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**Levi Shocked, Eyes
CIA Prosecutions**

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Attorney General Edward H. Levi said yesterday he was shocked by the secret material he had read on the Central Intelligence Agency and was giving high priority to investigating possible prosecutions.

Levi told reporters he had asked the Criminal Division to expedite a legal memorandum on any statute of limitations problems that might arise to bar indictments of officials for past misdeeds.

The Attorney General said there might be no such time limit on cases of assassination, but said the issue was complicated in terms of the federal, state and District of Columbia statutes that might apply to specific actions.

Levi was given responsibility by President Ford for determining whether any officials of the CIA or other government agencies should be

prosecuted for violations of federal law after the Rockefeller commission submitted its report to the President, concluding that some CIA activities had been "plainly unlawful."

Levi has been given the unpublished section of the Rockefeller commission report dealing with alleged assassination plots against foreign officials, as well as the backup material supporting the commission's conclusions about domestic surveillance activities of the agency.

He declined to say what had shocked him. "You ask a personal question," he said. "It's like asking, 'Were you shocked by the Bay of Pigs?' That came out over a period of years. I remember President Kennedy saying he took responsibility for its failure. But you have to remember how

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things might have looked to him."

"I feel we have to act quickly," the Attorney General said, later adding that he hoped decisions on how to proceed could be made in "much less" than two or three months.

He strongly indicated he would make the decisions on any prosecutions and would not give much weight to Mr. Ford's oft-reiterated concern about the dangers of "passing judgment on decisions made by honorable people under unusual circumstances" in the past.

Levi said such concern might "affect the judgment on what basis people acted and whether they thought they had the authority to act in the way they did."

But, he said, "I have to approach this from a strictly legal point of view. I think in a situation of this kind the department would have to formulate its own position. I'm not unaware there are all kinds of policy and humane considerations on both sides of the issue. But my own view is that the Department of Justice's function is to see if there are violations of the law, and if there are . . . to prosecute."

He added that the department might reach the judgment, "in a close question, that there may have been violations, but that a strong defense is possible, so the case is not likely to succeed, and decide not go ahead.

"But in that case," Levi said, "we would at least owe it to the public to make a public explanation of our action."

The Attorney General said that when Mr. Ford gave him the responsibility for deciding on prosecutions, he effectively waived any veto power over the department's decisions.

"I would feel obligated to inform the President," he said, "but I would not expect the President to tell the department what to do." Levi also said he would not entertain any discussion by CIA officials of the consequences for that agency of any decision to prosecute.

"There is normally an area of discretion for a prosecutor," he said, "but in a case like this, I don't think you can use that discretion not to go ahead" if there are grounds for prosecution and a prospect of a successful case.

At the same time, Levi said, the department should not bring a prosecution it does not expect to win, just to demonstrate that there had been no cover-up.

"One should not play games," he said.