

2 Groups Reported Investigating Possibility of Perjury by Gray

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WASHINGTON, Feb. 25—The special Watergate prosecutor and a Senate subcommittee are reportedly investigating the possibility that L. Patrick Gray 3d committed perjury when he denied, during hearings last year on his nomination to become director of the Federal Bureau of Investigation, any knowledge of F.B.I. wiretaps on newsmen and Government officials.

After the first published reports of the wiretap effort last February, Mr. Gray told the Senate Judiciary Committee, which was holding the confirmation hearings, that he had inquired and found "no record of any such business."

The New York Times reported last December, however, that a copy of the F.B.I. document it had obtained showed that Mr. Gray, while acting director of the F.B.I., had been advised in advance of his testimony of the surveillance effort, which was defunct by then but had included nearly 20 wiretaps over a two-year period.

Sources close to the special prosecutor's investigation and the one by a Senate Judiciary Committee subcommittee that is headed by Senator Edward M. Kennedy, Democrat of Massachusetts, are directed at a possible eventual prosecution of Mr. Gray for having committed perjury before the Senate.

Mr. Gray, who had been acting director of the F.B.I. since

the death of the bureau's first director, J. Edgar Hoover, in May, 1972, was nominated by President Nixon to succeed Mr. Hoover on Feb. 17, 1973. After Mr. Gray's name was linked to the Watergate controversy during the confirmation hearings, the President announced last April 5 that he had "regretfully agreed" to accept Mr. Gray's request to withdraw his nomination.

Three weeks later, on April 27, Mr. Gray resigned as acting director and was replaced by William D. Ruckelshaus.

It was Mr. Kennedy who pressed Mr. Gray during the confirmation hearings, at one point eliciting the answer, "I really don't know what you are talking about—that we are tapping our own telephones?"

President Nixon disclosed last May that, between May, 1969, and February, 1971, wiretaps had been placed with his approval on four newsmen and 13 Government officials suspected of leaking "national security" information to the press.

News reports disclosing the existence of the wiretaps first appeared last Feb. 26, three days before Mr. Gray first denied knowledge of the matter. But the F.B.I. document stated that a full report of the tape had been prepared for him that day, and added that he had been informed of the secret operation before then.