. Webster's apprehension going into today's hearing "generates a concern to be well-briefed, to have all the facts, to be as candid as possible, and to provide as much information as he can to the committee," Mr. Baker said.

The bureau opened an inquiry into Southern Air last Oct. 8, shortly after an airplane loaded with arms was shot down over Nicaragua. The investigation was suddenly suspended three weeks later, one day after Col. North complained to Rear Adm. John Poindexter, who was then national security adviser, about the consequences of such a probe. Adm. Poindexter resigned the day Col. North was fired.

Mr. Webster, who has bipartisan support in Congress for his nine years at the helm of the FBI, was tapped by Mr. Reagan after other candidates, including former Sen. John Tower, Texas Republican, turned down the post.

And while the former Missouri federal judge undoubtedly will face tough questions on Capitol Hill, lawmakers expect him to get a nod of approval after the conclusion of today's testimony.

Sen. David Boren, the Oklahoma Democrat who heads the intelli-

gence panel, has said he has "no reason to believe" that Mr. Webster's answers will not be satisfactory.

But Sen. William S. Cohen, Maine Republican and committee vice chairman, said yesterday that while he knows of "no new stumbling blocks, Mr. Webster will undergo rigorous questioning."

Among the concerns committee members expect to bring up with Mr. Webster include charges brought by a former FBI informant that two agents broke into a Dallas church office that housed files belonging to a group opposed to the administration's policies in Central America. Similar unsolved break-ins have occurred in other parts of the country.

Mr. Webster also is expected to respond to allegations that the FBI suppressed evidence concerning former Labor Secretary Ray Donovan and his relationship with organized crime, as well as to criticism of the bureau for its 1980 Abscam investigation.

Sen. Chic Hecht, Nevada Republican, said he will ask Mr. Webster about an alleged FBI cover-up of the illicit activities of former Las Vegas FBI chief Joseph Yablonsky, described by the Las Vegas Sun as "Webster's very own Ollie North."