

Levi Backs Kelley Amid Rumors

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Atty. Gen. Edward H. Levi, who previously has sharply criticized the FBI, has now gone out of his way to express vigorous support for FBI Director Clarence M. Kelley and the bureau in what he describes as "this period of torment."

"I am proud of the Federal Bureau of Investigation and its director," Levi told a meeting of the International Association of Chiefs of Police in Denver yesterday.

Justice Department sources said Levi's statement of support for the bureau was related directly to recent rumors that Kelley might be on the way out after little more than two years as head of the bureau and to reports of poor morale within an agency that for years was virtually free of outside criticism.

IN EFFECT, Levi backed away from his own public criticism of the bureau. Earlier this year, he described some of the bureau's actions against suspected domestic subversive groups in the pre-Kelley years as "foolish and outrageous."

But yesterday he warned that "the retrospective view of past abuses is in many ways unfair."

"It is forgetful of the historical circumstances and the different standards of behavior held by society in the past. It is one-sided and fails to give credit to the heroism and dedication displayed over the years," Levi said.

In the last two weeks, two news magazines have carried reports that Kelley had either threatened to resign or was about to be forced out by pressure from within the bureau. Levi's speech was designed to lay to rest those rumors as far as Kelley's superiors in the Justice Department are concerned, department sources said.

In recent interviews with

He May Be on the Way Out

The Washington Star, a number of FBI agents expressed a kind of affection for Kelley and admiration for the way he has handled himself during what is, in many ways, the most difficult and frustrating period in the bureau's history.

"HE IS the right man at the right time," said the agent in charge of the FBI office in a major East Coast city. "He is the man for the FBI right now — the perfect guy for us."

None of those interviewed minimized the problems the bureau faces, but they all seemed confident in Kelley's leadership.

"Most of us feel that Kelley is extremely unfortunate to be at the helm in this time of transition," said an assistant agent in charge in a Midwestern city. "But we feel he is doing as good as he can under the circumstances."

These are the things that are bothering the bureau and Kelley:

• Agents are deeply concerned that they or their colleagues may be prosecuted for actions they took under orders, sometimes years ago. The concern became so intense that Kelley called the leaders of the field offices to Washington three weeks ago. It was only the second time such a meeting had been held since Kelley took office.

Deputy Atty. Gen. Harold R. Tyler Jr. said in an interview that he spent 90 minutes with the agents.

"It is a dreadful problem," Tyler said, "where an agent is being called to testify (before a congressional committee) on what he did or did not do. We can't provide a lawyer to represent him."

"On the other hand, it

seems monstrous if an agent is theoretically in a tough position — where he ought to have counsel — if he has to dip into his savings to hire a lawyer.

"It is monstrous to ask him to shell out of his savings if he was only doing his duty. I don't like to say, 'Sorry, kid, you've got to get yourself a lawyer.'"

So far, Tyler said, he and a committee working on the problem have not found a solution that is fair to the agents and workable.

• Bureau officials and agents are seriously concerned about the rapid erosion in recent months of the sanctity of FBI files.

Until recently, it was only on a rare occasion when anyone outside the FBI got a look at FBI files. In recent weeks, thousands of pages of files have been released under the new Freedom of Information Act amendments and court orders; General Accounting Office investigators are working in FBI offices investigating the bureau for Congress; staff members of the Senate committee investigating intelligence activities are getting a look at raw FBI files.

"To some degree, this

has already caused us some problems on the street," one agent said. "We have lost some sources. It is not major yet, but it is a problem."

The agents interviewed felt that Kelley had protected the bureau's interests as far as he could.

"This is a concern to me and to the agent on the street," said the assistant agent in charge in an East Coast city. "But we think he's done everything he could to preserve the inviolability of the files."

Agents were disturbed by the handling of charges that FBI agents in Richmond had acted improperly after an illegal police wiretap was uncovered. Tyler took over investigation of

the case and suspended the agents involved.

"There was concern about the Richmond case, but we didn't know the facts," one agent said. "We've always handled our own internal cases. This was the first time I ever heard of anything like this. Our inspectors have always done an honest job."

Tyler said the agents had been "victimized by a lot of rumors." And, he said, they seemed to accept his explanation that his action had been taken to avoid any possibility of a later accusation of a cover-up in the case by the FBI — particularly since a relatively high-ranking official, the agent in charge in Richmond, was involved.

To some agents, espe-



EDWARD LEVI
'I am proud'

cially the younger ones, Kelley seems isolated, surrounded by officials who



CLARENCE KELLEY
Resignation rumored

the days of J. Edgar Hoover.

This feeling is strengthened by the fact that Kel-

ley, whose wife is seriously ill, normally spends a long weekend at his home in Kansas City, Mo. Normally, he leaves Washington on Thursday evening and doesn't return until Sunday night or Monday morning. Often, in fact, he keeps a speaking engagement in the Kansas City area that keeps him there through Monday as well.

THERE IS a deep sense of frustration, in both the bureau and the Justice Department, over the amount of time that has had to be devoted recently to dealing with questions of the past.

"This has been a tough period for the bureau," Tyler said. "Kelley has been spending so much of his resources going into the things of years ago. That

has meant there were things Kelley would like to do and can't do."

"There is no question we have been sidetracked because we have been caught up in a maelstrom of inquiry and question," said an agent who was until recently involved in planning for the bureau's future. "There have been just fantastic demands on Kelley's time."

When officials of the bureau and the department were asked about Kelley's future, the only serious question raised concerned the strenuous demands of the job.

At 63, Kelley appears to be in good health. But he is slightly deaf, which is an irritation, he sometimes suffers from a stiff back

and he smokes heavily.

EARLIER this year, he received a scare when a doctor examined a rash on the outside of his left forearm. Kelley, on the advice of other doctors, had been treating it with salves, but it persisted. Then tests showed it was skin cancer.

The cancer was removed surgically and a skin graft was slow to take hold. But that problem is now apparently behind him.

The special agent in charge of one large city was asked about the rumors that Kelley might either resign or be forced out. He paused for a few moments and then said:

"Who would be his successor? I don't want to even think about that."