

NIXON AIDE TELLS OF TALK TO F. B. I.

MAR 10 1973

Ehrlichman Says He Asked
That President's Counsel
Join Watergate Interview
NYTimes

By JOHN M. CREWDSON
Special to The New York Times

WASHINGTON, March 9 —

John D. Ehrlichman, President Nixon's chief adviser on domestic affairs, said today that he had personally asked that a White House legal counsel sit in on an interview he had with agents of the Federal Bureau of Investigation about the Watergate case.

"I have always felt it appropriate to have counsel present at an interview of that kind," he said. "I just felt more comfortable." Asked if he had had any choice in the matter, he replied that "I might have been in a little jeopardy with the employer" if he had refused to allow the counsel, John W. Dean 3d, to be present.

It was previously disclosed that Mr. Dean had sat in on interviews agents had with other White House personnel in the inquiry into the bugging of Democratic headquarters here. Earlier this week, L. Patrick Gray 3d, acting director of the bureau, told the Senate Judiciary Committee that, "from a purely investigative standpoint," he would rather the interviews had been conducted without Mr. Dean.

Headed Special Inquiry

At the time of Mr. Ehrlichman's interview last July 21, Mr. Dean was in charge of a special inquiry ordered by Mr. Nixon to establish whether any White House personnel had been involved in the Watergate incident. The President said later he was satisfied that none of them had been.

Mr. Ehrlichman also said, at a news briefing today, that he had no knowledge of an arrangement, disclosed by Mr. Gray on Wednesday, whereby a high White House aide had directed the payment of large sums of money to a man accused of directing a political espionage and sabotage ring for the Republicans in the election campaign last year.

Mr. Gray told the Judiciary Committee that Herbert W. Kalmbach, Mr. Nixon's personal attorney, had told Federal agents that he had made the payments from campaign funds at the direction of Dwight L. Chapin, then the President's appointments secretary.

According to Mr. Gray, Mr. Kalmbach said he paid from

\$30,000 to \$40,000 to Donald H. Segretti, a young California lawyer, after receiving a telephone call from Mr. Chapin in September, 1971.

'Concern Is Voiced'

Yesterday, Ronald L. Ziegler, the White House press secretary expressed "concern" at the release of Mr. Kalmbach's account on the ground that it was "raw, unevaluated material" and might violate the rights of the individuals involved to privacy and due process of law. But he did not deny the accuracy of Mr. Gray's report.

Mr. Ehrlichman expressed the same beliefs today, but, he did not criticize Mr. Gray for releasing it to the committee.

The Judiciary Committee is considering the nomination of Mr. Gray to hold a permanent appointment as director of the Federal Bureau of Investigation. Democratic members of the committee criticized him this week for turning over to Mr. Dean more than 80 raw interview reports gathered by agents in the Watergate investigation.

Asked for Interviews

Three reports involved employees of the Committee for the re-election of the President who had asked to talk to agents in the absence of the re-election committee's lawyers to give information about the destruction of campaign records by committee officials shortly after the Watergate case arose.

Senator John V. Tunney, Democrat of California noted yesterday that "the same Mr. Dean" had obtained a job at the re-election committee for G. Gordon Liddy, who has been convicted of conspiring to tap the Democrats' telephones.

Mr. Tunney told the committee today that he was visited this morning by two F. B. I. agents carrying "a number" of the bureau's Watergate files. After reading them, he said, he still planned to introduce a motion next week to call Mr. Dean to testify before the committee.

The committee heard today from a number of witnesses who spoke against the Gray nomination.

Representative Edward I. Koch, Democrat of Manhattan, who is seeking the Democratic nomination for the Mayor of New York City, said that his opposition stemmed from Mr. Gray's refusal to allow him to look at a file the bureau had compiled on him.

Columnist on Stand

Mr. Koch recalled that when Mr. Gray last year ended a 22-year program of keeping files on major Congressional candidates, he said that they contained only biographical data from published sources. Mr. Koch and two other Democratic Representatives, Jonathan B. Bingham of the Bronx and Benjamin S. Rosenthal of

Queens, immediately wrote to Mr. Gray asking to see their files.

Mr. Gray refused, Mr. Koch said, noting that, shortly after taking over the bureau on the death of J. Edgar Hoover last May, Mr. Gray had asserted that the bureau did not maintain "political dossiers."

"Based on the fact that they are refusing to reveal certain files to members of Congress," Mr. Koch said that he could only conclude "that they do have at least three political dossiers."

"Clearly, there is more in that file than simply biographical material," he said.

Jack Anderson, the syndicate columnist, told the committee he had proof that the bureau was keeping files not only on individuals who "opposed the policies of the men in the White House," but also "because they apparently had exotic sex lives or, in an astounding number of cases, simply because they were black."

Mr. Anderson presented several brown envelopes that he said contained copies of such files and offered to let the committee members see them.

He said that one report, "on a famous movie and television star," began with the caveat that [blank] has not been the

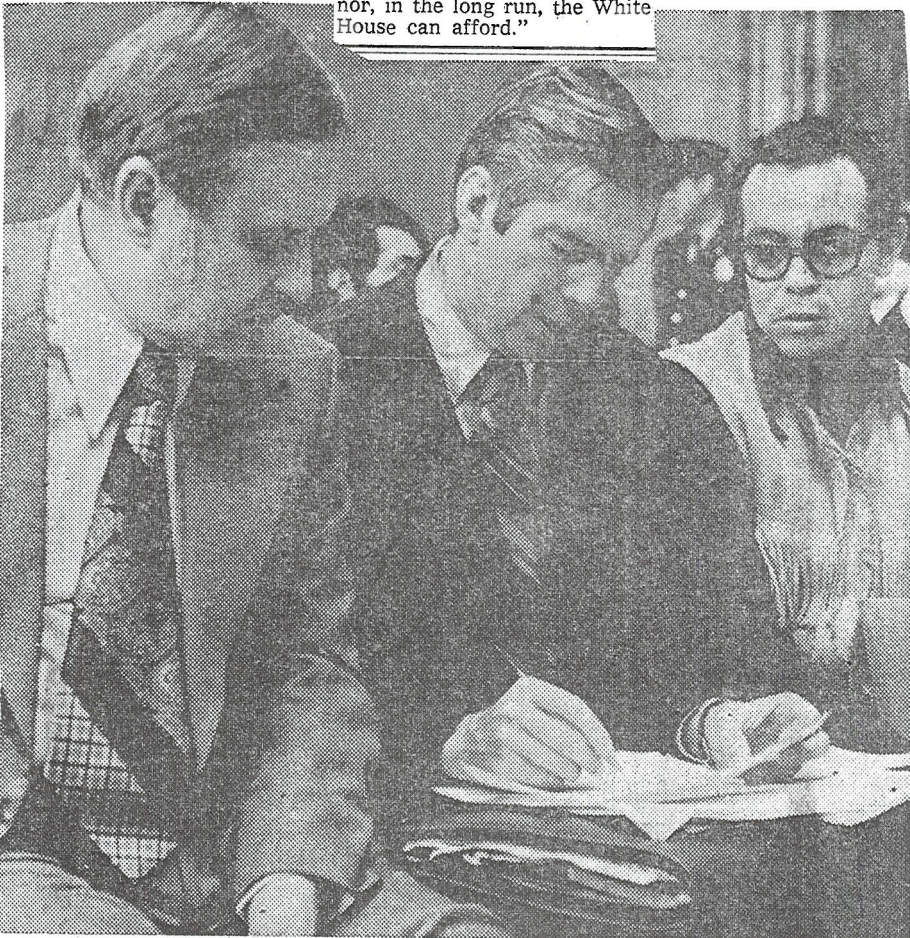
subject of an F.B.I. investigation, then went on:

"During 1965, however, a confidential informant reported that several years ago while he was in New York, he had an 'affair' with movie star [blank]. The informant stated from personal knowledge he knew that [blank] was a homosexual."

"On another occasion, information was received by the Los Angeles office of the F.B.I. that it was common knowledge in the motion picture industry that [blank] was suspected of having homosexual tendencies [and that] in May, 1961, a confidential source in New York also stated that [blank] definitely was a homosexual."

"Our files contain no additional pertinent information identifiable with Mr. [blank]." Mr. Anderson said, "The F.B.I.'s habit of prying into the private lives of prominent people did not begin with L. Patrick Gray, but he has done nothing to stop it. On the contrary, he has turned over confidential F.B.I. files to his political superiors for political purposes."

"I think it is immeasurably wrong to put a man in charge of the F.B.I. whose prime interest is pleasing the President," he said. "This is a luxury that neither the nation, nor, in the long run, the White House can afford."



The New York Times/George Tames

At the Senate Judiciary Committee hearing on nomination of L. Patrick Gray 3d to become director of the F.B.I., from the left: Jack Anderson, the syndicated columnist; Leslie H. Whitten, one of his associates, and Henry Adams, an Indian concerned with documents from the Bureau of Indian Affairs.