

New York Times

— NEW YORK, MONDAY, AUGUST 9, 1976 —

25 cents beyond 50-mile zone from New York City, except Long Island. Higher in air delivery cities.

KELLEY 'DECEIVED' ON F.B.I. BREAK-INS

Seeks to Find Agents Who
Kept the Facts From Him

By JOHN M. CREWDSON
Special to The New York Times

WASHINGTON, Aug. 8— Clarence M. Kelley, director of the Federal Bureau of Investigation, said today that he had been deliberately "deceived" by aides who withheld from him knowledge of a number of illegal burglaries carried out by the bureau's agents in recent years.

Mr. Kelley termed the matter "cause for concern," and said that he was investigating to determine which of his subordinates had played a role in the deception.

"And if I find those who have knowledgeable, knowingly, intentionally deceived me, I will take some action," he said.

The 64-year-old director issued a statement last June 30

Continued on Page 9, Column 1
rescinding his previous assurances that no such burglaries by his agents had occurred since 1966, when the practice was ostensibly halted by his predecessor, the late J. Edgar Hoover.

But Mr. Kelley leveled no criticism at others at that time and implied in a statement that the recent burglaries, in 1972 and 1973 in the New York City area, had come to light only after documents alluding to them had been discovered in the bureau's Manhattan Offices.

Burglaries Denied

Although Mr. Kelley said today that he had "not found out who" had withheld information from him, Justice Department sources have said that he had established the identity of at least one bureau official who knew of the recent burglaries at the time that Mr. Kelley maintained, at a news conference in July 1975, that there had been none.



United Press International
Clarence M. Kelley during
interview yesterday.

tigation that is attempting to establish how many agents were involved in such activities within the last five years, who the targets of the burglaries were, and which executives of the bureau had known of or condoned the break-ins.

Mr. Kelley made his remarks in an interview on the CBS television program "Face the Nation," where he was asked about a burglary of the Socialist Workers Party's Denver office last month that was committed by a paid informer of the bureau.

The informer, Timothy Redfearn, has reportedly told the local authorities in Denver that he had shown to John V. Almon, the F.B.I. agent to whom he reported on the party's activities, the files he stole from the Socialist group on July 7.

Some of the documents taken later turned up in bureau files made public last week, although Mr. Almon has insisted under oath that he had not taken possession of them and had ordered Mr. Redfearn to return them.

Mr. Kelley noted today that the Denver case, the most recent burglary with which the bureau has thus far been associated, was the subject of criminal investigations and said that he could not comment extensively about it.

But he did say that Mr. Almon "is no longer handling that type of material, he has no informants, so that at least if there be any propensity on his part, it's stopped."

The director also said that the bureau had previously promulgated "regulations and admonitions that that which is done by an informant can be construed as that which is done by the agent."

"And if it's wrong to be done by the agent, Mr. Kelley said, "it's wrong to be done by the informant."

Mr. Kelley, who recently left Bethesda Naval Hospital after undergoing treatment for a back ailment, declined to elaborate on his dismissal last month of Nicholas P. Callahan, who had been the bureau's second-ranking official.

"I had facts presented to me which, at that point, indicated that action was warranted in asking for his resignation," Mr. Kelley said. "Beyond that, I can only say that other matters are still being investigated and I cannot elaborate beyond just that particular point."

However, F.B.I. and Justice Department sources have said that Mr. Callahan's departure was related not to the burglaries but to his alleged misappropriation of funds belonging to the F.B.I.'s recreation association, a voluntary organization financed by agents' dues.

Callahan's Aide Defended

Mr. Kelley defended, however, James B. Adams, one of Mr. Callahan's deputies, who allegedly witnessed a bogus signature in connection with the disposition of the \$500,000 estate of Clyde A. Tolson, Mr. Hoover's long-time deputy, who died last year.

According to testimony taken

in a civil case here, Mr. Adams and Mr. Callahan both attested to the purported signature of Mr. Tolson on an instrument granting power of attorney over his estate to John P. Mohr, a retired F.B.I. executive.

The signature was not that of Mr. Tolson but had been affixed to the document by a bureau secretary.

"I have talked with Mr. Adams about that particular thing," Mr. Kelley said. "He has told me what happened. I do not think it impairs his present capacity to do his job."

As for his own plans, Mr. Kelley said that although he believed he would have to have surgery to correct his back ailment, his health was otherwise "excellent" and he had no plans to submit a routine letter of resignation after the November Presidential election.

In the three years that he has headed the bureau, Mr. Kelley said, "I have enjoyed myself very much."

"I think there's much to be done, I came here in order that I might do it, and I'm going to stay so long as my health is good and my need, the need for me is present."