

# The Bureau and the bureaus

## PART II:

### The new FBI and Hoover's lingering spirit

BY PAUL CLANCY

**L**AST SUMMER an unprecedented event took place amidst the piney woods of Quantico, Va. There, where the Federal Bureau of Investigation runs its academy, agents from all but two of the FBI's 57 field offices underwent two week-long training sessions on how to deal with the media. Zeroing in on the site revealed that the once-secretive Bureau was now actually attempting systematically to open itself up to public scrutiny. The time had come, as the FBI's new director, Clarence Kelley, put it, "to raise the shades."

The Bureau had kept the shades tightly

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drawn during the almost half-century of J. Edgar Hoover's directorship. Virtually the only glimpses allowed were under tightly controlled conditions: public relations rather than public information. Contacts with the media were limited to polishing the white-knight image of the Bureau and its director and knocking off balance those seen as enemies, politically or otherwise, of the FBI.

But last summer the FBI was going out of its way to clue in its field personnel about the requirements of the public media—how to respond to inquiries and how, under strict Department of Justice guidelines, to prepare news releases. There was to be no more automatic "no commenting;" those days were gone. It was time for open acknowledgement of everything it was possible to acknowledge

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without harming a suspect or a case. A tough line to walk, but possible.

Another first was the presence of newsmen, lots of them — some ancient enemies, at least in the minds of some of the Bureau's top officials. They were invited to Quantico to participate in free-wheeling, off-the-record discussions of post-Watergate relations between the FBI and the press — and to help raise the shades a little. There was room for improvement on both sides, but as far as openness went, it was clear that the government men had the most to gain from the discussions.

Stephan Leshner of *Newsweek* flatly told the field agents that not one of them should be handling press operations; they were law enforcers, not newsmen, and they didn't understand the first thing about the traditions or demands of journalism. Some agents shot back that they didn't think reporters understood or respected the principles of the criminal justice system. What's more, they said, news coverage of the FBI had been less than fair.

Reporters admitted that in the past their contacts with the Bureau had perhaps been too cozy. Columnist Jack Anderson, for one, said that when he took over on Drew Pearson's death the "Washington Merry-Go-Round" column in 1969, he had automatic access to official FBI files. But a few weeks later, when his first critical pieces about Hoover began to appear, the spigot was abruptly turned off.

Les Whitten, Anderson's associate, described the entire session with reporters as "almost like some sensitivity group thing. By the end I felt we were really getting across to them. It was really a good, satisfying session."

This event in June and July 1975 was a direct result of the new policies of the new director, Clarence Kelley.

Kelley appeared to be genuinely chagrined about the low esteem in

which the FBI suddenly was being held by the public, and anxious to rebuild, with the help of the press, the public's trust. "An alliance for truth," he called it. From the changes Kelley had instituted and through his efforts, the improvement in Bureau-media relations was nothing short of dramatic.

It is true that there had been a long and mutually beneficial relationship between reporters and FBI officials, especially those in the field who were not caught up in the machinations of headquarters. They saw nothing unethical about the information-sharing that took place, as long as the cause of justice and of public knowledge was served. Reporters owed every ounce of their investigative worth to the tips and confirmations and background poop supplied by sources in regional offices. And agents, long before they thought of resorting to subpoenas to get at reporters' sources or notebooks, merely went to friends in the media for details they had overlooked. One former FBI agent from New York tells of a cocktail party tip from a reporter friend that a suspected Soviet agent was planning a trip to Montana. The man was subsequently collared while taking pictures of missile sites.

Reporters, in general, venerated the FBI as an authentic bastion of justice. But they, individually, had begun seeing evidence that the Bureau was not as pure as it appeared.

For Jim Squires of the *Chicago Tribune*, the dawning came rather abruptly one day in May 1971, when he and Jack Nelson of the *Los Angeles Times* discovered that a man posing as a reporter at a congressional briefing on the Philip Berrigan case\* was an FBI agent. When confronted, the man raced from the room and, like a bank robber in a getaway, jumped into a waiting government car and sped away. "It was the first time," says Squires, "I had ever viewed the FBI as the enemy."

The moment of truth for Bill Kovach of the *New York Times* was the realization that FBI provocation could not be discounted as a cause for student violence. His awakening was completed when agents tailed him during the Berrigan trial in Harrisburg, Pa., and then afterwards followed him all the way to Washington. Says Kovach, sadly, "I wouldn't talk to an FBI agent now."

The FBI's public reputation reached its nadir during last fall's congressional confessions — stories about illegal wiretaps; attempts to smear nationally respected leaders; provocations of violence; political games played with various presidents; the feeding of information to Sen. Joe McCarthy, whose charges were then splashed in the press. All the evidence revealed in the hearings, and laid bare in a TV spectacle, made for quite tarnished armor.

But it was not the public laundering which launched the FBI turnaround. The transition within the FBI began with L. Patrick Gray and then William Ruckelshaus, both acting directors after Hoover's death. It was a case of two steps forward and one back for these two men. Both seemed to be willing to improve matters at the Bureau, but the startling revelations at that time emerging out of Watergate made it particularly difficult to work any miracles.

Soon after the existence of the FBI's nasty counterintelligence games became known in early 1974, reporters began receiving mysteriously unsigned memos defending the program. The memos came in plain yellow envelopes, a great

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\*Philip Berrigan and his brother Daniel, Catholic priests who helped destroy draft board records in 1967, were accused in 1970 by J. Edgar Hoover of being the leaders of a terrorist group intent on bombing "underground electrical conduits and steam pipes serving the Washington, D.C. area in order to disrupt Federal Government operations."



KELLEY and the HOOVER BUILDING: TIME TO 'RAISE THE SHADES'

batch of material indicating that the FBI was under a great deal of pressure from Congress and newspaper editorials to do something about dissident groups. The material was sent anonymously, but it was obvious to the recipients that it came directly from the FBI.

Clarence Kelley, when named head of the Bureau, found he had a hell of a public relations and public information job on his hands. Not the least of his worries was the lingering influence of Hoover on many of those in high office. Even Kelley, who spent 24 years under Hoover at the FBI, had a habit of

occasionally slipping into the old patterns, of allowing the spirit of Hoover to return — if only ever so briefly.

For some time after Kelley's arrival in Washington in late 1973, the Bureau continued the practice of doing background checks on reporters who asked for interviews. What was their military record, their marital status, their record of contact with the law? Had they written favorably or unfavorably about the Bureau? The attitude was: why should we grant interviews to our enemies? (Today Kelley can joke and say, "All newsmen

are enemies, so why run a check?" But then it was no joke.)

When Kelley arrived from Kansas City, he brought with him his own press spokesman. But Bill Ellingsworth, a former newsman who had been with Kelley for five years, didn't last long in a world dominated by G-men. He found himself increasingly isolated from Kelley and unable to speak for the Bureau. He was eventually exiled to the Siberia of the FBI Academy where even a modest proposal to make basic journalism principles a part of FBI training was snubbed. When Ellingsworth quit, it was a victory for the old hands at the Bureau who were not about to allow a non-agent to have anything to do with policy.

But change, while it may have traveled on leaden feet, has definitely come to the FBI. Compared with the previous regime, the agency is positively bathed in light. The Crime Records Division has given way to the External Affairs Division which, although without much of an improvement in name, has systematically done away with the old practices — the name checks, the "not-to-contact" lists, the favoritism and the dirty tricks. "We've flip-flopped," exclaims Tom Coll, head of the press office — and the extra effort seems to prove it.

If you want to know what is going on in the world of organized crime, espionage, terrorism or the like, the Bureau will invite you to its pretentious Hoover-built headquarters on Pennsylvania Avenue, escort you through its labyrinthine halls and sit you down with its top investigators who will tell you what they can — more, in fact, than you might expect.

They will also invite you out to one of their field offices and even, under minimal restrictions, allow you to witness an investigation in progress.

A reporter for the *Seattle Post-Intelligencer* spent four weeks in that city's FBI office and produced a minute-by-minute account of an agent's day, including details of his wake-up routine ("Dawn crawled through the bedroom window . . ."), his wardrobe, his phone calls, his investigative techniques.

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During his 46 years as director, J. Edgar Hoover held only one press conference (to a self-described “briefing group” of women reporters led by Sarah McClendon), and a handful of interviews. Kelley, in just two years, has, by latest count, held 65 press conferences and given nearly 200 interviews. Kelley even gave CBS's Dan Rather four hours on the day of the funeral of Kelley's wife, who had died of cancer.

That interview was intended for use in an exclusive “Inside the FBI” documentary. The FBI's initial hopes for the program and subsequent anger reveal a naivete about the ways of the media and a thin-skinned sensitivity to criticism that doesn't exactly blend in with the Bureau's shiny new image.

For some reason the Bureau was under the impression that Rather was going to do an upbeat, this-is-your-new-FBI-in-action treatment without dwelling unduly on the sins of the past. Rather says he warned the Bureau not to expect any valentines. Nevertheless, the Bureau took its chances and rolled out the carpet for CBS, giving the network access to its agents and headquarters staff; and Kelley, not wishing to go back on his promise to do the interview, was more helpful than he needed to be under the circumstances.

Rather believes that the program, which aired late in January, was balanced and fair. Officials at the Bureau do not. They feel that Rather overemphasized the negative, rehashing too many of the long-discredited tactics of the Hoover era. The focus, said the CBS script, was: “A pattern of unlawful actions by an agency dedicated to the law,” and it did harp on that without really showing the contrast. But what really angered the Bureau was the fact that CBS did not use a single second of the Kelley interview. Rather says the interview just wasn't very good, it didn't show Kelley at his best, and he decided to substitute an excerpt of the director's testi-

mony before Congress. CBS actually may have done the FBI a favor, but the FBI didn't see it that way.

Kelley sent an angry letter to Richard Salant, head of CBS News, charging that Rather and the show's producers broke their agreement to portray the FBI as it is today. Rather denies that there was ever any such agreement, only that the broadcast “would be fair, as fair as I could make it.” Rather had not seen a copy of the letter and was surprised at the reaction. “Listen, if we wanted to deal with the FBI as it was, we would have done a historical package on J. Edgar Hoover; we would have gone all over the Martin Luther King case. We are really catching hell from people who say it's a whitewash, that we went easy on the FBI.” For its part, the FBI says it will think again before exposing itself so openly.

A few days later, however, Kelley seemed to be taking it philosophically. “We have persisted in our policy knowing we would be clobbered,” he said in Vero Beach. “And, sure enough, we were.”

It isn't easy for long-time FBI agents, who have come to regard the press as something less than their closest ally, not to revert to the old ways when the Bureau appears to be under attack. When the Los Angeles *Times's* Jack Nelson, an old nemesis of the Bureau, wrote recently about one particularly unsavory FBI informer, the two top men in the FBI's Los Angeles office, acting on what the FBI terms a “misunderstanding” with headquarters, descended on Nelson's editors to complain. Nelson, a target for serious attack by Hoover in years past, thinks the FBI should know better. “Can you believe that — five years later and some of these sons of bitches are still after my ass!” In spite of the fact that the Bureau's relations with Nelson and the *Times* are now much improved, somebody must have forgotten to pass this on to the boys on the West Coast.

Reporters believe they have a duty to ask for more than they are likely to get and let law enforcement sources worry about what can properly be released. But what if the situation is reversed and an agent of the Federal Bureau of Investigation begins leaning on a reporter? Then it becomes — or could become — government intimidation. This may have been the case when the Chicago *Tribune's* Jim Squires attempted recently to find out what the FBI knew about a certain lobbyist suspected of being a contact for agents of a foreign government. The FBI agent in the Bureau's Washington field office was after the same thing and seized on the reporter's phone call as a chance for some easy information. He said he had no grounds for questioning the suspect, but Squires, as a reporter, did. Couldn't they work out something? This went on for several days, the agent calling the reporter repeatedly, before Squires could shake him. In fact, Squires did the interview, but never told the FBI.

One other problem is the Bureau's tediously slow manner in responding to Freedom of Information Act requests. It took David Kraslow of Cox Newspapers from June 6 to Oct. 8, 1975, to obtain a copy of the file the FBI had assembled on him. And, in keeping with the Bureau's former policy — “when in doubt, cross it out” — a number of paragraphs and phrases, some apparently innocuous, had been whited out. A letter from Kelley explains that the Bureau is bound to withhold information that might touch on internal Bureau affairs, privacy and national defense.

No one at the Bureau pretends that there isn't room for improvement. Says Homer Boynton, high in command and a polished lamination of the old and the new: “I worked for Hoover for 24 years. He had his way of doing things and it sure as hell was successful. So it's difficult for people to adapt quickly.” ■