

Gray's Testimony On Wiretaps Is Questioned

MT 12/30/73

The name of L. Patrick Gray 3d, the former acting F.B.I. chief who was left "twisting slowly, slowly in the wind" as a witness on Capitol Hill when the Watergate cover-up began to unwind, has been added to the list of former high Administration officials who face possible perjury charges.

The possibility stems from Mr. Gray's testimony before the Senate Judiciary Committee on his nomination to be permanent F.B.I. director. Asked about a report in the Feb. 26, 1973 issue of Time magazine that the Administration had placed wiretaps on certain newsmen and some of its own officials, Mr. Gray twice stated under oath in early March that he had no knowledge of any such surveillance. "I don't really know what you are talking about—that we are tapping our own telephones . . .?" he said. "That practice has never come to my attention. I am trying to imagine how you do it."

Last week a New York Times Washington reporter, John Crewdson, reported that a confidential F.B.I. report on the wiretaps had been handed

to Mr. Gray, as acting chief, on the day the story appeared in Time. The wiretaps were reportedly made on President Nixon's orders, for reasons of "national security," on at least four newsmen and 13 Government officials during the period between May 6, 1969 and February, 1971.

Mr. Gray, whose nomination was withdrawn last April and who resigned from the F.B.I. following his admission that he had destroyed materials taken from Howard Hunt's White House safe, now practices law in New London, Conn. His own lawyer said Mr. Gray would have no comment on The Times's report. Whether the committee will formally charge him with perjury is not known. The committee is the same one that has asked the Justice Department to look into the possibility of perjury by other former high Administration officials, possibly including Attorney General John N. Mitchell and former Deputy Attorney General Richard G. Kleindienst, in connection with the International Telephone and Telegraph case.