

Washington Insight



Declining Stature Of the FBI

— **Joseph Kraft**

THE SENATE hearings on the nomination of L. Patrick Gray to be the new head of the FBI have not yet raised serious questions about Gray. But they have raised serious questions about what kind of FBI the country needs.

The hearings show that, since the death of J. Edgar Hoover in May, the bureau has been in steep decline. It has lost stature within the federal bureaucracy and suffered a decay of internal discipline.

The best mark of the bureau's clout in the Washington community is its standing in the White House. Since the time of Franklin Roosevelt, there has been fairly heavy traffic between the bureau and the President's office. While the presidency remained supreme, Hoover made sure that the bureau maintained its independence as a law enforcement agency.

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HE HIMSELF did much of the bureau's business directly with the President. When he delegated business, it was to authorized FBI representatives dealing directly with the White House chief of staff — Kenny O'Donnell under President Kennedy and Marvin Watson under President Johnson. The bureau was thus insulated against promiscuous giving of orders by junior White House aides.

Against that background the fuss which has built up around the speech given to the City Club of Cleveland by Gray last year takes on real importance. Not only was it a speech with political overtones. Not only was it given in response to a request from the White House. Not only did the request stipulate that "Ohio is important to us."

What is truly striking is that the request to Gray came from one Patrick O'Donnell — a third-echelon White House flunky, unknown until the speech issue arose. Thus what the whole episode shows is that the bureau has come to be regarded in the White House as an agency just like any other — an agency that can be pushed around and made a patsy for presidential politics.

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THE CONGRESSIONAL attitude is not very different. The telltale sign is the position taken by the Senate majority whip, Robert Byrd of West Virginia. Byrd is the reverse of a lover of lost causes. He has moved ahead in the Senate by being respectful of big battalions and heavy guns.

So it wasn't pure principle that impelled him to lead the battle against Gray in the judiciary committee hearings. Nor did constitutional scruple cause him to come forward with legislation that would make the FBI director subject to reappointment by the President and reconfirmation by the Senate every four years. No. The fact is that Byrd, sensing the bureau has been softened up by the White House, wants a piece of the action for the Senate.

To maintain the FBI as a leading law enforcement agency, to resist the pressure of the White House and Congress, requires a man of high, independent stature with some measure of public support.

So the real question before the judiciary committee is whether the country needs a strong FBI or the weak tool of political interests that is now shaping up.