

Kelley Confirms FBI Agent

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By Lawrence Meyer
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FBI Director Clarence M. Kelley confirmed yesterday that FBI agents conducted "surreptitious entries" or burglaries in this country "in securing information relative to the security of the nation."

Kelley's confirmation of the FBI break-ins, long reported but never before officially admitted by the FBI, came as part of an apparent effort to soften the impact of the disclosure before it was made either by Attorney General Edward H. Levi or by congressional committees investigating domestic intelligence-gathering activities by government agencies.

At one of his rare press confer-

ences, held as he was completing two years as FBI director, Kelley also confirmed that the FBI has broken into foreign embassies in this country for "counterintelligence" purposes. Kelley declined to provide more than the barest details concerning the number or nature of the burglaries which he maintained did not violate the law.

Kelley's statement revealed that the break-ins continued after 1966, although former President Nixon, in his May 22, 1973, paper on the Watergate affair, said that "in 1966, certain types of undercover FBI operations that had been conducted for many years had been suspended."

Kelley said yesterday that the

burglaries were stopped in 1966 "with the exception of a small amount of actions which were conducted in connection with foreign intelligence investigations which we felt had a grave impact on the security of the nation."

Kelley said that the officials involved in the decisions, whom he did not name, "acted in good faith, in the belief that national security interests were paramount and that their actions were reasonable."

Kelley declined to say how many burglaries were conducted from World War II, when the practice apparently began, to 1966, when Kelley indicated it was curtailed. The decision to change the practice, according to Kelley, was made

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by the late FBI Director J. Edgar Hoover.

Hoover decided, Kelley said, "that under the then prevailing philosophy and feeling that possibly in the context of the times this was not a viable procedure."

When asked if the break-ins before 1966 might have included some that were not related to foreign intelligence or national security, Kelley said, "It might well have been that prior to that time national security or counterintelligence or whatever terminology you might want to use could have included other areas. But then you began to compartmentalize the various types of acti-

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vities and then it became evident that the area of foreign

counterintelligence, national security certainly should be differentiated from domestic security."

Kelley said that he did not know when the break-ins were stopped. "I have not had a single request to conduct such activities since I have been made director," Kelley said.

"If ever anything of this type comes up, and I can't foresee this need, but if ever it did come up and it became a matter of grave concern, a matter that is to be solved only through such activity, I would present it to the Attorney General and would be guided by his opinion as to such activity."

The FBI is compiling materials on the activities in response to a request made by the Senate intelligence committee. Kelley said that the process will be completed within the next 10 days and the materials will be given to Levi to determine how much and in what form they should be made available to the committee.

Asked several times if he thought such activities were proper, Kelley declined to criticize them. "I do not note in any of these activities a gross misuse of authority," he said. Viewed in the context of the times in which they were conducted, he said, "I do not feel that it was a corruption of the trust that had been placed in us."

Kelley also defended the FBI's extended electronic surveillance of the late Rev. Martin Luther King Jr. in the 1960s. "In reviewing this situation, I

feel that the authority stemmed from the proper source. It was a matter which was construed in those times as of considerable concern to the country and the FBI acted in accordance with the request which was made that it be installed," Kelley said.

Kelley said he knew of no break-ins conducted by the FBI overseas, that he was aware of none conducted with the Central Intelligence Agency, and that there were "not a lot" of embassy break-ins.

"I don't think that all of the few (embassy break-ins) were confined to Washington, D.C., but I can't tell you absolutely that that is true," Kelley said.

At one point, when asked if civil rights groups had been the target of FBI burglaries, Kelley answered that he was not going to say against what groups burglaries had been authorized "except to say that they were." A spokesman said later that Kelley's response was not intended to mean that civil rights groups had been burglarized but only that burglaries had been conducted without saying against whom.

In response to a question on another subject, Kelley said he would resign as FBI director if the frequent out-of-town trips he makes impaired his control of the bureau.

Kelley returns virtually every weekend to Kansas City to see his wife, who is seriously ill.

"If I feel that in so doing, it will endanger my administrative control and my capability of doing that which I think should be done, I will leave. There is no question whatsoever," Kelley said.