

NYTimes

MAY 6 1972

Politics and F.B.I.

President Nixon's appointment of L. Patrick Gray 3d as acting director of the Federal Bureau of Investigation for the next six months is a shrewd political maneuver which casts an ominous shadow over the F.B.I.'s future in the event of a second Nixon Administration.

If the President had wanted to insulate the F.B.I. from politics, he could have named an acting head to serve for a month or six weeks and used that time to conduct a talent search for a new director, seeking an individual of such impeccable record and personal distinction that he would be certain of Senate confirmation and broad public acceptance. There is no reason to anticipate political controversy if Mr. Nixon truly intends to choose an outstandingly qualified, nonpolitical person. The temporary director could well have come from the senior ranks of the F.B.I. itself.

Instead, the President has sent in Mr. Gray, one of his trusted political lieutenants. Mr. Gray has no background in law enforcement. His credentials are that he was an aide to the President in the 1960 and 1968 campaigns, served for a year as an assistant in the Health, Education and Welfare Department to Robert Finch, one of the President's closest political confidantes, and was slated to become Deputy Attorney General. The occupant of that post spends much of his time negotiating with members of the Senate over appointment of judges and other judicial patronage. Before entering politics a dozen years ago, Mr. Gray was a career military officer who came to Mr. Nixon's attention when he was a Navy Department lobbyist on Capitol Hill.

This recapitulation of Mr. Gray's record makes it abundantly clear that the President has chosen a highly political and professionally unqualified crony to direct this powerful and semisecret police agency. It is a most disturbing choice.

The reasons seem evident why Mr. Gray has been made acting director until the November election is safely past. If Mr. Gray has six months in the job, his nomination on a permanent basis next year will seem more plausible. Or does the President truly intend him as an interim appointee, having in mind another individual whose nomination might stir intense controversy, something he would rather avoid in an election year?

President Nixon's stewardship of the Justice Department is an important part of his record on which the public will pass judgment in November and which deserves thorough debate between him and his Democratic opponent. His choice of an F.B.I. director is properly part of that record. By declaring that he does not want the appointment to become "involved in partisan politics in an election year," Mr. Nixon escapes public scrutiny during the campaign and leaves himself free, if re-elected, to try to push Mr. Gray—or someone worse—into this highly sensitive job. Here as elsewhere, candor rather than political finesse would better serve the public interest.