

7 SECRECY WARNING IS ISSUED BY LEVI

— FEB 7 1976

1 He Says Some Acts Should
Be Kept From Congress

NYTimes

WASHINGTON, Feb. 6 (UPI)-
Attorney General Edward H.
Levi said today that attempts
to monitor United States intel-
ligence agencies should not
lead to Congressional attempts
to manage them.

An American President
should keep some secrets from
Congress, Mr. Levi said.

He testified before the Senate
Committee on Government
Operations, which is studying
ways to oversee intelligence ac-
tivities. A major proposal is a
joint House-Senate committee
to judge final actions.

"Not all secrets are intended
merely to save an administra-
tion embarrassment," Mr. Levi
said.

"There is a question of how
far a committee can go in moni-
toring intelligence operations
for legitimate legislative pur-
poses before the tendency de-
velops to attempt to manage
them," he said.

In a 27-page statement, Mr.
Levi traced the separation of
powers, executive privilege and
risks of "leaks" of secrets dam-
aging to national security.

He said that foreign policy
and national defense "are
among the most essential de-
mands upon our Government."

"Errors in such decisions car-
ry the potential for immediate
and severe consequences both
for ourselves and for our
friends abroad," he said. "How
our intelligence apparatus is
constructed, then, is literally a
vital question."

Mr. Levi said there was a risk
that with a further increase in
oversight, as both Senate and
House intelligence committees
suggest, Congress might try to
manage the C.I.A. the Federal
Bureau of Investigation, the De-
fense Intelligence Agency and
other groups.

"Whatever mechanisms are
devised for Congressional intel-
ligence oversight," he said,
"they must leave to the execu-
tive such discretion as the Con-
stitution places in his office
and the ability to act within
his sphere without unwarranted
and debilitating restraints."

Mr. Levi criticized as "de-
structive and debilitating" yes-
terday's recommendation by
Senator Frank Church, Demo-
crat of Idaho, chairman of the
Senate Intelligence Committee,
to modify the special Water-
gate prosecutor's office to in-
vestigate and prosecute crimes
committed by United States in-
telligence agencies.

"I think it's a call for a kind
of a second Attorney General,"
he went on. "There's no reason
to believe that the Department
of Justice in the normal course
cannot effectively handle viola-
tions of the law"



Associated Press

Attorney General Edward
H. Levi appearing before
Senate panel yesterday.