

Kelley Lets Ex-Agents Seek Funds in Bureau's Offices

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WASHINGTON, Sept. 5—In an extraordinary move, Clarence M. Kelley, director of the Federal Bureau of Investigation, has permitted a private organization to solicit in the bureau's 59 field offices funds for the defense of agents accused of burglaries and other illegal acts in connection with investigations of radical groups.

The bureau's internal regulations have forbidden many kinds of solicitation by private charities or other groups. "You couldn't sell Girl Scout cookies in the field offices," said one veteran observer of the bureau.

Under questioning, a bureau spokesman confirmed that several weeks ago, Mr. Kelley permitted the F.B.I. Association, which includes some 6,600 former agents, to circulate a plea for support for the Special Agents Legal Defense Fund.

Letter to Field Office

The letter, addressed to the special agent in charge of each field office, urged that the plea be made known to line agents. It urged agents to help defray the cost of the legal defense of agents accused of burglaries or other crimes that grew out of their carrying out orders in the investigations of domestic radical groups.

Mr. Kelley accompanied the association's letter with a note to each office stressing that the contributions were to be entirely voluntary.

Several field agents privately criticized the solicitation. "How voluntary is it when the letter is handed to you by the top man in your office?" one of them asked.

He and others also voiced concern over whether there would be any audit to determine how the money was spent and on what types of cases it would be used. "There is also

a conflict of interest here," one agent said. "Are members of the law enforcement agency supposed to chip in to pay for people charged with crimes?"

No agents or high officials of the bureau have been charged or indicted in the burglary investigation, though indictments are expected before the end of the year.

An associate of Mr. Kelley's said that one reason the former agents' group had been allowed to make the plea had been to avoid a conflict of interest. "We thought it was better for an outside group to do this," he said.

A spokesman for the bureau confirmed that it would make no attempt to audit the collections and would be unable to certify how the money was spent.

The former agents' association has retained Edward P. Morgan, a prominent Washington lawyer, who is also representing one agent in the burglary investigation. Mr. Morgan said in an interview that the association expected to contribute money to other agents charged who had selected their own lawyers.

Not All Qualify

He said that the legal assistance would be available only to agents charged or investigated for authorized acts carried out as part of their duties and would not be given to agents or officials caught up in recent charges or malfeasance and corruption at the bureau.

The association of former agents has never set up a legal defense fund before, Mr. Morgan said. Through the association, former agents keep in touch with each other and sometimes obtain jobs. It holds annual conventions and maintains a small office in New York that is supported by the membership fees.