

[Companion story, "President Lauds Hoover," filed Hoo.]

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F.B.I. Director Says Nixon Wants Nonpolitical Agency

New Chief Gives Views

By ROBERT M. SMITH

Special to The New York Times

WASHINGTON, May 4 — L. Patrick Gray 3d, named yesterday acting director of the Federal Bureau of Investigation, said today that he had been instructed by President Nixon to operate the F.B.I. in a totally nonpolitical way.

Mr. Gray said the President had made that point to him very strongly. As a matter of fact, he added, Mr. Nixon had told his wife, Beatrice, that she would have to stop working for the Committee to Re-Elect the President.

In a telephone interview, Mr. Gray disclosed that he had already taken the following actions regarding the F.B.I.:

Received and accepted the resignation, for reasons of ill health, of 71-year-old Clyde A. Tolson, the associate director of the bureau and a long-time friend and colleague of the late J. Edgar Hoover.

Satisfied himself that the files of the F.B.I. are safeguarded. "My main concern,"

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he said, "is the integrity of the F.B.I. as an institution."

Met with top officials of the bureau late yesterday afternoon and without being aware that some of them were thinking of resigning, convinced them not to.

Remains in Present Office

Mr. Gray is still in the large office on the third floor of the Justice Department that he has occupied as Assistant Attorney General in charge of the Civil Division. He said that he will not move into Mr. Hoover's office until May 12.

Mr. Gray said that he was "astonished" to learn of his selection to be Mr. Hoover's temporary successor. "About 11:40 yesterday morning Dick Kleindienst [the Attorney General designate] telephoned me from his automobile," he stated. "He said, be in my office at 2:15 or 2:30 because we are going to the White House, period. I thought it was in con-

nection with I.T.T. and his nomination."

"When I went to his office, Ralph Erickson of the Office of Legal Counsel [of the Justice Department] had some legal material about interim appointments.

"I was stunned, I thought he was joking. I said, 'Come on, Dick,' I said, 'Come on, Erickson, give me the straight scoop.'"

When he and Mr. Kleindienst got to the White House, Mr. Gray continued, "The President talked to me about the importance of the job and the fact that it had to be nonpolitical."

Meets President Again

Mr. Gray said that he and his wife also met with the President at the White House following Mr. Hoover's funeral today. Once again, Mr. Gray said, "The President told us how important it is that the F.B.I. be above partisan politics."

It was at that point that Mrs. Gray told Mr. Nixon that her husband had told her she must not ask the President a question. Mr. Nixon said he wished she would. "I'm already working with the Committee to Re-elect the President," Mrs. Gray said. "Should I continue?" "You must resign immediately," the President said.

According to Mr. Gray, Mr. Nixon went on to say that "ours has not been a political relationship—ours is a professional relationship, based on mutual respect." The new F.B.I. director concluded that the President had been "just great."

According to a White House official, the President also reminisced at this meeting in the Oval Office about Mr. Hoover. He reportedly said that for the last 25 years Mr. Hoover had been one of his closest personal friends in government.

Discusses Hoover Friendship

The President explained, according to the official, that he had met Mr. Hoover when he was a freshman Congressman and they had been friends since. Mr. Nixon disclosed that he and Mr. Hoover had always exchanged Christmas gifts and that Mr. Hoover had been his guest not only at the White House but also at his homes in San Clemente, Calif., and Key Biscayne, Fla.

Mr. Nixon also disclosed, according to the White House of-

official, that before he became President, he had occasionally gone to the race track with Mr. Hoover. He reportedly contrasted his relationship with Mr. Hoover, which he described as personal, with his relationship with Mr. Gray, which he called professional.

Mr. Gray said that on his return from the White House yesterday "I called Mark Felt [An assistant director of the F.B.I.] and told Mark I would like very much to talk to top officials of the bureau but that had to be balanced against the fact that they were grief-stricken."

"I told him that, with sensibilities being considered, I thought there was an advantage in my going there and letting them see this individual who had been named to follow Mr. Hoover. He said he thought that would be a good thing.

"We met at 4:30. I spoke feelingly, repeating my short White House statement and recounting my deep respect for the bureau. Then I went into my own background — my education, my Navy career, my law practice — I tried to tell them what makes up the man Pat Gray.

"I did tell them I would move into Mr. Hoover's office, and his staff would have whatever time they needed to remove his personal memorabilia. I suggested a week from this Friday, and Mark said that would be more than enough time."

Mr. Gray said that he had received Mr. Tolson's resignation at 5:50 yesterday afternoon. It read, "Due to ill health, I hereby submit my resignation," and was effective last night. Mr. Gray signed a reply accepting the resignation this afternoon.

The acting director said that he had no changes in policy or

personnel in mind "whatsoever" at this point. "I want to make my own evaluations, judgments, decisions," Mr. Gray said, indicating that it might take him some time to do so and until he had, he would make no changes.

Asked about the F.B.I.'s files, Mr. Gray said, "None of you guys are going to believe this—and I don't know how to make you believe it, but there are no dossiers or secret files. There are just general files, and I took steps to keep their integrity."

Asked what steps, Mr. Gray said when he had been told of Mr. Hoover's death, "I personally asked the questions," and was satisfied with the procedures required right now. "I went through all that."

Mr. Gray also said that Mr. Felt had told him that before his 20-minute talk to the bureau's hierarchy yesterday some F.B.I. officials were thinking of resigning, but that his speech had dissuaded them.

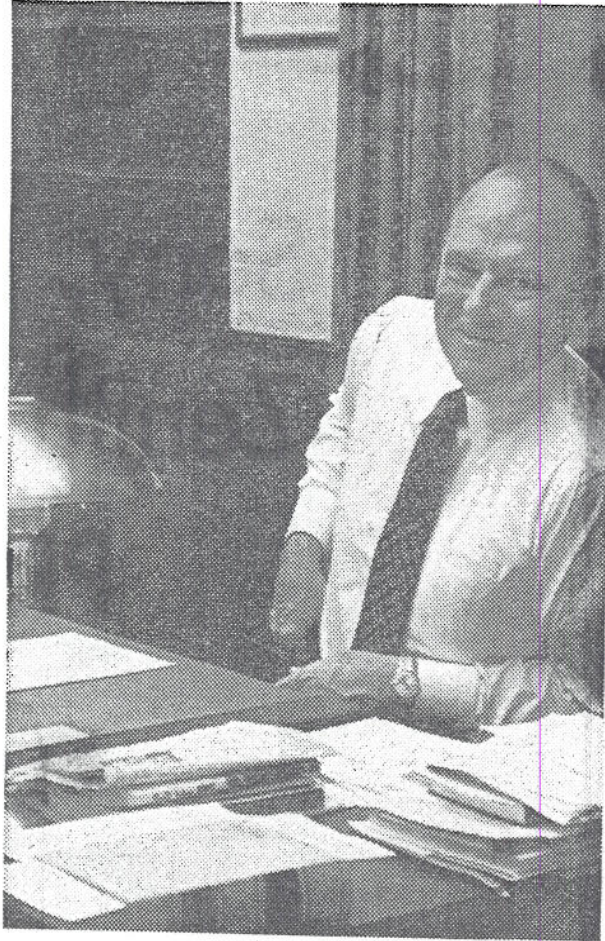
Asked who is running the F.B.I. at this moment, Mr. Gray replied, "I am." He said that Mr. Felt was second in command, and J. P. Mohr and Alex Rosen were co-equals under Mr. Felt.

Mr. Gray said he had no qualms about the task he was facing. "I feel that I am thoroughly qualified to assume this position," he said. "I have 8,600 experts in that bureau to help me. My forte is my managerial ability, my leadership ability and my ability in getting along with human beings."

Asked about his politically conservative reputation, Mr. Gray read a letter from the civil rights reviewing authority of the Department of Health, Education and Welfare. When he left his job as executive assistant to the former H. E. W. Secretary, Robert H. Finch, Mr. Gray said, the civil rights reviewing authority staff wrote:

"We feel impelled to express our profound regret. We are thankful and appreciative for the sensitivity and perception with which you viewed our work."

"I am not an arch-conservative," Mr. Gray continued, "but I do believe in the principles that have brought our nation so far." Pressed for a characterization of his political views, he said, "I like to be described as a human being."



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L. Patrick Gray 3d, appointed Acting Director of F.B.I., in his old office at the Justice Department yesterday.