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2/24/73



# Washington Merry-Go-Round by JACK ANDERSON

WASHINGTON — Pat Gray, with his bullet head and pugnacious jaw, has the look of an FBI director. It is now clear that he lacks the qualifications.

His credentials were less than impressive when he was appointed acting director in May 1972. He had no experience whatsoever in law enforcement. As an attorney, he had specialized in taxes and trusts and paper shuffling.

He was selected, insiders knew, because of his complete devotion to Richard Nixon. Gray had joined Nixon's personal staff in 1960 and had established himself as a loyal team member. By Nixon standards, there is no higher qualification than loyalty to the team.

Gray's main mission was to make the FBI responsive to the President's will and, thereby, to assure that the FBI, like himself, became part of the team. In short, Gray was chosen for his

political reliability to fill a post that the Senate has decreed should be kept out of partisan politics.

He immediately started roaring around the country ostensibly to inspect FBI field offices. Almost everywhere he went, however, he took the occasion to say something favorable about President Nixon. Gray's travels had the earmarks of a political campaign tour, yet he flew in Air Force planes at the taxpayers' expense.

He was away from Washington so much that he became known around FBI headquarters as "Two-Day Gray." When he wasn't off somewhere promoting the re-election of the President, he was usually splashing in his swimming pool at his summer home in Stonington, Conn.

But most serious of all, Gray has used the FBI as a political police force. He denied to newsmen last May that the FBI

kept dossiers on politicians, newsmen, movie stars, black leaders and other prominent Americans. "None of you guys are going to believe this," he said, "... but there are no dossiers or secret files."

We promptly furnished him with excerpts from the files of a number of notables, who had committed no crimes and are unlikely to commit any crimes. Yet the files showed they were under active FBI surveillance. To help Gray locate the hidden dossiers, we even provided the FBI file numbers.

Six months later, FBI agents were caught actually checking on a Democratic congressional candidate in Ohio. This flushed out the fact that the FBI had been gathering information on both congressmen and candidates.

An embarrassed Gray pleaded that the practice had "just come to my attention" and said that he had ordered it stopped. All that had been collected, he insisted, was "biographical data on major candidates for the House of Representatives and the Senate from newspapers, magazines, campaign literature and various reference publications."

Once again, we published details from the files of several congressmen, including House Speaker Carl Albert and House Republican Leader Gerald Ford, to prove that their dossiers also contained eavesdrop information, surveillance reports and gossip from informants.

We can now cite a more personal abuse of police power. On January 31, eight FBI agents arrested my associate Les Whitten while he was reporting on the return of stolen Indian documents. The agents tore his notes out of his hands, snapped on the handcuffs and threw him into the pokey.

We made a painstaking investigation to find out how this violation of Whitten's constitutional rights could have been committed by agents sworn to uphold the Constitution. We learned that the White House had passed down the word to the FBI to make a case against us.

presumably as an example to other newsmen who might try to dig too deeply.

Loyal old Pat Gray sent his agents into action against Whitten, although the FBI knew he was in no way involved in the theft or possession of the stolen documents. The FBI knew, indeed, that the documents were about to be returned to the government and that Whitten was on hand to write the story.

We have detailed, documentary proof that the FBI not only knew no crime was being committed at the time of the arrest but that the FBI deliberately withheld this information from the Justice Department. Its top prosecutors found themselves gleaning crucial bits of evidence, not from FBI reports, but from the newspapers.

Nevertheless, the prosecutors allowed Pat Gray's boys to present the best case they could to the grand jury. It is rare for a grand jury to refuse to let a case go to trial that the FBI wants prosecuted. But after listening to the FBI's case, the grand jury decided the FBI had no case and, therefore, refused to indict Whitten.

The President now wants to make Gray, as a reward for his loyalty, the permanent FBI chief. In our view, this would turn the nation's most formidable law enforcement agency into a political police force. We hope the Senate will refuse to confirm him.