

TRB

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Gray Area

It's too early in his career to determine whether Louis Patrick Gray III is particularly qualified to be acting director of the Federal Bureau of Investigation, but even at this point it is clear that Gray is one great public relations man.

Since form often obscures content, and a little bit of style goes a long way toward disguising a lack of substance, a man's public relations talents can carry him far before anybody notices whether there's significance beneath the surface. Gray has stepped into a situation which is a PR man's dream — because his predecessor, the late J. Edgar Hoover, neglected many of the possibilities.

Hoover almost never 1) talked to the press, 2) made public speeches, 3) appeared before congressional committees in open session, or 4) communicated with the public in any fashion, save the "Director's Message" printed in the FBI's monthly magazine and the terse press releases announcing the periodic arrest of real and imagined felons.

Under Hoover, the bureau was the last refuge anywhere in the federal government for advocates of a policy of tokenism in the hiring of blacks, Chicanos, Asian-Americans and Indians, not to mention the all-out male chauvinism which precluded the employment of any women in professional positions. And there also was the late director's dress and grooming code, which proscribed everything from mustaches to wide lapels, except for undercover agents posing as hippie radicals.

With that act to follow, any appointee would look like a hero by granting interviews to newsmen, making public appearances, announcing plans to hire more women and members of minority groups, allowing special agents to wear striped shirts and longish hair and proclaiming his intention to "open the window a little."

That's what Gray did during his first weeks in office, but what may be more significant are his plans, announced in his first formal speech since taking over, to deal only with "the questions of style that may give a new look, but not new substance, to the FBI."

If the bureau's handling of its first major case under Gray's direction, the attempted assassination of Alabama Governor George C. Wallace, is any indication of the course it will follow until a permanent director is nominated by whoever is elected President in November, there is good reason to believe that there will be no "new substance."

FBI fans will recall that the bureau initiated and perfected under Hoover's direction the practice of picking the high-visibility criminal cases which would gain it the most favorable publicity (Hoover wasn't without PR sense, either). Then it would usurp the authority of law enforcement agencies which had done the initial investigative work — ranging from Treasury Department and other federal agencies to state and local police departments — to cover itself with glory.

The only suspect in the Wallace shooting, Arthur H. Bremer, was arrested at the scene of the crime by the police of Prince Georges County, Maryland, a suburban county directly east of Washington. He was taken to a local hospital for treatment of head wounds inflicted in a scuffle with the crowd at the Wallace rally and was expected to emerge from the hospital as a county prisoner.

Notwithstanding the Justice Department tradition of deferring to state and local governments in cases where there is overlapping jurisdiction in a pending prosecution, the FBI moved in and summarily took possession of prisoner, investigation and prosecution on behalf of the federal government. Thomas Farrow, special agent in charge of the FBI's Baltimore field office, reportedly invoked the names of both Acting Attorney General Richard G. Kleindienst and President Nixon, insisting that it was the personal wish of both men that Bremer be turned over to the bureau.

For those who think only the FBI can do the job right, there's a fascinating footnote to that episode. The bureau, first to Bremer's car, carefully inventoried and carried off everything in the cluttered vehicle. On the list of items found was an ammunition clip for an automatic pistol, but no weapon. The local police waited patiently until the

FBI finished its search of the auto, then got permission to examine the empty car. They found the gun.

Because Nixon has installed Gray in the country's most sensitive law enforcement position under circumstances which preclude Senate confirmation proceedings, there will be no opportunity for questioning about some earlier episodes in Gray's Justice Department career. Among them:

In April 1971, Gray led the team of government lawyers who went into the US District Court in Washington to seek an injunction against overnight camping on the Mall in front of the Capitol on the part of approximately 1000 members of the Vietnam Veterans Against the War. The court order was signed by Judge George L. Hart, Jr., and upheld by the Supreme Court. The veterans defied the injunction and set up their camp on the Mall, and it was only then that Gray and his superiors realized that arresting Vietnam veterans while they slept would be a massive public relations blunder.

When the court order went unenforced, Hart angrily summoned Gray and his assistants to an unusual night session of the federal court. "The judiciary has been degraded by this whole affair and the manner in which it has been handled. I don't think it could have been handled worse," said the judge, his voice shaking with anger. "This court feels that one coordinate branch of government, the judiciary, has been dangerously and improperly used by another equal and coordinate branch of government, the executive." Whereupon the injunction was dissolved by the judge.

Earlier this year, Gray was involved in the Senate Judiciary Committee's protracted hearings on Kleindienst's relationship to three disputed antitrust cases against the International Telephone & Telegraph Corp.

Gray had the job of screening requests for information from the committee. By the end of the hearings, Gray had successfully rebuffed the senators' requests for scores of documents, including all of the Justice Department's files on the ITT antitrust litigation. He even rejected a request for a list of the materials which the department had selectively refused to make public.

In his new job, Gray says he has been told that "there are no secret files." Is he suggesting that the FBI is prepared to allow public access to its files? Or is he playing games with the word, "secret?"