

Gray Says He Told Nixon His Suspicions on Aides

Washington

L. Patrick Gray III insisted yesterday he alerted President Nixon three weeks after the Watergate break-in that he felt some White House staffers were acting improperly and illegally.

But he said the President asked no questions.

The former acting FBI director said he then concluded that he had been unduly alarmed.

And yet, Gray said in response to a question yesterday, he had thought that his conversation with Mr. Nixon "was adequate to put him on notice that members of the

White House staff were using the FBI and Central Intelligence Agency."

The former acting director of the FBI said he then decided he had been an alarmist.

Gray concluded his testimony before the Senate Watergate committee, leaving only former Attorney General Richard G. Kleindienst ergate committee yesterday, leaving only former Attorney General Richard G. Kleindienst and Assistant Attorney General Henry E. Petersen to be questioned before the panel goes into a month's recess with the rest of Congress.

Under questioning, Gray maintained that the FBI's investigation of the Democratic headquarters burglary and wiretapping had been "very, very, very good," even though it didn't turn up those now alleged to have been involved in some manner.

BELIEF

Top officials of the FBI didn't believe that former Nixon campaign deputy Jeb Stuart Magruder and other high administration officials could have been involved in the "sordid affair," Gray said, and added that that belief persisted as late as last

March.

He said FBI leaders at one point even suspected a Democratic double agent, out to embarrass the Republicans, might have been responsible for the bungled foray into the Democratic inner sanctum.

CALL

Gray recalled his July 6, 1972, telephone call to Mr. Nixon when he said he told the President "people on your staff are trying to mortally wound you," and added:

"Frankly, I expected the President to ask me some questions."

His recollection of that

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call differed somewhat from the President's.

Gray said he called then-campaign director Clark MacGregor to tell him "I felt that people on the White House staff were careless and indifferent in their use of the CIA and the FBI."

He said MacGregor told Mr. Nixon and that 37 minutes later the President was on the phone.

Mr. Nixon, Gray said, responded to his statement with: "Pat, you just continue to conduct your aggressive and thorough investigation."

The President in his May 22 statement on Watergate, said he phoned Gray that day to congratulate him on the successful handling of an airliner hijacking and that "in the discussion, Mr. Gray suggested that the matter of Watergate might lead higher. I told him to press ahead with his investigation."

REASON

Gray was asked why he selected MacGregor as a conduit.

"I didn't feel I had enough to call the President myself

and one does not call the President without giving it some due consideration ... and when I did talk to him, I blurted it out," Gray said.

Gray said he trusted then-counsel John W. Dean III and John D. Ehrlichman, even after they handed him papers to destroy.

FBI agents investigating Watergate were skeptical in the weeks after the break-in that anyone high in the government would have anything to do with it, Gray said.

LIDDY

The assumption that the burglary led no higher than G. Gordon Liddy — one of the seven convicted in the break-in and wiretapping — prevailed in the FBI into late March this year when the case finally blew up, Gray said, adding:

"Even in the discussions we had within the Federal Bureau of Investigation during my confirmation hearings ... we still felt that these men were far too intel-

ligent to have anything to do with this kind of sordid affair."

But Gray said he was led to call the President on July 6 because he felt Dean and Ehrlichman were going to ask CIA Deputy Director Vernon A. Walters to write a letter to him saying there were CIA reasons why the FBI should not pursue an investigation into the source of the so-called "Mexican checks."

Gray insisted the FBI investigation of Watergate was thorough, but admitted some of the agents might have been overawed by the positions of some of the people they were interviewing and that may have led to some soft questions.

After Gray testified about the July 6 telephone call with Mr. Nixon, Senator Daniel K. Inouye (Dem-Hawaii) asked:

"Did you think that your conversation with the President on July 6, 1972, was sufficient to adequately put him on notice that the White House staff was engaged in obstructing justice?"

A. I don't know that I thought in terms of obstructing justice, but I certainly think it was adequate to put him on notice that members of the White House staff were using the FBI and the CIA.

Q. Do you think a reasonable and prudent man, on the basis of the warning you gave him at that time, would have been alerted to the fact that his staff was engaged in something improper, unlawful, illegal?

A. I do. . . .

Gray contradicted Mr. Nixon's statement of April 30 this year that on March 21 — after getting new information, "I personally ordered those conducting the investigations to get all the facts and report them directly to me, right here in this office."

Said Gray: "I was not requested by the President or anyone else to give them facts on the Watergate situation until April 16 . . . when (Assistant Attorney General Henry E.) Petersen asked me to give him the Howard Hunt files."

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