

Gray Concedes Dean Told Apparent Lie

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Acting FBI Director L. Patrick Gray III agreed today that John W. Dean III, counsel to the President, apparently lied when he told FBI agents last June that he did not know whether Watergate defendant E. Howard Hunt Jr. had an office at the White House.

Three days earlier, according to testimony at the Watergate trial, Dean already had in his possession equipment and papers that his staff had removed from a safe in the office that Hunt used while he was a consultant at the White House.

"... He lied to the agent, didn't he?" Senate Majority Whip Robert C. Byrd, D-W.Va., asked during intensive questioning at Gray's confirmation hearings before the Senate Judiciary committee.

Looking back on it now, Gray conceded, "... I would have to conclude that that



JOHN W. DEAN III

judgment is probably correct."

Byrd, who has been the leading opponent of Gray's nomination, stated after his lengthy questioning this afternoon that



L. PATRICK GRAY

the committee should reject Gray on a straight up-or-down vote. Democratic opponents have maintained that they could not act on the nomination until Dean testified. The

White House has refused to permit this.

Gray told the committee that he was not suspicious after Dean's statements to the FBI because he believed Dean had a duty to guard the President's papers and noted that he subsequently turned over the materials, some of which included incriminating electronic eavesdropping devices, to the FBI.

Testimony at the Watergate trial revealed that Dean had kept the equipment from Hunt's office for a week — from June 19 to 27 — before giving them to the FBI.

During that week, Gray testified earlier, he had talked with Dean by telephone and said that Dean never mentioned that he had materials from Hunt's office.

Dean's statement to the FBI that he would have to check on whether Hunt had an office at the White House came on June

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22 when the FBI was interviewing Charles W. Colson, former special council to the President.

During the course of the interview, Gray said, Dean interjected that he would have to determine whether Hunt occupied offices at the White House.

The White House has said that Hunt worked as a part-time consultant from mid-1971 until March 29, 1972, and used offices in the Executive Office Building.

Materials that were removed from the office by Dean's staff were introduced into evidence during the trial of the Watergate case in January. Neither testimony at the trial nor Gray's answers to the committee specifically explained why Dean had kept the equipment and papers for a week before turning them over to the FBI.

Hunt was first connected with the five men who were arrested inside Democratic National Headquarters at the Watergate several hours after the June 17 break-in and the White House was immediately notified about the link, Gray had testified.

In earlier testimony Gray said he had talked to Dean at least eight times since the hearings on his nomination to

be FBI director began three weeks ago.

In response to questions from Byrd Gray said that he talked with Dean by telephone "8 . . . 10 . . . or 12 times to try to give him a feel for how the hearings were going."

Gray said some of the calls were initiated by Dean and others he placed because he thought that Dean and White House officials would be interested in the progress of the hearings since he is a presidential nominee.

Pressed by Byrd to explain why he would call Dean, Gray said that as far as he was concerned it "makes no real difference who calls whom. I can't see myself placed in an absolute cocoon."

Gray said he told Dean "the scope and type of questions being asked of him." He declined, however, to submit written FBI records of the calls or to give further details of the subjects he discussed.

Gray said he called Dean because of his position as counsel for the President, which includes jurisdiction for the Justice Department and the FBI.

Gray also acknowledged that when asked by the Justice Department to further investigate aspects of the Watergate case, the FBI has continued to pursue leads. He again refused to reveal what they are.