

Political Memo Stirs Conflict Inside FBI

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The White House request for election-year political advice from the Justice Department has generated an angry conflict within the FBI which could cost a top bureau official his job.

Sources close to the incident said yesterday that the administration inquiry had been sent to FBI field offices in 14 states by Assistant FBI Director Thomas E. Bishop without the knowledge of his boss, Acting Bureau Director L. Patrick Gray III.

Bishop forwarded it to the field offices in a teletype message over Gray's name, the sources said, after it was passed to him by Associate Deputy Attorney General Donald E. Santarelli.

The incident is deemed breach of the FBI's non-political tradition. Although Gray had assumed responsibility for the matter, he is privately infuriated over it, the sources told The Washington Post.

As he has since Time magazine first reported last weekend that the White House request was handled by the FBI, Gray declined comment again yesterday.

But the sources said that Gray is currently studying a report that traces the path of the request from an aide to John D. Ehrlichman, President Nixon's chief domestic adviser, through headquarters and out to the FBI field offices.

That report could lead to disciplinary action against



DONALD E. SANTARELLI
... conveyed request

Bishop, although Gray since taking over for the late J. Edgar Hoover last May, has not censured anyone as high ranking as Bishop.

Bishop, head of the Crime Records Division, is a member of the FBI's executive council.

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He is also the FBI's public information officer.

Although Bishop might be punished, Attorney General Richard G. Kleindienst is considered unlikely to take strong action against Santarelli for his role in handling the White House inquiry.

Santarelli, well-known here as the author and administration lobbyist behind the 1970 D.C. crime bill and court reorganization act, had an influential position under Kleindienst when the latter was deputy attorney general. He is now one of three associates under Deputy Attorney General Ralph E. Erickson.

There are widespread reports within the Justice Department that Santarelli plans to leave the government in January and go into private law practice.

According to these reports, Santarelli is dissatisfied because he has not been promoted to a better job, and considers his main loyalty to have been to former Attorney General John N. Mitchell, who left the department last February.

A reporter's telephone calls to Santarelli yesterday were

returned by the Justice Department's public information office. It said Santarelli had not submitted his resignation, but it declined to discuss the White House request beyond previous statements.

Bishop similarly declined comment.

But sources gave this account of the incident:

As previously reported, the White House request—asking for "identification of the substantive issue problem areas in the criminal justice field" for each of 14 states—was sent by Geoff Shepard, of Ehrlichman's staff, to Erickson's office at the Justice Department on Sept. 1.

Saying the need was "for John Ehrlichman to give the President maximum support during campaign trips over the next several weeks," the White House memorandum asked for a reply by Thursday, Sept. 7.

Santarelli, under whose jurisdiction the request fell, sent it on to the FBI without consulting Erickson—apparently because of the early deadline for a reply. (The appropriate action, according to Justice

Department officials, would have been to contact U.S. Attorneys, who are familiar with criminal justice issues and are political appointees.)

Bishop, whose job it ordinarily is to poll the field of-

fices for roundup information, received the request while Gray was off on a Western tour and sent out the teletype message, also without consulting anyone else.

It was transmitted over Gray's name on Sept. 8, while the acting FBI director was in Butte, Mont., for a visit to the field office there and a speech to the local Rotary Club.

Bishop extended the White House deadline, calling for answers for Ehrlichman by the following Monday, Sept. 11.

According to The Post's sources, Gray only learned of the FBI involvement in the matter on Tuesday, Sept. 12, when the final report to the White House was being transmitted from FBI headquarters here.

He was described as outraged, complaining that Bishop should not have acted on the request without first checking with him, Acting Associate FBI director W. Mark

Felt or the bureau's legal counsel.

The feeling in the top ranks of the FBI and the Justice Department is that both Santarelli and Bishop, as experienced officials, "ought to have known better" than to involve the bureau in such an obviously partisan matter.

One former FBI official said yesterday that President Lyndon B. Johnson, while in the White House, had the habit of

calling Hoover with urgent personal requests for information, but that this was seldom for overtly political purposes.

One Justice Department source said that Gray would be unlikely to take severe disciplinary action against Bishop, had the incident not received such publicity.

The White House itself contributed to the publicity when Ehrlichman told reporters there Monday that he felt it was appropriate to seek political information from the Justice Department but that it was improper for the FBI to have been involved.