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FBI-Congress Bjt 420, Two Takes 570

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WASHINGTON AP - The FBI, which never before had acknowledged that it maintained files on Congress members and candidates, now says that it has been doing so for 22 years but stopped the practice Friday.

"Such a program is not essential to FBI operations," said Acting Director L. Patrick Gray III as he ordered an end to it.

"I believe it is obvious that it can be misinterpreted easily as a program to investigate congressmen and congressional candidates," he added in the statement released to newsmen. "Therefore, I have decided to terminate this program as of today."

Gray said that, although the agency had maintained files of biographical data on congressional members and candidates, it had not conducted full-fledged investigations of them.

The FBI came under attack during the last years of the late J. Edgar Hoover's reign over it for allegedly wiretapping telephones of some congressmen or investigating them in other ways.

The FBI denied it. And Gray, in interviews shortly after he was appointed acting director, said:

"I have not found any evidence whatsoever of the existence of secret files or political dossiers."

Friday, though, Gray said an incident in Ohio brought to his attention the fact that the FBI since 1950 had compiled data on Congress members and candidates from newspapers, magazines, campaign literature and various reference publications.

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FBI field officers from time to time were asked to provide "information that was readily available from local files and local publications," Gray added.

Termination of the practice elicited this response from a sometimes-critic of FBI policies, Rep. John Moss, D-Calif.: "I want to commend the director for taking steps to stop what never should have started in the first place."

The Ohio incident involved an FBI agent in Lorain County, who had been making inquiries about the background of John M. Ryan, Democratic candidate for Congress in Ohio's 13th district.

Gray said the agent's inquiries "were not authorized and were in violation of specific instructions that the gathering of information on congressional candidates is to be made from readily available published sources only, and not through any outside inquiries."

The FBI, he added, "is conducting an internal administrative investigation of this agent's actions to determine why this instruction was not followed."

The agent, Lee Kias, was functioning "as an interested voter" in asking about Ryan, said John Burns, agent in charge of the Cleveland FBI office.

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Ryan, a realtor, is running against Republican incumbent Charles A. Mosher.

In his statement, Gray said the FBI "is not investigating and has not investigated members of Congress or congressional candidates. The only exceptions have been where a member was alleged to have violated a federal law or where the member is being considered for a top-level government appointment."

The initial purpose of the data collection, he said, "was to provide briefing material for FBI officials who might desire it before making a call on a newly elected congressman or senator."

"In short, the routine was a part of the congressional relations program of the FBI."

Later, after passage of a law dealing with violent offenses against congressmen and congressional candidates, "it became apparent information would be of immediate use in following

in the event such an offense were to