

KELLEY DECLARES HIS INDEPENDENCE

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F.B.I. Nominee Tells Panel He Will Resist Pressure

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WASHINGTON, June 19 — Clarence M. Kelley, the Kansas City, Mo., police chief who has been nominated by President Nixon to head the Federal Bureau of Investigation, said today that he had "never bowed to political pressure and I don't men to start."

Mr. Kelley, who made his first appearance before the Senate Judiciary Committee today, would be, if confirmed, the first permanent director of the law-enforcement agency since the death of J. Edgar Hoover 13 months ago. Mr. Kelley's predecessor, L. Patrick Gray 3d, served as acting director for almost a year, but resigned following the disclosure of his involvement in the Watergate scandal.

Against this background, it was evident that some members of the committee had history in mind as they questioned the bulky, gray-haired police chief for more than five hours. Another question that seemed a shared preoccupation was that of surveillance, or the gathering and filing of intelligence data on persons not accused of criminal activity.

'Oversight Committee'

Mr. Kelley was also asked by several committee members for his feelings about an "oversight committee" that would have the power to review the bureau's activities—a concept adamantly opposed by Mr. Hoover. Mr. Kelley, however, indicated that such a committee could be useful. He also indicated that he was not flatly opposed to the general notion of submitting a "line item" budget for the bureau—that is, a budget in which the allocation of money for various purposes is shown, rather than simply the total amount requested.

Senator Edward M. Kennedy of Massachusetts asked Mr. Kelley a series of questions clearly aimed at eliciting his response to a situation such as the one that faced Mr. Gray in connection with the Watergate cover-up. He started by asking the nominee how he would react to a White House request to make a campaign speech, and went on to ask for his reaction to hypothetical requests from White House aides for "investigative materials," or for information from F.B.I. files, or to destroy documents "described as political dynamite."

To each question, the generally laconic Mr. Kelley gave a nearly identical reply: That he would refuse the request and inform the Attorney General.

Goals Described

Senator Birch Bayh, Democrat of Indiana, asked Mr. Kelley to tell the committee "what you would like to see the F.B.I. accomplish," to which Mr. Kelley replied that he felt the bureau was "suffering from some lack of leadership of an affirmative basis and they feel that their pre-eminence, rightfully earned, has been assailed."

So would, he said, like to restore the bureau's confidence and disseminate its example of professionalism "in an atmosphere of justice." He added, "I don't feel that the problem of morale is as deep-rooted as it seems."

As for the question of gathering data—later fed into a computerized-information-retrieval system—on persons who have not committed a criminal offense, Mr. Kelley said he believed such data should be used only when it was shown to be leading to a criminal prosecution.

Senator Philip A. Hart, Democrat of Michigan, was one of the most persistent questioners on this topic, saying he felt that, since the disclosure about Watergate, "we are on notice that a preoccupation with national security makes them open files because somebody smiles crooked."

Asked about reports that there had been misuses of Kansas City's own computerized data system, Mr. Kelley said he knew of one instance in which a police officer questioned a college official about students who had taken part in a demonstration. He said he put a stop to the questioning, adding, "I don't believe in that sort of thing."

The confirmation hearings will resume tomorrow morning.