

# F.B.I. CHIEF DENIES EXCESS WIRETAPS

SEP 7 1974

Says Surveillance Is Kept  
Under 'Closest Scrutiny'  
NYTimes

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Special to The New York Times

WASHINGTON, Sept. 6—The director of the Federal Bureau of Investigation, Clarence M. Kelly, branded tonight as "patently false, absolutely ridiculous" reports that the agency was "promiscuously involved in electronic wiretaps."

"The F.B.I. does conduct electronic surveillance," Mr. Kelley told the Federal Bar Association, "but always under the closest scrutiny, legally authorized and specifically limited, and never at random and just on its own."

Mr. Kelley did not give the sources of the report on alleged F.B.I. wiretaps.

In investigations, organized crime, Mr. Kelley explained, wiretaps must be authorized by the Attorney General or an assistant and approved by a Federal district court judge on the basis of sworn affidavits of their necessity.

### Additional Restrictions

In the national security area, he continued, taps must be approved by the Attorney General and the director of the F.B.I. He said that wiretaps were never used against domestic groups or their members "unless they have shown a significant connection involving substantial financing, control by or active collaboration with a foreign power in unlawful activities directed against the U.S. Government."

Mr. Kelley said that the bureau had "reservations" about the rule that prohibits the use of illegally obtained evidence against a criminal defendant.

The courts' insistence on this principle "sometimes permits the guilty to go free because the constable blundered," he said.

The bureau does not attempt to evade the rules, Mr. Kelley said, but advocates Congressional action to change it.

Earlier, J. Stanley Pottinger, the Assistant Attorney General who heads the Civil Rights Division of the Department of Justice, told the association that affirmative action to promote more employment of

blacks and women was a "goal system," not a "quota system."

Mr. Pottinger said that employers were not required to hire any fixed number of percentage of minority or female applicants.

"The law does not require employment behavior of this kind," he declared, "and anyone who engages in it is either misunderstanding what the law requires or petulantly indulging excesses in a sloppy form of 'affirmative action with a vengeance.'"