

WXPost JAN 22 1976

No Laws Found for CIA Plots

Justice Department sources confirmed yesterday that the department has not been able to find any grounds under federal law to prosecute Central Intelligence Agency officials involved in plots to assassinate foreign leaders.

They added, however, that a formal decision must be made by Attorney General Edward H. Levi, and said that he has not made up his mind about whether to order the closing of the investigation.

The Senate intelligence committee, in a report issued in November, said that from 1960 through 1970 the CIA was involved in unsuccessful plots against nine foreign leaders, including eight separate attempts to kill Cuban Premier Fidel Castro.

Lawyers from the Justice Department's Criminal Division, which has been reviewing the CIA's activities, have concluded that no federal laws were violated in respect to the assassination plots and that there is no statute that could provide a basis for prosecution. The sources said Levi had been advised informally of these findings.

"We don't know whether anything really happened, or whether anyone was killed," said Robert Havel, the department's director of public information. "All the research appears to indicate that there's no applicable federal statute."

Havel said that prosecution at the state level might be possible, but added that he knew of no existing evidence that might bring the allegations of CIA complicity in the plots within the reach of state laws.

He and other Justice Department sources stressed that investigation of illegal activities allegedly engaged in by the CIA is continuing. These include charges of unauthorized wiretaps and opening of private mail, at least Richard M. Helms perjured himself before a Senate committee.

Some Justice Department sources said that investigation of these other charges was being hampered by difficulty in obtaining relevant testimony and other material in the hands of the Senate intelligence committee. The committee is tentatively expected to vote Friday on whether to give the requested material to the department.