

FBI Review Of King Case Nearing End

By Jerry Oppenheimer
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Justice Department officials have nearly completed their review of the FBI's probe of Dr. Martin Luther King's assassination and are expected to present their findings and recommendations "very soon," Atty. Gen. Edward H. Levi says.

Levi ordered the review last November following testimony before the Senate Intelligence Committee that the FBI carried out an extensive campaign to destroy King as a civil rights leader. Levi said yesterday he met with Asst. Atty. Gen. J. Stanley Pottinger last week to discuss the case, but Levi declined to say whether the King investigation should be reopened "until I see the recommendations. There should be some kind of recommendation either this week or next."

A NUMBER of black leaders have charged that the disclosures of government efforts to discredit and harass King lend support to their theory that the murder was part of a conspiracy that possibly involved the FBI.

The FBI probe of the April 1968 assassination resulted in the arrest of James Earl Ray, who pleaded guilty and was sentenced to life in prison in Tennessee.

In another matter regarding the FBI, Levi told reporters at a luncheon meeting that the controversial "preventive action" section has been taken out of his proposed guidelines for the bureau. He said the section was dropped because it "evoked thoughts" in some people's minds of a revival of the FBI's counterintelligence programs (Cointelpro) that involved disruption of political militants' activities.

Under the proposed section, the attorney general would have had to approve in advance any "preventive action" taken by the FBI to thwart potential violence. He would have had to notify Congress afterward.

CRITICS HAD complained that the section could have been used as a loophole by the FBI to renew Cointelpro-type operations. But Levi said the section of the guidelines was meant to allow "a very limited area where any law enforcement group . . . if it had any humanity at all, would engage in emergency preventive action."

Levi said the section "was just never understood" and "my judgment was to take it out. It's out."

On another topic, Levi said he felt the filing of a suit last month by 44 federal judges seeking retroactive pay increases on grounds that the Constitution protects their salaries against inflation was "silly."