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Levi Proposes Curb on FBI Actions

By William Chapman

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Proposed Justice Department regulations issued yesterday would prevent the FBI from engaging in domestic security investigations unless directed against groups likely to commit violence, Attorney General Edward H. Levi said yesterday.

The regulations would restrict the FBI use of wiretaps and mail covers and would limit—but not forbid—some "preventive action" techniques employed in the FBI's much-criticized COINTELPRO operations.

Levi, in unveiling the draft regulations before the Senate intelligence committee, said that some of the COINTELPRO activities "were outrageous and the others were foolish."

"Nonetheless, there may be circumstances involving an immediate risk to human life or to extraordinarily important government functions that could only be countered by some sort of preventive action."

Under the guidelines, he said, any such action would

have to be submitted for approval in advance to the Attorney General, who could authorize it only when there was probable cause to believe violence was "imminent."

COINTELPRO was the FBI code name for a number of disruptive operations from 1954 to 1971 targeted against organizations ranging from the Ku Klux Klan to the Black Panthers.

The activities included electronic surveillance, infiltration, and media campaigns designed to disrupt or lessen the influence of those organizations. They were initiated by the late director of the FBI, J. Edgar Hoover.

Levi engaged in a brisk exchange with Sen. Walter F. Mondale (D-Minn.) as he testified before the committee, which also had investigated the Central Intelligence Agency.

Mondale asked him about documents which detailed alleged FBI abuses—documents similar, Mondale said, to ones the CIA had been willing to turn over to the committee.

"I'm not in the CIA, have never been, and don't care to

be," Levi responded.

Mondale shot: "Do you consider that a good answer?"

"I consider that as good an answer as the question," Levi said.

Mondale then turned to the committee chairman, Sen. Frank Church (D-Idaho) and said: "Mr. Chairman, I think that kind of arrogance is why we have trouble with the executive (branch) of government."

"I apologize to Sen. Mondale if I appeared arrogant," Levi said. "I thought somebody else was appearing arrogant."

Under the draft regulations Levi outlined, the FBI could engage in domestic security operations only in cases where groups intended to use violence to overthrow the government of the United States or of a state, interfere in this country with activities of a foreign government, impair functioning of the federal or state governments or decisions affecting interstate commerce, deprive persons of their civil rights, or create domestic violence or rioting when it would require the use of federal armed forces.



By James K.W. Atherton—The Washington Post
Attorney General Levi testifying at Senate hearing.