

Kleindienst Orders Gray Not to Discuss Watergate

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WASHINGTON, March 20—L. Patrick Gray 3d told Senators today that under new orders from Attorney General Richard G. Kleindienst he could no longer discuss the Watergate case in defending his 10-and-a-half-month record as acting director of the Federal Bureau of Investigation.

Nonetheless, Mr. Gray confirmed that he had continued to send F.B.I. reports on the Watergate break-in to a White House counsel, John W. Dean, 3d, even after discovering that Mr. Dean had recommended G. Gordon Liddy, one of the Watergate defendants, for a job at President Nixon's re-election headquarters.

Liddy, who was once a member of the White House staff, was convicted early this year of plotting to break into and bug offices of the Democratic party in the Watergate complex here last June.

Political Interference

Democrats on the Senate Judiciary Committee, who have turned the hearings on Mr. Gray's confirmation as F.B.I. director into an inquiry into political interference with the Watergate investigation, concluded today that the White House was undercutting its own nominee by restricting his testimony.

Senator Birch Bayh, Democrat of California, said that the Nixon Administration had "decided to throw Mr. Gray to the wolves."

As long as President Nixon refuses to let Mr. Dean testify on the Watergate case, Senator Tunney added, "it will be impossible for Mr. Gray to be confirmed." Mr. Dean, citing executive privilege, has declined a committee invitation to testify.

Senator Birch Bayh, Demo-

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crat of Indiana, said that in "muzzling" Mr. Gray, his superiors in the Nixon Administration "have done everything they can to make it look like a cover-up."

He added; "We need to feel a bit of pity in our hearts for Mr. Gray. With friends like Mr. Gray has in the White House, he doesn't need enemies."

Gray Appears to Tire

Mr. Gray appeared to be tiring of his role in the clash between Congress's demand for facts and President Nixon's insistence on F.B.I. secrecy and the privilege of his White House staff not to testify.

Mr. Gray, a close-cropped 56-year-old former submarine captain, pictured himself today "caught in the middle" of political forces bigger than the bureau and pleaded with the Senators to vote his nomination up or down.

"We've got to reach a point of finality," he said, arguing that at the current rate the hearings could run till January. "I think I'm entitled to some kind of judgment."

The Judiciary Committee, still uncertain about the balance of sentiment among its 16 members, voted instead to subpoena three new witnesses and broaden its inquiry into Mr. Gray's performance.

Mrs. Hoback Called

One of the three formally summoned today was Mrs. Judith Hoback, a former employe of the Committee for the Re-election of the President, who indicated in an affidavit last week that the F.B.I.'s supposedly confidential interview with her had been leaked to the campaign committee.

Senator James O. Eastland, a Mississippi Democrat who is chairman of the Judiciary Committee, asked Mr. Gray this

morning, "How many times did [Mrs. Hoback] state that she had tried to hide the truth from the grand jury" last July? Mr. Gray said he was no longer at liberty to answer such questions.

Also summoned was Thomas E. Bishop, a former assistant director of the F.B.I. in charge of crime records and public information, who signed a request to bureau field offices last fall for law enforcement information that could help the Nixon campaign.

Mr. Gray said today that he disapproved of this and blamed his personal assistant, David Kenley, and his associate director, Mark Felt, for having let it happen.

But he said that Mr. Bishop, who served 30 years in the F.B.I., had raised no objection to doing the political favor for the White House. Mr. Bishop has told friends he strenuously objected to Mr. Felt's order that the information be collected.

Lawyer Is Summoned

The third new witness was Thomas Lumbard, a former Justice and Treasury Department lawyer, who two weeks ago told The Washington Post that there was a close connection between Mr. Dean and Liddy. Mr. Lumbard first agreed, then declined to testify voluntarily.

Meanwhile, Senator Lowell P. Weicker Jr., the Connecticut Republican who formally introduced the nomination of Mr. Gray, who is a New London, Conn., constituent, charged on the Senate floor that Mr. Gray was being punished for "the very integrity, the very impartiality, the very vigor" he had brought to his job.

In an interview with The Los Angeles Times yesterday, Senator Weicker said, "Most devastating of all, the White House inner circle fears he is impartial, tough and his own man."

Citing President Nixon's criti-

cism of Mr. Gray at a news conference last week for revealing F.B.I. reports in Senate testimony, Mr. Weicker concluded that a cooling of White House support "could spell the end of the nomination."

He added: "Indeed I am most discouraged."

Senator Weicker, a member of the seven-member special Senate committee that will make an independent study of the Watergate case, also led a protest today against an agreement that would limit access to F.B.I. files. Under the agreement, the Democratic chairman of the panel, Senator Sam J. Ervin of North Carolina; the ranking Republican, Senator Howard Baker of Tennessee, ad on staff aide to each of the two Senators would have access.

Senators Ervin and Baker agreed to the restriction last Friday in a meeting with Mr. Kleindienst. Senator Weicker asserted today that they had acted without authority and in direct violation of the Senate resolution that created the select investigating group.

"The Senate did not create a two-man committee with five spectators," he said.

Two-Hour Hearing

Despite Mr. Gray's earlier effort to make the bureau's Watergate records available to every Senator, access within the Judiciary Committee is now limited at Mr. Kleindienst's insistence to Senator Eastland, the committee chairman, and Senator Roman L. Hruska of Nebraska, the senior Republican. Mr. Eastland and Mr. Hruska are both thought to favor Mr. Gray's confirmation.

In two hours of Judiciary Committee hearings this morning, most of the discussion dealt with the limited access to files and Mr. Gray's orders not to talk about "substance."