

Bell Vows To Replace FBI Chief

Washington

Griffin B. Bell, the attorney general-designate, promised yesterday to replace Clarence Kelley as FBI director "before too long."

Testifying at the second day of his confirmation hearing before the Senate Judiciary Committee, Bell indicated for the first time that the Carter administration has decided to let Kelley go.

Bell also pledged that, as attorney general, he will not authorize electronic surveillance against American citizens without court warrants. That would carry the current Justice Department policy a step further toward protection of individual rights.

Bell, an Atlanta lawyer and former federal appeals judge, also said he will personally go into courts to urge judges to impose prison sentences against convicted price-fixers.

Bell again was questioned closely about his role in the school desegregation turmoil in the late 1950s in his native Georgia, where

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he was counsel to then Governor Ernest Vandiver.

He professed pride in his record, insisted that he acted as a moderating influence to keep public schools open, and claimed he has become more sensitive to the rights of racial minorities in the years since. Bell was a federal judge from 1961 to 1976.

Senator Edward M. Kennedy (Dem-Mass.) asked Bell about Kelley's future.

"We'll look forward to having a new director of the FBI before too long," Bell responded. "I can't give you a time frame, but it would not be long."

Bell disclosed that in interviewing candidates for other justice posts, he also has been considering their qualifications to lead the FBI.

Former President Richard Nixon appointed Kelley in July, 1973, to head the FBI.

Bell noted that Kelley, 65, is at retirement age and that many ranking bureau officials must leave soon when a new federal law requiring law enforcement personnel to retire at 55 takes effect on Jan. 1, 1978.

He said Kelley has told him "he wants to assist in the transition" which the retirement law will bring to the bureau.

Bell hinted that Kelley might be appointed to an advisory position after a new director is named.

Though Bell declined to elaborate on the timing of the change, there has been speculation that Kelley will remain with the depart-

ment in some capacity until October, when his pension would increase considerably because of the new retirement law.

Kelley said last year he would not resign voluntarily during a change in administrations in order to avoid setting a precedent that future FBI directors must leave when a new president takes office.

Later in the day, a top official of the NAACP told the committee that Jimmy Carter would have lost the presidential election if blacks in such states as Ohio and Maryland had known he would name Bell attorney general.

Clarence Mitchell, director of the NAACP's Washington bureau, accused Democratic members of the Senate committee of asking Bell "gently leading questions" to make him look good.

Kennedy told Mitchell, "We are mindful of the responsibilities we bear with regard to this nominee."

Kennedy asked why blacks from Bell's home state of Georgia, including Representative Andrew Young, Carter's nominee as ambassador to the United Nations, had commented favorably on Bell if his civil rights record was as bad as Mitchell contended.

Mitchell said Bell's black supporters, "living under uncomfortable circumstances in Atlanta, have had so little. Anything that gives a scintilla of hope looks good."

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