

Gray Changes Story on Files

Washington

L. Patrick Gray III changed his story yesterday and said he had examined files removed from the safe of a key member of the Watergate conspiracy before burning them with his Christmas trash.

The former acting director of the FBI, who had earlier said that he destroyed the documents without reading them, contended before the Senate Watergate committee that the papers had not been "evidence in the case."

He said, however, that his acceptance of the papers taken from the White House safe of E. Howard Hunt Jr., one of seven men sentenced in the Watergate break-in, constituted "a grievous misjudgment."

Gray largely confined his testimony to two aspects of the Watergate controversy: his handling of the files and the "confusion" over the covert activities of the Central Intelligence Agency.

Among Gray's points in a 51-page prepared statement were these:

- The FBI waited two weeks, at the suggestion of White House and CIA officials, to interview two key witnesses on the handling of \$114,000 in Nixon campaign funds involved in the Watergate break-in.

- President Nixon was informed by Gray on July 6, 1972, that "people on your staff are trying to mortally wound you by using the CIA and FBI and by confusing the question of CIA interest in, or not in, people the FBI wishes to interview."

- The President's only response to this, after "a slight pause," was to instruct Gray to "continue to conduct your aggressive and thorough investigation."

Previous testimony by Lieutenant General Vernon A. Walters, deputy director of the Central Intelligence Agency, differed in some respects with Gray's recollection of events.

Walters, who preceded Gray at the committee's witness table yesterday, testified that when he first went to Gray on June 23 he had indicated that he had left a meeting at the White House.

Walters and Richard

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Walters, then the CIA director, had been summoned to the White House earlier that day to a meeting with John A. Mohr and H. R. Haldeman, Mr. Nixon's ranking advisers.

All four men agree that Haldeman told Walters to meet with Gray at the CIA. Haldeman says they were ordered to object to parts of the FBI investigation while the White House advisers contend they asked only that the question of CIA involvement be explored.

"I have no recollection or memory whatsoever of General Walters informing me at this meeting that he was coming to me after

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going to the White House," Gray said. "I understand him to be stating a very plain, not a White House message."

FILES

The Hunt files were passed to Gray on June 15, 1972—11 days after the Watergate arrests by John W. Dean III, then counsel to the president. The transaction occurred in Philadelphia's Rittenhouse Hotel.

"By destroying them with assistance of disclosure only compounded the error," said Gray. "The day the decision became public."

That the documents were in fact destroyed by evidence, while legally significant, does not less their present better interest in myself to the public.

shall carry the burden of that act with the law.

DYNAMICS

He told the senate that passing the files to the FBI was described as a "mistake" and that the files should have been destroyed.

There was no doubt in my mind that destruction was intended.

The clear implication of the substance and tone of their remarks was that these two files were to be destroyed, and I interpreted this to be an order from the counsel to the President of the United States issued in the presence of one of the two top assistants to the President of the United States."

After keeping the files in his Washington apartment and his office safe, Gray said he took them to his home in Stonington, Conn.

"I distinctly recall that I burned them during Christmas week with the Christmas and household paper trash," he said.

"Immediately before put-



