

After 6 Months as Chief, FBI's

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"No one can replace The Giant," said Acting FBI Director L. Patrick Gray III at a Flag Day ceremony here last June.

It was only a few weeks after President Nixon had named him—temporarily—to take over for "The Giant," the late J. Edgar Hoover, and Gray was accepting the 1972 Distinguished Citizen's Award from the Washington Lions Club, presented to Hoover posthumously.

Gray has learned a great deal since then, but even now, after 26 weeks in the job, he is still struggling with the problem of how to replace Hoover, keep the FBI running, satisfy all the appropriate people inside and outside and win permanent appointment to one of the most powerful jobs in U.S. government service.

It hasn't been easy, because part of the task confronting Gray is to deal with the extraordinary administrative chaos left behind by Hoover without ever publicly admitting its existence.

He must elaborately praise his predecessor—"this enlightened pioneer of professional law enforcement, whose distinguished career spanned one quarter of our nation's history [and who] waged a lifelong battle against the forces of lawlessness, both criminal and subversive," as Gray put it in a speech to the national convention of the Veterans of Foreign Wars last August.

Yet he must virtually undo much of what Hoover in his last years and, at the same time, rebuild public confidence in the embattled FBI.

He has to convince the FBI's oldtimers and professional investigators, who are absolutely essential to the bureau's day-to-day operations, that nothing fundamental will change. But he has to change enough to at-

Gray Eyes Past,

Present, Future

tract new blood and young innovators.

Gray must also persuade the White House, where he has powerful enemies, that he can be trusted, politically and professionally, to run a super-sensitive agency for the next four years.

Ironically, however, if he gets the long-range nomination from President Nixon (if he is re-elected), as the first FBI director requiring Senate confirmation, he must convince Congress that he can be independent, politically and professionally, from the White House.

Most observers agree, after six months, that Gray has done relatively well so far, and he appears to have won unexpected allies within the bureau and among the public.

But others, including some long-time bureau officials, say they fear that the FBI might be dangerously politicized under his control, because of his close identification with a particular President and political party. The same concern would be raised, no doubt, about almost anyone likely to be named FBI director either by Mr. Nixon or Democratic presidential candidate

George McGovern.

A few bureau-watchers go so far as to appeal for the appointment of a "new Hoover," whose credentials would be sufficiently bipartisan that he could outlast one or two changes in the presidency.

Physically fit, Gray works long days that begin shortly after dawn. But country lawyer that he is, he escapes almost every weekend to his home in Stonington, Conn.

Although he is unpopular with some of the President's closest political lieutenants, Gray is known as a dyed-in-wool Nixon loyalist. He con-

siders himself a conservative on most issues, but compared to Hoover he is very moderate indeed. He does not hesitate to depart from administration orthodoxy by, for example, advocating strong federal gun control laws.

Despite some reports that he was long under consideration as a potential successor to Hoover, Gray maintains to this day that he was completely surprised when Mr. Nixon tapped him as the acting FBI director the day after the 50-year veteran

died of a heart attack last May.

One reason Gray is convincing on that point, says a bureau source, is that "when he took over, he didn't know a damn thing about the FBI."

Then assistant attorney general in charge of the Justice Department's Civil Division and the President's unconfirmed nominee for deputy attorney general (a position he never got to occupy because of the delay in Attorney General Richard G. Kleindienst's approval by the Senate), Gray's only real previous managerial experience had been in the Navy's submarine service.

Except in his position as chief court enforcer of the wage-and-price freeze, he had now law enforcement experience at all — a fact that was not lost on the FBI's senior hierarchy when he took over.

Gray has neutralized some of the concern on this point by merely acknowledging his status as a neophyte. In speeches, he has repeatedly called himself, at 56, "a newly minted law enforcement professional."

Speaking to the International Association of Chiefs of Police in Salt Lake City last month, he said, "I consider myself doubly privileged to embark on a law enforcement career at this time—privileged because the opportunities for service are so genuine, and because the future of our profession looms so bright."

In his earliest days in Hoover's plush suite on the fifth floor of the Justice Department building, Gray bedeviled some of the FBI's ranking officials with what one frankly called "stupid questions."

He would demand a full explanation, for example, of each step of the procedure followed by the bureau in investigating bank robbery cases, and some feared that he was planning to order impulsive and informed changes.

"But what we discovered was that he was just trying to learn, and usually he would tell us to continue what we had been doing for years," a source explained.



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L. Patrick Gray II takes his office May 16 as acting director of the FBI.

"But it sure took up a lot of our time, answering his questions."

Gray asked his questions in part because he had no better idea than the average citizen of the quality of the FBI's performance.

The bureau's image as an effective crime-fighter is based only partially on public knowledge of its successes over the years in dramatic, headline-catching cases. The bulk of its reputation has actually been established in fictional writings and television programs.

Gray had the benefit of no congressional reports or other government agency reviews of the FBI because none exist.

Only the House Appropriations subcommittee headed by Rep. John J. Rooney (D-N.Y.) has had any mandate to supervise the bureau's affairs, and its deliberations have long been characterized by a willingness to endorse anything Hoover said or did.

When he took over, Gray found that Hoover had ruptured the FBI's liaison with most other federal agencies,

had virtually lost interest in fighting organized crime and was running things largely on the basis of whim and personal predilection.

The acting director is as aware as anyone that there may be a push to increase the public accountability of the FBI, and as a prerequisite he is trying to make it accountable to him.

One means of doing that has been to establish central

discipline both at FBI headquarters here and in the 59 field offices around the country, many of which had been run by "empire-builders" who flourished under Hoover.

Gray forced out Wesley G. Grapp, special agent in charge of the Los Angeles office, who resisted a liberalized dress code, personally monitored office phone calls and built up huge financial commitments to Southern California banks.

He also transferred Robert Kunkel, head of the Washington field office, for

falsifying a report on how an agent was disabled during an antiwar demonstration.

Another field office chief, in Honolulu, was sent to a smaller office when the wives of the men working for him wrote a letter of complaining about him to Gray.

The next to go is expected to be the special agent in charge of the Cleveland office, who apparently tried to cover up an agent's inquiries about a congressional candidate by explaining that the agent was "a new voter."

Many veteran FBI officials welcome these personnel changes, but they are concerned about the effect of the widespread publicity they receive.

Unlike most other government agencies, the FBI has traditionally been able to keep disciplinary actions in the family. Almost all transfers were immediate, unexplained and announced only

to the individual involved and only in writing.

Gray originally felt that the publicity was a good thing, not only because it would increase public awareness of the bureau but also because it might have a deterrent effect on power brokers in the field offices.

He is now apparently chagrined, however, and fears that the price of increased public awareness may be a decline in morale within the bureau's ranks. Having "opened a window" on the FBI, as he likes to put it, he would now like to close it a little bit.

That may be difficult, given Gray's ambitious tours of field offices, speeches and press conferences around the country, which have encouraged more public discussion and more questions about the FBI.

He has given so many speeches in the past six months that he may be better known among the people now than his titular boss, Kleindienst, or any other member of the President's Cabinet.

Some bureau old-timers are astonished by the speeches, which are churned out by the FBI's Crime Records Division, minutely pored over and revised by

Gray, and only recently began to repeat themselves.

They are speeches that would do any ambitious politician credit, geared to the particular audience or occasion, often quoting from John Adams, Alexander Hamilton or the Federalist

Papers (his favorite leisure-time reading).

Addressing the City Club of Cleveland last August on "Freedom Under Law," Gray told his listeners that "the great American adventure born two centuries ago has grown stronger generation after generation." But he also warned that white collar criminals and those who violate the antitrust laws were weakening society along with drug dealers and bombers.

In a talk before the Washington State Bar Association, he took up a familiar Nixon administration theme by questioning the "exclusionary rule," which keeps illegally obtained evidence from being used in criminal court proceedings and is now being weakened by the Supreme Court.

He poked some fun at himself as a "novice" before the Executives' Club of Chicago last month.

Gray probably reached his patriotic zenith in his VFW speech in Minneapolis on Aug. 23, entitled "America Is Worth Fighting For." A typical excerpt:

"As the visible symbol of our nation, our flag continues to wave briskly in the crisp breeze of democracy. And while some have

pledged their allegiance to the red flag of Communist tyranny, the black flag of anarchy, or the white flag of surrender, I proudly share your obvious affection for the red, white and blue of America's banner."

Gray's speaking tours, which critics say make him look as if he were running for the directorship, have provoked disdain in some White House quarters and annoyance among others in the Justice Department, including its public information office.

He steadfastly insists, however, that they are not political, either in a personal or an administration context, but merely part of his efforts to bring the FBI to the people.

Politics will be Gray's undoing, if anything is.

Despite his assertion that the FBI investigations into the Watergate bugging incident and the Soviet grain deal have been as thorough and objective as any the bureau has ever done, he has been unable to shake the image of being the administration's protector in those matters.

(In fact, the FBI's role is often limited by the mandate passed along to it by the Justice Department. When it turns up new leads, it must sometimes have that mandate extended before following them up.)

If and when Gray's name is sent to the Senate for confirmation, he is expected to have trouble with two recent incidents.

One was the revelation

that the FBI, since 1950, has collected information, supposedly only from public sources, on all members of Congress and congressional candidates.

In theory, the information was used as part of the bureau's "congressional relations program" and in investigations of threats against congressmen. But Gray, suspending the program recently, said he could see how such files might be misinterpreted by Congress and the public.

What is still a puzzle is how Gray missed finding out about the program from Thomas E. Bishop, the assistant FBI Director for the Crime Records Division, which was in charge of compiling the information.

(Gray, on taking office, said he had made a thorough search for secret files and political dossiers, but turned up virtually nothing.)

Bishop is also in disfavor in connection the other incident: the discovery that he forwarded to FBI field offices a White House request for election-year political advice on criminal justice issues.

Even if Gray manages to convince the Senate Judiciary Committee that he was unaware of either matter, he may be held responsible as the man in charge at the time. And the inevitable question is bound to be: were there other such instances and programs that have not yet been publicly exposed?

Notwithstanding some concern over the question of politics in bureau affairs and some resistance to his new policies — things like the dress code and weight-

control program really do matter within the FBI — Gray is credited with substantial improvements in the morale of the rank and file.

He also reestablished the FBI's rapport with other agencies and other divisions of the Justice Department. Hoover, in his last years, had become more stubborn than ever in refusing to go along with the department's wishes in sensitive criminal matters.

Gray's personal staff— young and therefore sometimes a cause of resentment — is already preparing for the prospect of confirmation hearings early next year. Even a check of potentially disgruntled former clients of his Connecticut law firm has not produced obvious opposition.

Ironically, the administration's anticipated trouble from Sen. Edward M. Kennedy's subcommittee investigation of the Watergate affair is expected to deflect some of the political ammunition that might have been aimed at Gray.

The chances are considered very good that he will be confirmed. Then, but only then, he is expected to embark on an almost total reorganization of the FBI.

Although there may be a fight, the chances are considered very good that Gray will eventually be confirmed, if nominated.

Then, but only then, with Hoover's constituency placated and his own authority and longevity established, Gray is expected to embark on fundamental efforts to make the FBI a more efficient and constructive organization.