

# NIXON NAMES AIDE AS CHIEF OF F.B.I. UNTIL ELECTIONS

NYTimes

Gray, an Assistant Attorney General, Chosen in a Move to Bar 'Partisan' Fight

MAY 4 1972

By ROBERT M. SMITH  
Special to The New York Times

WASHINGTON, May 3 — President Nixon today appointed L. Patrick Gray 3d, an Assistant Attorney General and long-time personal friend, as acting director of the Federal Bureau of Investigation.

Mr. Gray will serve until after Nov. 7, according to the White House, because the President does not want the appointment to become "involved in partisan politics in an election year."

There were immediate indications of displeasure from Senate Democrats. One staff aide said that Senators had expected to have a chance to confirm the new director. "They are going to have some doubts about this guy's serving eight or nine months," he said.

Mr. Gray temporarily replaces J. Edgar Hoover, who was found dead in his home yesterday morning. The body of Mr. Hoover was moved to the Capitol Rotunda today to lie in state, pending funeral services at 11 A.M. tomorrow.

### Pleas for Dismissal

An Administration source said today that President Nixon's chief policy advisers had urged him to dismiss Mr. Hoover last year.

According to this source, the advisers counseled Mr. Nixon to relieve Mr. Hoover, in a dignified fashion, on three occasions last year. The President refused each time.

Mr. Hoover came under criticism last year for a variety of reasons. One was his announcement to a Congressional committee about an alleged plot to kidnap Henry A. Kissinger, the President's national

security adviser. Another was the disclosure that the F.B.I. had conducted surveillance of black, student and peace groups. Still another was a series of personnel shifts within the F.B.I. that included the forced resignation of William C. Sullivan, assistant to the director.

During the first two meetings last year, the Administration source reported, only two of Mr. Nixon's policy advisers agreed with the President that Mr. Hoover should stay.

At the last meeting, which took place on a Saturday morning last fall, all but one of the aides present reportedly urged the President to discharge Mr. Hoover by the end of the year. The President refused again, saying he had been in touch repeatedly—by telephone and in personal meetings—with Mr. Hoover. Mr. Nixon reportedly lectured those present on the

Continued on Page 19, Column 1

director's ability to perform his job.

The identity of the various officials arguing one way or the other was not disclosed. Nor was the method urged by those counseling Mr. Hoover's removal, although it presumably involved some honorary or advisory responsibilities.

Richard G. Kleindienst, Acting Attorney General, announced at the White House today that he had named Mr. Gray acting F.B.I. director. But the decision was clearly the President's.

Mr. Kleindienst met with Mr. Nixon earlier in the day. Later, at a briefing, Ronald L. Ziegler, the White House press secretary, said that the President wanted to "name a man in whom he has implicit personal confidence."

Senate confirmation is not necessary for the appointment



Associated Press

L. Patrick Gray 3d after appointment yesterday.

of the acting director. By having Mr. Gray serve through November, the Administration will avoid the prospect of another Administration nomination's being scrutinized by Judiciary Committee Democrats.

The Judiciary Committee just finished embarrassing hearings on whether a contribution of at least \$200,000 by the International Telephone and Telegraph Corporation to the Republican National Convention in San Diego influenced the settlement of three I.T.T. antitrust suits.

### Two Posts for Gray

Mr. Gray was nominated to be Deputy Attorney General

when Attorney General John N. Mitchell left the Justice Department to run the President's re-election campaign and Mr. Kleindienst was nominated to take Mr. Mitchell's place.

Ronald L. Ziegler, the White House press secretary, announced today that the Administration would withdraw the first nomination of Mr. Gray and that he would function in two roles—Acting Director of the F.B.I. and Assistant Attorney General in charge of the Civil Division. What sort of staff help he will have and, generally, how he will function in both jobs at once was not disclosed.

Mr. Gray is a former submarine officer who was sent by the Navy to George Washington Law School here. While he was a law student he met Mr. Nixon, then a United States Representative, at a party. When Mr. Gray retired from the Navy, he went to work for Mr. Nixon, who was then Vice President.

After Mr. Nixon became President, Mr. Gray joined the Administration as executive assistant to the former Secretary of Health, Education and Welfare, Robert H. Finch. He became an Assistant Attorney General in December, 1970.

### Concern Over Radicals

Mr. Gray has been characterized as a man of great self assurance and of great loyalty to Mr. Nixon. He eschews the label "conservative" but concedes "very great concern about the activities of radical groups."

As Assistant Attorney General, he was charged with enforcing the Administration's wage and price controls.

Last Friday, Mr. Gray addressed the Law Day banquet of the Orange County Bar Association in Santa Ana, Calif. He charged that the reporting of the news media "is often inaccurate, biased and grossly unfair." He cited the National Broadcasting Company, the Columbia Broadcasting System, The Washington Post and The New York Times for allegedly sacrificing "accuracy and objectivity to partisan bias and prejudice."

At a briefing today, Mr. Ziegler avoided a question on whether Mr. Gray would make changes in the F.B.I.

Asked why the President had selected an old friend if he wanted to make a nonpolitical choice, Mr. Ziegler said, "I think you will find that Patrick Gray is not a political man."