

Kelley Describes FBI Data on Congressmen

Washington

FBI Director Clarence M. Kelley acknowledged yesterday that the agency maintains some information on congressmen, including unsubstantiated tips, but denied that the information is ever misused against them.

Chairman Don Edwards (Dem-Calif.) of the House civil rights subcommittee, said, however, that Kelley testified before his subcommittee a year ago, and "the existence of personal or political files on members of Congress was completely denied."

Edwards announced he has invited Kelley and Attorney General William B.

Saxbe to full-scale public hearings.

"We will ask them to lay out the full and complete story of these activities," Edwards said.

A 550-word public statement issued by Kelley again used the word information

rather than files to describe what he said is sometimes kept on congressmen.

The FBI director said he wants to testify before the House subcommittee "to dispute the fallacious state-

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ments about the FBI's misuse of information concerning members of Congress.

"The policy of the FBI is that information concerning members of Congress is collected when members are the subjects or victims of an investigation or a specific background check is requested concerning the suitability for nomination to a position in the executive or judiciary branches," Kelley said.

Kelley said "unsolicited information is received from time to time making allegations concerning members of Congress as well as other individuals in public and private life" and said this also is filed.

If the allegation does not warrant FBI investigation, Kelley said, the tipster is told so and the tipster's letter and the FBI reply are "filed for record purposes."

But Kelley said the information "is never used to influence the judgment or actions of any member of Congress."

In Hartford, Conn., a former assistant FBI director, Cartha D. DeLoach, said one example of a job-applicant file on a congressman was that on former President Nixon when he tried years ago to become an FBI agent.

Mr. Nixon was accepted but didn't take the job, DeLoach said. He said Mr. Nixon's record "must have been absolutely clean because he was accepted."

DeLoach said Mr. Nixon's file was moved into the office of the late FBI Director J. Edgar Hoover.

He said Hoover sent him several times to tell congressmen of allegations against them without giving them the source. He said information involving possible law violation by a congressman was turned over to the attorney general.

DeLoach and another former assistant FBI director, John P. Mohr, publicly disclosed the maintenance of information on congressmen in a Washington Post story Sunday.

A transcript of Kelley's Feb. 28, 1974, testimony before Edwards' subcommittee shows it generally followed his public statement, although he did not tell the congressmen in so many words that unsubstantiated tips are also filed.

To repeated questioning at the closed hearings on whether the FBI maintains any files on congressmen, Kelley's most concise answer was:

"There are files wherein members of Congress have been involved in an application for some job, yes. There are files regarding some charges made and investigations conducted relative to illegal activity.

"Insofar as a dossier or anything else you want to use as a description of it, congressman, I have not personally gone through our files but I have been assured time after time there is none, and there is none now being maintained. I will tell you that."

Associated Press

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