

Kelley Unable to Recall Seeking Break-In in '50s

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FBI Director Clarence M. Kelley said yesterday he does not remember if he requested authorization for a break-in by bureau agents while he was in charge of the FBI's Birmingham, Ala., field office in the late 1950s.

A spokesman for Kelley said the director could neither confirm nor deny a Washington Star report that he had asked FBI headquarters in Washington to approve a break-in more than 16 years ago. He quoted Kelley as saying: "If I did have recollection, I would have no hesitancy in admitting it."

The former official, who was not

named, said he could not recall the reason given for the request.

Break-ins were among the investigative techniques used by the FBI during its controversial counterintelligence program called Cointelpro—an effort to harass, discredit and disrupt organizations that were considered threats to the nation. Agents wishing to break into an office or home had to first gain approval from Washington headquarters. The Cointelpro program began in 1956 and ended in 1971.

The assertion that Kelley asked for break-in authorization is the first that allegedly links him with such practices. Kelley earlier this year publicly apologized for past FBI misdeeds but did not list the past actions he considered wrong.

He also declined to say if he had ever participated in any of the activities he was criticizing, saying "I'm not saying Clarence Kelley engaged in such activities or did not engage in these activities."

Kelley's spokesman said yesterday that field agents assumed break-ins were proper technique during the period they were being used because the authorization came from J. Edgar Hoover, then head of the bureau. He said agents assumed Hoover acted at the direction of the Attorney General or the President.

The Senate intelligence committee concluded in its report on the FBI that there was no indication that any Attorney General ever was informed by Hoover or other FBI personnel of the break-ins.

The Star source said Kelley, at the time he allegedly made the break-in request, was "wholeheartedly in favor" of using break-ins as an investigative tool in intelligence investigations.

"He was a traditionalist," the source said. "He never objected to those techniques when he was a SAC (special agent in charge)."

The source said during his time in the FBI "there never was a special agent in charge who didn't understand and approve of surreptitious entries. No one ever complained, they all approved. Kelley was fully cognizant of those operations and he approved."