

Proxmire Wants FBI's Gray to Quit

Washington

Senator William Proxmire charged yesterday that acting FBI director L. Patrick Gray III has violated federal law by remaining in his post for more than 30 days without Senate confirmation.

He called on Gray "to stand aside at once."

Proxmire released the text of a letter from Comptroller General Elmer B. Staats, concluding that Gray's continued service after June 3 of last year is prohibited.

Gray was appointed acting head by President Nixon last May 3, after the death of J. Edgar Hoover, but his formal nomination was not announced by the White House until last Saturday.

ELECTION

Mr. Nixon said in May that Gray would serve in an acting capacity through last November's presidential election to prevent the nomination of the head of the traditionally nonpartisan bureau from becoming a campaign issue.

Proxmire said Staats, who heads the General Accounting Office, is, "in my view, the definite authority" on the question, and called on

the President to appoint someone else to head the bureau while Gray's nomination is under consideration by the Senate.

The Wisconsin Democrat emphasized that he was not criticizing Gray, whom he called "a man of great integrity," but rather Mr. Nixon for using "the device of the temporary appointment to put his man in this job without Senate approval."

A Justice Department spokesman said yesterday that there is "no question of Pat Gray stepping down."

VISIT

Gray paid courtesy calls yesterday to some members of the Senate Judiciary Committee, which is to begin hearings on his nomination next Wednesday.

Senator Robert C. Byrd of West Virginia, the Democratic whip, indicated that a visit from Gray on Wednesday had failed to dilute his opposition.

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