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Ruckelshaus Says FBI Should Stay in Justice Department

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The FBI should remain a part of the Justice Department and not become an independent agency, Deputy Attorney General William D. Ruckelshaus said yesterday.

In an interview shortly before he was sworn in as the No. 2 official in the department, Ruckelshaus said any FBI director "must be responsive to the political winds of change, and he's more likely to be if the FBI remains in Justice."

Ruckelshaus alluded to criticism of former acting FBI Director L. Patrick Gray III, who was accused of succumbing to White House pressure during the early Watergate investigation, and to the late director, J. Edgar Hoover, who was sometimes seen as beyond the reach of any President or Attorney General.

"I think there is a need to balance the independence and the responsiveness of the director," said Ruckelshaus, who is the department's chief liaison with the FBI and, as such, is in overall charge of a massive study of the role and functions of the bureau.

"Suppose a presidential candidate decides to make a major issue of organized crime, and his opponent says it's not a big problem," he suggested. "Then suppose that after a hot debate the voters choose the candidate who wants to stress organized crime.

"If we have a director of an independent FBI who believes nothing more should be done about organized crime, he would be in a strong position to resist the will of the people."

Ruckelshaus also opposes the suggestion that the FBI become an independent agency because he feels "it should be seen as part of the whole process of the administration of justice"—starting with investigation, including arrest and trial, and ending with parole or rehabilitation.

Ruckelshaus' views, plus the known coolness of new FBI Director Clarence M. Kelley to suggestions that the bureau be removed from the Justice Department, seem to foreclose any possibility of such an action.

The most recent suggestion for an independent agency came in June from Sen. Robert C. Byrd (D-W.Va.), a member of the Senate Judiciary



WILLIAM D. RUCKELSHAUS
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Committee. The suggestion is under consideration as one of the basic issues in the department's study of the FBI.

Ruckelshaus said the FBI is making a preliminary review of the issues, which also include the bureau's role in wiretapping and intelligence gathering, how long the director should serve, and the FBI's relationship with other governmental agencies.

He stressed that the study is "a long term project—there's no deadline for it." Some issues may be decided in a few months and some may take as long as two years, he said.

The FBI's Office of planning and Evaluation, headed by Assistant Director Richard Baker, is researching the issues in the study and is to report its findings to Kelley.

The Justice Department's Criminal Division and Office of Criminal Justice are also working on the study.

Kelley's recommendations will go to Ruckelshaus, who will present policy options to Attorney General Elliot L. Richardson.

Ruckelshaus, who briefly headed the bureau between Gray's resignation and Kelley's appointment, said, "My strong opinion is that the study should not be seen as a reflection of any judgment that the FBI is not a good organization now.

"In fact, I've never worked in any organization of government that I've thought was as good as the FBI in the way it responds to policy directives from the top," he said.