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Justice Department Issues Curbs To Bar Crimes by F.B.I. Informers

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WASHINGTON, Jan. 5—The Justice Department today issued formal administrative guidelines designed to prevent future abusive and illegal acts on the part of undercover informers controlled by the Federal Bureau of Investigation and to balance the use of informers against the possibility that their presence might stifle free speech and association.

The guidelines, which mark the first effort ever by the Justice Department to lay down detailed standards for the bureau's use of informers, would prohibit many of the abuses uncovered by Congressional and other investigators over the past two years.

Among other things, the standards bar the bureau's informers from participating in or provoking violence or other criminal acts, from employing unlawful techniques, such as burglaries, in gathering information and from compromising a Federal prosecution of individuals on whom they have provided information. The standards made public today, which in some cases reflect internal bureau regulations in existence but which lend to them the additional force of the Justice Department's imprimatur, represent the latest step in Attorney General Edward H. Levi's efforts to halt some of the bureau's discredited investigative practices.

Estimate of 6,650 Informers

According to the best recent estimates, the bureau has about 650 informers assigned to subversive, or "security," investigations, and another 6,000 who report to it on various criminal activities. Most, but not all, of them are paid salaries that range from a few to several hundred dollars a month, depending on the information they provide.

Mr. Levi, who has accorded considerable praise to Clarence M. Kelley, the current bureau Director, for his cooperation in instituting the reforms, issued guidelines last March that limited the condi-

tions under which the bureau could investigate United States citizens suspected of subversive activities.

These guidelines stipulated the kinds of investigations in which present informers could be used and new ones recruited by the bureau, but left open the question of what kinds of conduct by such informers was appropriate.

Justice Department attorneys are preparing guidelines bearing on other areas of the bureau's operations, but the guidelines are not likely to become public before Mr. Levi leaves the department later this month.

'Should Be Carefully Limited'

In a preface to today's guidelines, Mr. Levi declared that the bureau's use of informers "should be carefully limited," because their reliability and motivation were sometimes questionable and their presence necessarily involved "an element of deception and intrusion into the privacy of individuals."

Mr. Levi reiterated one of the internal bureau regulations put into effect by Mr. Kelley some months ago, that bureau informants be prohibited from undertaking any act that F.B.I. agents themselves were barred from carrying out.

But he added an important new dimension in asserting that the bureau must accept "a special responsibility" for the activities of one of its informers in cases where "he has received, or reasonably thinks he has received, encouragement or direction for that activity from the F.B.I."

The provision that the bureau instruct its informers "to try to discourage" violence by those on whom they are reporting, and not to participate in such violence if they are unsuccessful in preventing it, contrasts sharply with the experience of Gary Thomas Rowe, who infiltrated the Ku Klux Klan for the bureau in the mid-1960's.