

Efforts to Reform FBI Hampered by Some

8/9/76 BY NORMAN KEMPSTER
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WASHINGTON—FBI Director Clarence M. Kelley said Sunday that his efforts to atone for abuses by the bureau had been hampered by employees who still preferred the "authoritarian" methods of J. Edgar Hoover.

"Some cling to the idea that you can do anything you want so long as you follow certain ideals that were imbedded in them throughout the many years of the leadership of Mr. Hoover," Kelley said.

"I'm not critical of Mr. Hoover," he added. "I'm merely saying that it was an authoritarian type of administration. Mine is not."

Kelley chose his words carefully in discussing loyalty within the bureau more than four years after the death of Hoover.

"I feel that I have control of the FBI . . . The great majority of the organization are loyalists to the FBI, and I represent the FBI," Kelley said. He did not claim to have the personal loyalty of his subordinates.

Almost every individual in a position of power in the bureau joined during the Hoover era, Kelley said, but no one currently in a leadership position in Washington headquarters held the rank of assistant director or above while Hoover was director.

Kelley's appearance on the CBS TV interview program Face the Nation was the first step in a new campaign to repair the damage to the FBI's prestige that resulted from a Justice Department investigation of burglaries by bureau employees and other abuses of power.

The director is expected to hold a general press conference later this week.

Kelley said that "from three or four on up" bureau officials might be disciplined as a result of current investigations. But he indicated that the special agents who participated in burglaries to obtain information might be treated leniently because they might have been "following the authority that they think stems from those higher up."

Edward P. Morgan, a Washington attorney hired by a society of former agents to look after the legal interests of any "street level" agents who might be caught up in the investigation of break-ins, said in a recent interview that the trail of responsibility appeared to go as high as former attorneys general.

Morgan said that if any agents were indicted, defense



PREPARING—FBI Director Clarence Kelley wipes an eye as he gets ready for television appearance

AP Wirephoto

attorneys could use federal court rules to obtain documents from secret FBI and Justice Department files that might disclose the authorization for extralegal intelligence techniques.

Kelley told Congress earlier this year that in 1966 the FBI had stopped using burglary—"black-bag jobs" in the bureau's terminology—to obtain information. Since that time, investigators have learned of break-ins in 1972 and 1973 by FBI agents and of at least one burglary as recently as last month by a paid informer.

Kelley said someone in the bureau had intentionally deceived him into thinking the black-bag jobs had been halted in 1966. But he said he did not yet know who it was.

"If I find those that have knowingly deceived me, I will take some action," he said.

Kelley said he was "very distressed" to learn that someone in the bureau had provided false information to a U.S. district judge in New York in responding to written questions asked as part of a \$37 million damage suit brought by the Socialist Workers Party against the government.

"This smacks of a coverup," Kelley said.

Agents, Kelley Says

But the director said he did not know who was responsible for the misleading answer.

The bureau said in the written answer filed in June that an FBI informant, then identified only by a number but now known to be Timothy Redfearn of Denver, had never obtained information through burglary or other illegal means.

However, Redfearn's full FBI file, made public as a result of the same lawsuit, indicated that at least five thefts—including at least two burglaries—of Socialist Worker documents had taken place in 1973. The file shows also that Redfearn broke into the party's Denver headquarters last month and removed four cartons of records.

After the July 7 break-in, the FBI insisted that Redfearn had acted without authorization or permission. Agent John V. Almon said in sworn testimony that he had instructed Redfearn to return the papers as soon as possible. However, copies of at least two stolen documents were added to the bureau's files in Denver.

Kelley said Almon had been relieved of intelligence duties and had been separated from dealing with informants.

The director noted also that FBI rules specified that illegal actions by an informant could be construed as having been performed by the agent who supervised him. This would seem to destroy the bureau's argument that Redfearn was acting on his own when he broke into the Socialist Workers headquarters.

Generals Get Free Sherry With Pentagon Lunches, Aspin Claims

WASHINGTON (AP)—Army generals get free sherry with lunch in their private Pentagon dining room, Rep. Les Aspin (D-Wis.) said Sunday.

"Why is the taxpayer footing the bill for this noontime nip?" Aspin asked in a statement.

The Army replied that the sherry was not free—that a choice of juice or sherry was included in the price of lunch.

Aspin said he made the disclosure as part of his campaign to have Pentagon dining services contracted to private companies and not subsidized by taxpayers.

He said in an earlier press release that taxpayer subsidies for Pentagon dining room meals in 1975 averaged \$12.03 a meal.

So a grilled cheese sandwich plate cost \$13.53, he said, with the officer eating it paying \$1.50 and the taxpayers paying \$12.03.