

Kelley Kept From FBI Probe Reports

By Margaret Gentry
Associated Press

The Justice Department has blocked FBI Director Clarence M. Kelley from receiving investigative reports on a probe of FBI burglaries, according to a knowledgeable source.

The department official in charge of the investigation has hand-picked a team of 12 FBI agents to do much of the legwork in the case, this source and others familiar with the developments said yesterday.

The agents' reports may have been sent to Kelley and one of his top assistants, James Adams, early in the investigation, the sources said. But that was changed on orders from department officials and agents no longer are allowed to report their findings to Kelley or Adams, the source said.

IT IS UNUSUAL for the FBI director to be sealed off from reports of his own agents even in investigations involving alleged FBI wrongdoing. It could not be determined why department officials took such action. But the probe is being conducted in even tighter secrecy than usual and few department officials have been told about the details.

The investigation centers on allegations that FBI agents carried out burglaries at the homes or offices of Americans during the last five years. It is not known how many burglaries might be involved.

Sources said the investigation involves possible criminal charges that

FBI men violated the civil rights of citizens in the break-ins.

THE DEPARTMENT probe is under the over-all direction of Asst. Atty. Gen. J. Stanley Pottinger, head of the civil rights division.

"I've seen Stan shake his head in dismay at what they've found," a department official remarked.

In a development related to the probe, Asst. FBI Director Andrew Decker has hired a well-known Washington attorney, Edward Bennett Williams, to represent him, sources said.

Decker was assigned to intelligence and security matters for several years before Kelley appointed him assistant director for the computer systems division in 1974. He is now in charge of the records division.

One source familiar with the case said Kelley is concerned that the burglary investigation raises doubts about his credibility and control of the bureau.

KELLEY HAS insisted for the past year that FBI burglaries against domestic targets ended in 1966, long before he took office in 1973.

But the department now is investigating burglaries conducted since 1971. Published reports have indicated that some of the burglaries took place after Kelley took office.

If the burglaries were conducted without Kelley's knowledge — and there's no publicly available evidence to the contrary — that raises questions about the strength of the director's leadership.

The FBI refuses comment.

One target of the post-1971 burglaries was the Socialist Workers party, a department source said. FBI files previously made public showed that agents conducted 94 burglaries against the party from 1960 through 1966.

WILLIAM GARDNER, chief of the civil rights division's criminal section, directly controls the department's investigation.