

Gray Unit Votes Today On Calling Nixon Aide

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The Senate Judiciary Committee meets this afternoon to decide whether to invite White House counsel John W. Dean III to testify about his role in the FBI's controversial investigation of the Watergate case.

Critics of Dean and of acting FBI Director L. Patrick Gray III claimed to have the votes to request Dean's appearance despite yesterday's statement by President Nixon that his personal staff will decline such invitations.

Momentum in favor of the invitation gathered when Chairman James O. Eastland (D-Miss.), who supports Gray's confirmation to head the Federal Bureau of Investigation, said that he, too, would like to hear from Dean.

Meanwhile, the committee wound up the testimony of hostile witnesses and received Gray's accounting of 33 contacts with Dean, 28 by telephone and five in Gray's office, over the handling of the Watergate investigation.

In addition, Gray specified five contacts with John D. Ehrlichman, President Nixon's top domestic adviser. Like the Gray-Dean contacts, the conversations chiefly concerned embarrassing "leaks" of information about the investigation, many of which implicated high officials of the administration and the presidential re-election campaign committee.

Senate sources said a consensus appeared to be jelling among Gray's critics to block the nomination in committee as long as the White House de-

clines to produce Dean for questioning.

For Gray, who has held the post since last May on an interim basis, this delay could deny confirmation for as long as 11 months. Next February is the deadline for a select Senate committee to report on wider aspects of the Watergate case—which began as a bugging and burglary of the Democratic Party's headquarters and spread to the discovery of a wire-ranging plan of political espionage and sabotage.

The select committee, empowered by the Senate to delve deeply into investigative records, is deemed certain to give some consideration to the thoroughness and impartiality of the FBI's investigation—the same issue that has held center stage at Gray's confirmation hearings.

Eastland said he expected the committee to agree to recall Gray to the witness stand in a few days, after senators have studied his testimony and the supplemental information he has supplied for the record. Today's closed meeting is set for 2 p.m. in the Capitol office of Senate Minority Leader Hugh Scott (R-Pa.).

Gray's listing of contacts with Dean appeared to indicate that the White House aide, whom Gray said he briefly suspected of misusing FBI data, repeatedly phoned Gray to ask about suspected leaks from within the bureau.

Dean, who conducted a separate investigation for President Nixon which cleared current White House personnel of involvement in the Watergate episode, spoke with Gray al-

most daily in late June after the initial discovery of the break-in and wiretapping at the Democrats' Watergate offices, the records show.

The records left unclear how long Dean retained possession of FBI investigative reports. Gray has testified that he let Dean see 82 investigative reports, many of them highly sensitive.

Gray also furnished the committee with a list of 18 Nixon re-election supporters who, like Gray, were asked by the White House to accept invitations to speak at the City Club of Cleveland last year.

The list included a dozen "surrogate" campaigners and others, such as former Treasury Secretary John B. Connally, who campaigned actively without being designated surrogates. Critics have charged that the administration treated Gray like a surrogate despite the President's widely publicized instruction to keep the FBI out of politics.

Yesterday's final witness, retired FBI agent Edward Scheidt of Reston, Va., told the committee that the Cleveland speech last August showed that Gray was deep in partisan politics without realizing it.

"I actually believe that psychologically he thought that anything done by a Republican administration is non-political," said the 70-year-old Scheidt.

Scheidt, who recalled the "golden age" of the FBI under the late J. Edgar Hoover, was challenged by Sen. Marlow W. Cook (R-Ky.) for asserting that Hoover would never have allowed the bureau to engage so deeply in politics.

Expressing amazement at belated praise of Hoover by liberals, Cook asked whether some of Hoover's utterances about "young radical groups" did not also smack of politics. Scheidt replied that Hoover was not "partisanly" political but instead stayed friendly with both parties.

Another hostile witness was Stephen L. Schlossberg, general counsel of the United Auto Workers, who said Gray engaged in "vicious" political speechmaking a year ago as an assistant attorney general.

Schlossberg said Gray denounced labor leaders across the board for resisting administration wage freeze measures but now uses a "presumption of regularity" in dealing with White House and presidential campaign aides suspected of involvement in the Watergate matter.