

# LEVI TO ASK RUTH TO STAY IN OFFICE

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Wants Special Prosecutor  
to Remain During Appeal  
of Watergate Cases

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WASHINGTON, July 24—Attorney General Edward H. Levi said today that he would ask the Watergate special prosecutor to keep his office in operation until the appeals from several of its cases were settled.

He said in an interview that he planned to meet with Henry S. Ruth, the special prosecutor, and ask him to stay on or to propose that another special prosecutor be appointed to continue the office's operation.

He said that he was "terribly concerned" about Mr. Ruth's proposal to close the special prosecutor's office next month and turn over open cases to the Department of Justice.

Mr. Levi said it "wouldn't be a catastrophe" if the department handling the appeals, but that he would prefer to have the special prosecutor see them through. He speculated that the various appeals from the Watergate trial might take two years to settle.

Mr. Levi said, however, that he opposed proposals that would create a permanent special prosecutor to handle political prosecutions. He said that he was trying to establish the nonpartisan nature of the Justice Department, and "I would hate to have it sort of certified that that kind of a department can't be trusted to bring cases against government people."

"The history of the country has been that when we need a special prosecutor, we got one," he said. He rejected "the notion that the Department of Justice is supposed to be so political and so enamored of its friends."

Moreover, Mr. Levi said, Federal prosecutions should be centered in the Justice Department. "I just wonder how many Attorneys General the United States can stand?" he asked rhetorically.

Mr. Levi made the following points in the interview: He would not rule out prosecution of newsmen or publishing and television companies for disclosing national security secrets if the disclosures were "severe." Though he was not in complete agreement with a current Senate proposal for legislation to punish news organizations and others that publish national secrets, Mr. Levi said that he believed this was a "problem."

"Isn't there some way that, without saying we are destroying our democracy, one could suggest that that kind of information ought not be published?" he asked.

He said that both the Civil Rights Division and the Criminal Division of the Justice Department were examining the evidence on alleged Central Intelligence Agency wrongdoing gathered by the Rockefeller commission.

¶ He said he agreed with President Ford's decision last fall to pardon former President Richard M. Nixon. He said that from a "political science" standpoint, it saved the country the trauma of watching a former President dragged through the criminal legal process.

¶ He said that his department was doing its best to meet the growing requests for information coming from the Senate Select Committee on Intelligence, but that "no matter how responsive one wants to be, there is a problem of getting materials ready."

Meanwhile, however, Senator Frank Church, the Idaho Democrat who heads the committee, was citing "delays from slow turnover by the executive branch of documents" as the reason the committee wanted the Senate to extend its life until February and increase its budget by \$500,000. The committee is now authorized until Sept. 1.

Senator Church confirmed that Secretary of State Kissinger was being called to testify before the committee on allegations of C.I.A. involvement in plans to overthrow the Chilean Government by military coup. Senator John G. Tower, Republican of Texas, the committee vice chairman, said, however, that no one should draw "implications" of complicity or wrongdoing about Mr. Kissinger by the fact he was called to testify.

Meanwhile, William E. Colby, Director of Central Intelligence, told a House subcommittee that the C.I.A. opened 68,000 letters between 1967 and 1972 as part of a five-city espionage and counterespionage project. He said that there were no figures on how many letters were opened during the entire 20 years that the C.I.A. delved into the United States mails.

He said that the exterior of 227,000 were photocopied for information on the outside. He said again today that the mail openings were improper and had been discontinued.

He refused, however, to characterize the C.I.A.'s actions as illegal. He said that the facts had been turned over to the Justice Department, and the determination would be made there.