

FBI Chief Had Pledged to 'Resist' Pressure

Gray Recounts Moment of Truth

By Lou Cannon

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When Louis Patrick Gray III was appointed acting director of the FBI he was asked what he would do if politicians ever sought to control him.

"I would resist them with every bit of ability I have," Gray replied. "I may have to sit down face to face for a full discussion with any politicians who may seek to run the FBI."

Yesterday, in the television-lit hearing room of the Senate select Watergate committee, Gray somberly recounted what had happened in real life when his moment of truth came six weeks later: on the evening of June 28, 1972, in the second-floor White House office of John D. Ehrlichman.

Gray arrived at 6:30 p.m., supposedly for the purpose of discussing FBI leaks of the Watergate investigation. Instead, Ehrlichman instructed John W. Dean III to give Gray two files of what Dean called "sensitive and classified papers of a political nature that Howard Hunt had been working on." Gray recalls that Dean described the files as dynamite which "clearly should not see the light of day."

The instructions could not have been more clear to former submarine commander Gray than if Ehrlichman had handed him a match.

"It is true that neither Mr. Ehrlichman nor Mr. Dean expressly instructed me to destroy the files," Gray testified. "But there was, and is, no doubt in my mind that destruction was intended."

The real-life Gray did not resist these instructions with so much as a single word, although he unaccountably delayed in selecting the time and place for destroying the files.

First the files languished on a closet shelf in Gray's apartment, underneath his shirts. Then he put the files in his personal safe for several months and still later took them to his home in Stonington, Conn., and stashed them away in a chest of drawers outside his bedroom.

Finally, a day or so after Christmas Day when families across America were burning their holiday wrappings, Gray decided that the moment to obey orders had arrived.

"I distinctly recall that I burned them during Christmas week with the Christmas and household paper trash that had accumulated immediately following Christmas," Gray testified. ". . . But immediately before putting them in the fire I opened one of the files. It contained what appeared to be copies of 'top secret' State Department cablegrams. I read the first cable. I do not recall the exact language but the text of the cable implicated officials of the Kennedy administration in the assassination of President Diem of South Vietnam."

Gray was shocked by his discovery, and he read no more. He thumbed through the second file and noted that it contained onionskin letter copies, then quickly hurled both documents into the flames. But his personal torment was just beginning as the files turned to ashes.

When his long-delayed Senate confirmation hearings began in March of this year, Gray lied to Assistant Attorney General Henry Petersen about receiving the files. He withheld the information from the Senate Judiciary Committee. As the pressure mounted, he turned vainly to Ehrlichman for help.

"I had no way of knowing then, of course, that the cables were fabricated nor, I might add, did I know what I have since learned — that I was being left, in Mr. Ehrlichman's elegant phrase to 'hang there' and 'twist slowly in the wind'."

The lie that bothered Gray most of all was the one he told a friend, Republican Sen. Lowell Weicker of Connecticut. Meeting in Weicker's office on April 25 after weeks of "staunch and valiant support" from the senator, Gary told the truth about receiving the files but concocted a story that he had thrown them in his of-

fice burnbags on July 3, 1972.

"I really cannot explain why I failed to tell Sen. Weicker all the facts . . . " Gary said. "A sense of shame is all I can remember. I suppose I felt, in some irrational way, that I would look better in his eyes if I had destroyed them promptly and never looked at them."

Gray's lies and what he now calls his "grievous misjudgment" arose from a belief in the rectitude of the administration" whose nominee I was and in the integrity of the men who gave me the files and instructions."

A similar misplaced belief in the rectitude of the Nixon White House led Lt. Gen. Vernon A. Walters, deputy director of the Central Intelligence Agency into telling Gray in June, 1972, that he FBI's investigation into laundered Watergate money in Mexico might lead to exposure of CIA agents.

Walters obtained that incorrect information from

then White House chief of staff H. R. Haldeman, who told the then—recently appointed CIA official that "the whole affair was getting embarrassing and it was the President's wish that Walters call on Acting Director L. Patrick Gray and suggest to him that since the five suspects had been arrested, this should be sufficient and that it was not advantageous to have the inquiry pushed . . ."

The tone of this memo perplexed Weicker.

" . . . Don't you consider this to be a rather strange conversation for CIA officials to be involved in?" he asked. "I mean with the exception of one sentence . . . those three paragraphs deal with a political situation here in the United States and has nothing to do with the CIA. I mean didn't it occur to you at that time that this was a rather strange conversation for you to be involved in? It sounds more to me like a meeting of the Republican National



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Sen. Lowell Weicker questions Lt. Gen. Vernon Walters about details of the Mexican money involvement.

Committee than a meeting of the CIA."

Walters did not consider it strange. He thought, instead, that Haldeman was a "senior official in the White House" who might have some information known neither to him nor to Helms about CIA agents in Mexico. Afterward, when Dean suggested the CIA pay bail and salaries for the Watergate defendants, Walters reacted valiantly and flatly rejected proposals he said would deal "a mortal wound" to the agency.

But Dean was, by Walters' definition, "a middle figure" in the White House. Walters made clear to Dean that he would resign if necessary. However, it apparently never occurred to the former winner of the Distinguished Service Cross to blow the whistle on Haldeman any more than it crossed the mind of submarine commander Gray to refuse to burn the files given him by Ehrlichman.

Perhaps it is fairer to Walters and to Gray to say that the security officials, both of them new in their jobs, were engulfed by the political pressure from the White House.

Gray said that his lies about the files led to sleepless night. And he recalled that in one of his meetings with Walters the deputy CIA director "leaned back in the red overstuffed chair in which he was sitting, put his hands behind his head and said that he had come into an inheritance... and was not going to let 'these kids' kick him around anymore."

Walters recalled that Gray once said to him that "this is a hell of a thing to happen to us at the outset of our tenure..." Gray can't remember saying it, although the statement fearfully reflects the feelings of both men when they were being put through the White House meat grinder a year ago. And whether or not Gray used those precise words, the statement is an adequate summary of what was taking place.

It was, indeed, a hell of a thing to happen.