

*Joseph Kraft*

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## The Future Of the FBI

The Senate hearings on the nomination of L. Patrick Gray to be the new head of the FBI have not yet raised serious questions about Mr. Gray. But they have raised serious questions about what kind of FBI the country needs.

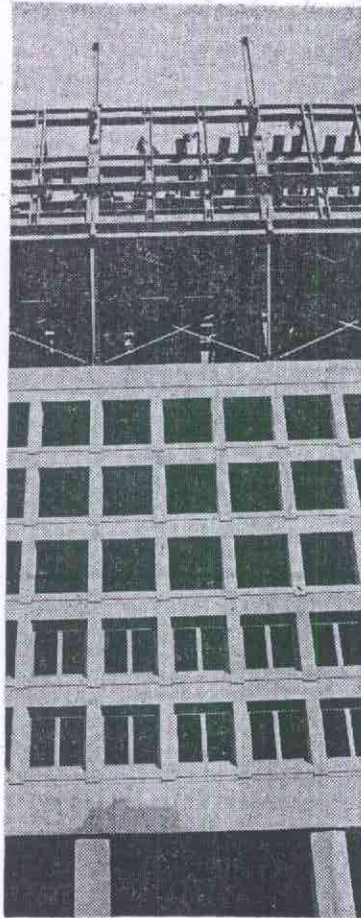
The hearings show that since the death of J. Edgar Hoover in May, the bureau has been in steep decline. It has lost stature within the federal bureaucracy, and suffered a decay of internal discipline.

The best mark of the bureau's clout in the Washington community is its standing in the White House. Since the time of Franklin Roosevelt, there has been fairly heavy traffic between the bureau and the President's office. While the Presidency remained supreme, Mr. Hoover made sure that the bureau maintained its independence as a law enforcement agency.

He himself did much of the bureau's business directly with the President. When he delegated business, it was to authorize FBI representatives dealing directly with the White House chief of staff—Kenny O'Donnell under President Kennedy and Marvin Watson under President Johnson. The bureau was thus insulated against promiscuous giving of orders by junior White House aides.

Against that background, the fuss that has built up around the speech given to the City Club of Cleveland by Mr. Gray last year takes on real importance. Not only was it a speech with political overtones. Not only was it given in response to a request from the White House. Not only did the request stipulate that "Ohio is important to us."

What is truly striking is that the request to Mr. Gray came from one Patrick O'Donnell—a third echelon White House aide, unknown until the speech issue arose. Thus what the whole episode shows is that the bureau has come to be regarded in the White House as an agency just like any other—an agency that can be pushed around and made a patsy for Presiden-



*The new FBI Building: A new direction for the agency as well?*

tial politics.

The Congressional attitude is not very different. The telltale sign is the position taken by the Senate Majority Whip, Robert Byrd of West Virginia. Sen. Byrd is the reverse of a lover of lost causes. He has moved ahead in the Senate by being respectful of big battalions and heavy guns. It is typical that he calls the Majority Leader, with whom he works almost daily, Mr. Mansfield.

So it wasn't pure principle that impelled him to lead the battle against Mr. Gray in the Judiciary Committee hearings. Nor did constitutional scruple cause him to come forward with legislation that would make the FBI director subject to re-appointment by the President and re-confirmation by the Senate every four years. No. The fact is that Senator Byrd, sensing the bureau has been softened up by the White House, wants a piece of the action for the Senate.

The political skirmishing over the

FBI has elicited a response inside the bureau in the form of widespread leaking of stories for distinct political purposes. Leaking information, of course, was not unknown under Mr. Hoover. But he controlled it, for purposes which he deemed useful to the bureau, and he punished subordinates who passed out information on their own.

Now the leaking is going on at very low levels and against the interest of the director. Some of the inspired stories come from old-timers mad that anybody replaced Hoover. But not all.

There are emerging a whole series of stories about the political limitations placed on the bureau during the Watergate investigation. These stories purport to show White House interference, or perfunctory investigation of former Attorney General John Mitchell, or failure to follow up on the leads connecting the White House with the sabotage efforts of Donald Segretti. They come from younger agents and they are certainly not in the interests of the acting director.

No one can fairly blame Mr. Gray for all of this. He seems to be a decent fellow trying to do the best job he can. The problem is that that is not good enough. To maintain the FBI as a leading law enforcement agency, to assert internal discipline and resist the pressure of the White House and the Congress requires a man of high, independent stature with some measure of public support.

So the real question before the Judiciary Committee is whether the country needs a strong FBI or the weak tool of political interests that is now shaping up. It will be interesting to see how the question is answered by those Senators who claim to be seriously concerned with law enforcement—and notably, by the swing man on the committee, Sen. John McClellan of Arkansas.