

# Interim FBI Head Selected

## Justice Aide Gets Post Until After Election

By Carroll Kilpatrick  
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President Nixon yesterday picked Assistant Attorney General L. Patrick Gray III to be acting director of the FBI and announced that he would not nominate a permanent director until after the November elections.

A native of St. Louis and a former naval officer, Gray was nominated in February to be deputy attorney general to succeed Richard G. Kleindienst, who was nominated to be Attorney General.

White House press secretary Ronald L. Ziegler said the President does not want the nomination of a successor to J. Edgar Hoover, who died Tuesday, to be considered in this election year.

The President feels that "to Mr. Hoover's eternal credit" he kept the FBI out of partisan politics and that it is "essential this tradition be maintained," Ziegler said.

Gray's nomination to be deputy attorney general, which has been approved unanimously by the Senate Judiciary Committee, will be withdrawn, Ziegler said. Gray will retain his title as assistant attorney general and continue to direct the civil division, which he has headed since December, 1970.

It was believed that while Gray will retain the title of civil division chief the main duties will be assigned to others while he heads the FBI.

In the past, the appointment of an FBI chief has been the

responsibility of the Attorney General, but recent legislation requires that he be nominated by the President and confirmed by the Senate.

A nomination at this time, the President seemed to suggest by his action, would almost certainly become involved in the presidential campaign and might well run into a bitter Senate debate.

When former President Johnson nominated Justice Abe Fortas to be Chief Justice of the Supreme Court in 1968, the Senate, although it was in Democratic hands, balked at confirming him, in part because a lame duck President had nominated him.

The Senate already is engaged in a fight over the confirmation of Kleindienst. No

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significant opposition has been expressed to Gray as deputy attorney general, however. Ziegler said the President had not decided who would be nominated deputy attorney general in place of Gray.

Under the law, the Attorney General has the power to designate an acting FBI director, and Kleindienst yesterday signed the necessary papers designating Gray after the two men met for a half hour with Mr. Nixon.

The choice of Gray was clearly the President's. Gray has been associated with Mr. Nixon since the late 1950s. "He is totally dedicated to the President," Robert H. Finch, counselor to the President, commented yesterday.

Gray was executive assistant to Finch when the latter was Secretary of Health, Education and Welfare, and they also have been close friends since the 1950s.

Finch described Gray as an "admirable human being" who is "great with people" and has "prodigious energy."

Gray will be 56 in July. He is a graduate of the Naval Academy and served for 20 years in the Navy. He retired voluntarily with the rank of captain in 1960 to help in Mr. Nixon's first presidential campaign.

At the time of his retire-



L. PATRICK GRAY III  
... was No. 2 at Justice

ment, he was special assistant for legal, legislative and congressional affairs to the Secretary of Defense.

Gray's salary will be \$38,000, which he draws as assistant attorney general, rather than the \$42,500 provided for the FBI director, the White House said.

When asked if Gray would be considered for permanent appointment, Ziegler first said "not necessarily," then said that he would "not be ruled out" for consideration.

"The President has implicit personal confidence" in Gray, Ziegler said, describing him as "a distinguished administrator" and "not a political man."

Gray earned his law degree at George Washington University's National Law Center, graduating with honors in 1949. He practiced law in New London, Conn., during the 1960s and helped in Mr. Nixon's 1968 campaign.

Last summer, the President named Gray as the chief enforcement officer for wage and price controls.

In a speech last month in Santa Anna, Calif., Gray charged that American journalists "are becoming too much a part of the culture of disparagement which threatens to destroy all respect for established institutions."

He singled out NBC, CBS, The New York Times and The Washington Post for allegedly sacrificing "accuracy and objectivity to partisan bias and prejudice."

In other recent speeches, he has criticized AFL-CIO President George Meany for leaving the Pay Board and has claimed "spectacular successes against crime" by the Nixon administration.

Gray declined to answer reporters' questions yesterday but promised to do so at a later date. In a brief comment, he said that while no one person can replace Mr. Hoover, he would do his best to follow the example set by the late FBI director and try to build on the tradition and heritage he left.