

# F. B. I. in Worst Crisis Ever, Looking to Its Next Director

## Carter's Choice Viewed as Key to Reform Program That Was Begun by Kalley to Prevent Future Abuses

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WASHINGTON, Dec. 31—With public confidence in its rectitude undermined by disclosures of illegal activity, internal corruption and abuse of power, the Federal Bureau of Investigation that the Carter administration will inherit Jan. 20 is in the midst of its worst internal crisis ever.

Under the cautious leadership of its director, Clarence M. Kalley, the bureau recently began to redefine its mission and to install administrative safeguards designed to prevent future abuses of the sort that have sullied its once-impeccable image.

But the ultimate success of those reforms will depend to a considerable extent on the man Jimmy Carter chooses to head the nation's foremost law-enforcement agency over the next few years, a period of transition that promises to be the most crucial in the bureau's 30-year history.

### Key Role for Bell

It will also depend on Griffin B. Bell, the Attorney General designate, who has thus far reserved to himself his views about the future of the bureau, but to whom the responsibility will fall for setting a moral tone that will determine much about that future.

One example of the elements that can contribute to such a climate was contained in a recent recollection of Edward H. Levi, the present Attorney General, that shortly after he took office last year he was approached by an F. B. I. agent who

presented him with a request for a national security wiretap and then stood by waiting for him to sign it.

"I asked the agent to leave the request with me—I think, perhaps, to his surprise—so that I could consult other officials in the department," the Attorney General recalled.

Although the President-elect and Mr. Bell have indicated that they are considering keeping Mr. Kalley in place, sources close to both men are persuaded that the present director has no chance of remaining for more than a few weeks after Mr. Carter takes office.

### Carter Campaign Comments

Mr. Carter, the sources recalled, expressed dissatisfaction in his campaign with the pace of Mr. Kalley's reforms and even said at one point that had he then been President he would have discharged the director for having permitted the bureau's carpenters to redecorate his suburban apartment.

The summary of Mr. Kalley's three-and-a-half year tenure as director is mixed. He has reorganized the bureau's intelligence division, a small part of its overall operations but the one that contributed most heavily to the record of abuse, and has reduced the number of its dangerous intelligence investigations from several thousand to a few hundred.

But he has, on occasion, been accused

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priced as those outside the bureau at the reports that some bureau agents and informers have taken part in illegal activities in a few instances under his very nose. Justice Department lawyers investigating those illegalities have reportedly concluded that they have evidence to bring criminal charges against 10 to 20 past and present bureau officials.

The bureau has been badly stung by disclosures that J. Edgar Hoover, its late and longtime director, misused his authority in a variety of ways and counted on the practices of his agents for the Senate Select Committee on Intelligence Activities characterized as "unworthy of a democracy and occasionally reminiscent of the tactics of totalitarian regimes."

### Abuses Doubted by Hart

"This is what my children have told me was going on," observed Senator Philip A. Hart, the late Michigan Democrat who served on the special Senate committee that unearthed many of the abuses. "I did not believe it," Mr. Hart said.

The F.B.I., whose executives have spent much of the last 2 1/2 months testifying before that committee and several others on Capitol Hill, might well have recovered fully from the criticism and public disillusionment provoked by the unveiling of its blemished history.

But Mr. Carter's bureau director will have more than history to contend with. The most stunning blow thus far, one with ramifications for the future, has been the discovery that dozens of present and former bureau agents and officials have been caught up in an ongoing Justice Department inquiry into the recent use of such illegal investigative techniques as burglaries and the "systematic theft" of Government property.

Tension inside the bureau has occasionally run high as a hand-picked team of agents, known derisively as the "dirty dozen" and working at the direction of the Justice Department prosecutors, has been digging into the alleged crimes of fellow agents.

### Agents Against Agents

At one point, bureau sources reported, members of the special team were confronted by agents in the bureau's giant Manhattan field office as the special team attempted to remove official records thought to reflect some of the illegal activities.

That confrontation passed without incident, but other sources say that old friends are no longer speaking in the corridors as some of those under investigation, granted partial immunity from prosecution, have begun to testify against their colleagues before Federal grand juries in New York City and Washington.

As the stream of adverse disclosures grew from a trickle into a torrent, Mr. Kelley struggled to contain the damage to the bureau's image and to keep its investigative machinery turning smoothly. But his success has not been unequalled, and in some instances his efforts have only exacerbated internal divisions and further diminished the bureau's already dismal morale.

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The New York Times  
Clarence M. Kelley

to his as yet unnamed successor, Mr. Kelley is trying to conserve the resources toward the bureau's white-collar and organized crime investigations that have long been the bureau's staple and have produced statistical performance records that are envied by other agencies.

### Reforms for Successor

Some of that commitment has been inspired by Mr. Levy, a distinguished scholar and confidant of Mr. Hoover, who by all accounts is a man of integrity. He has learned about the bureau's managerial and operational problems that Mr. Kelley has inherited in the months will stand as a challenge to his as yet unnamed successor.

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In recent Senate testimony, Mr. Kelley attributed the cutbacks in intelligence investigations in large part to the end of the Vietnam war, which had eliminated "a major cause of unevenness in this country." He has mentioned, but did not elaborate on, the bureau's time in the last few

But sociological factors are only part of the reason that the bureau's interest in Americans with divergent political views has fallen off from 21,414 active investigations three years ago to fewer than 300 today (the bureau handles some half-million cases of all kinds each year).

Another part is the bureau's own initiative in closing out the least productive of those cases, based on what Mr. Kelley terms a "quality over quantity" approach to deploying his manpower.

Of equal importance in the bureau's housecleaning, however, has been the role of the Justice Department, which earlier this year issued guidelines, the first ever, that substantially limit the grounds for opening and pursuing domestic security investigations.

### Annual Reviews of Cases

In addition, a group of Justice Department lawyers is now reviewing existing domestic security cases on an annual basis with an eye toward whether they should be kept open, and it was that panel that recently told the F.B.I. to drop its 38-year investigation of the Socialist Workers Party on the ground that none of the party's current activities appeared to violate the law.

Mr. Levy's initiative in imposing standards on the bureau's gathering of domestic intelligence and in seeing that they are adhered to is a notable departure from the acquiescence of past Attorneys General who, according to the Senate

committee, gave to the bureau "only the most general guidance for the investigation of organizations."

Taken together, the reorganization of the intelligence division, Mr. Kelley's broader effort to rejuvenate the bureau's management and the strictures handed down by Mr. Levy represent the first significant attempt at reforming the bureau since Mr. Hoover began to clean up the corrupt Bureau of Investigation, as it was then known, in 1924.

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### Searching for 'Commfit'

Convinced at first that Communist influence underlay much of the discord of the last decade, the bureau began clutterless searches for "Commfit" (Communist infiltration) in the past few years. The bureau's search for Communist infiltration has been a major part of its housecleaning effort.

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from some agents and officials who usually resent the criticism of the bureau and the exposure of its operations. Mr. Kelley is careful not to display any sign that he has less than complete faith in the wisdom of the transformation.

Asked by Senator Jake Garn, Republican of Utah, whether the bureau might be going overboard in its cutbacks, Kelley calmly reassured the oversight committee that the steep reduction had been a "prudent" one.

"I don't think it will emasculate," he told the conservative Republican.

Another member of the Intelligence Committee, Senator Joseph R. Biden, Democrat of Delaware, expressed a contrary fear. That the bureau's reforms might be merely a pragmatic response to the disclosures that would fade with time or collapse under the weight of renewed domestic dissent.

"These changes are not cosmetic," Mr. Kelley replied with equal conviction.

The real value of the bureau's reforms may not become apparent for years, possibly not before the nation has undergone another wrenching experience like the Vietnam war that would provide the bureau with an occasion for reverting to its old tactics of coping with domestic dissent.

But if they are to endure, the new principles of accountability to outside authority and scrupulous concern for individual rights will have to be enthusiastically enforced by both Mr. Bell and the next director.

#### Intelligence Division Breakup

While much depends on the environment inside the bureau that is engendered by the Carter administration, some of Mr. Kelley's changes are less fragile, such as the breakup of the intelligence division which until last August was composed of three principal sections.

One was the espionage section, which concerned itself entirely with the serious business of tracking hostile foreign intelligence agents who operate within the United States.

Another was the extremists section, which watched over radical black, Puerto Rican and American Indian organizations, "white hate" groups and other such movements.

The third was the internal security section, which had the responsibility for investigating Marxist and other "revolutionary groups and organizations" and that in its favor eventually collected files on nearly everything touched by the left in this country, from Antioch College, a small liberal institution in Ohio, to what the bureau generically termed the "women's liberation movement."

Mr. Kelley eliminated from the intelligence division both the extremist and internal security sections, transferring their sharply diminished caseloads to a new "domestic security section" in the bureau's larger general investigative division, which is responsible for pointing out most of the Federal statutes that the bureau enforces.

#### Omitted From Scandals

The general investigative division, the most of the bureau's 12 other divisions, and the agents who work for them, were omitted from the disclosures of the past few months. They were not mentioned in the Senate report, nor in the House report, nor in the New York Times' exposé.

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