

Gray Destroyed Hunt's Kennedy File After Parley with Ehrlichman, Dean

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Acting FBI Director L. Patrick Gray III last year destroyed documents belonging to Watergate conspirator E. Howard Hunt Jr. after being told by presidential aides John Ehrlichman and John W. Dean III that the documents should "never see the light of day," FBI and other sources said last night.

The documents, in two folders, each an eighth of an inch thick, included phony State Department cables fabricated by Hunt to implicate the late President John F. Kennedy in the 1963 political assassination of South Vietnamese President Ngo Dinh Diem, the sources reported.

Gray also destroyed a dossier that Hunt had gathered on Sen. Edward M. Kennedy (D-Mass.) and his automobile accident at Chappaquiddick in 1969, the sources said. It has previously been reported that Hunt was assembling such a dossier during the period when Sen. Kennedy was considered a contender for the Democratic presidential nomination.

The documents, taken from Hunt's executive office building safe, were given to Gray during a White House meeting with Ehrlichman and Dean on June 28, 1972, the sources said.

On July 3, after keeping the documents in his apartment closet for nearly a week, Gray destroyed them by tearing them up and throwing them in a "burn bag" in his office, according to the sources. "Burn bags" are destroyed routinely at the FBI by security personnel.

The other sources reported that Gray is anxious to appear under oath before the Watergate grand jury and will testify that he was not specifically told to destroy the documents but understood that it was "absolutely clear" that Ehrlichman and Dean wanted him to destroy them.

The sources said Gray was told by Ehrlichman and Dean that the documents were "political dynamite" capable of "doing more damage than the Watergate bugging itself," in the words of one source.

Revelation of the document destruction is the latest in a series of almost daily explosions in the escalating Watergate affair, bringing into the circle of charges and countercharges nearly every one of President Nixon's top advisers.

Gray's actions were first reported last night in the New

York Daily News, and subsequently verified by The Washington Post and other newspapers.

Gray, Ehrlichman and Dean are all now under investigation to see if the destruction of potential evidence was an obstruction of justice, according to government sources.

At a minimum the destruction of Hunt's papers shows that top Nixon advisers were involved in covering up at least some of the clandestine campaign activities of White House consultant Hunt.

In a statement issued through a White House spokesman last night, Ehrlichman confirmed that documents had been turned over to Gray at a meeting in June.

"I was present," Ehrlichman said in a statement, "but neither then, nor at any other time, did I give Mr. Gray any request, suggestion or instruction regarding what should be done with the contents. I do not know the nature of the contents. Up until April 15, I assumed the FBI director still had the contents."

An associate of Dean said last night: "John Dean was present at such a meeting, but it was John Ehrlichman who ordered Gray to destroy the documents."

Another source familiar with the situation said that Ehrlichman had earlier in the day of the June 28 meetings told Dean: "You go across the river every day. Why don't you drop the ——— things in the river?"

Gray was told by Ehrlichman and Dean that the documents were related to "national security matters," the sources said, but not that they included bogus State Department cables fabricated by Hunt. The sources said,

The acting FBI director has said he never examined the papers and learned only this month what the documents actually were, when he was questioned about the matter by Assistant Attorney General Henry E. Petersen on April 16, 1973.

Petersen learned of the documents from Dean, who 10 days earlier went to the Justice Department and reportedly began telling all he knows about the Watergate case.

An associate of Gray's said that Gray now feels that he was "set up" by Dean and Ehrlichman. Gray disposed of the folders "because of the strong arguments by Mr. Dean and Mr. Ehrlichman that there were overriding

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national security reasons to suppress the documents," the associate said.

According to testimony during the Watergate trial, on June 19, 1972, two days after the Watergate arrests, Dean instructed White House staff secretary Bruce Kehrli to enter Hunt's former office in the Executive Office Building and to retrieve whatever documents were there.

Lacking the combination to a safe in Hunt's office, Kehrli asked the General Services Administration to move the safe to a storage area and drill it open. The contents, including what appeared to be classified materials, were taken to Kehrli's office and kept there for the night, according to Kehrli's testimony.

The contents were taken to Dean's office on June 20, according to Kehrli. Other testimony in the trial showed that Dean did not turn over the contents of the safe to the FBI until June 26 or 27. Besides an attache case containing electronic equipment useful in bugging, the FBI was given two cartons of materials, including some classified materials. But the two file folders were not turned over to the FBI at the time.

An associate of Gray said last night that "Mr. Gray is anxious to go to the grand jury. He is just sick about all this and thought Mr. Dean and Mr. Ehrlichman were his superiors and that he had to follow orders and could not believe anyone in the White House would act dishonestly."

Gray, who turned over 82 of the FBI's Watergate investigation files to Dean at Dean's request last year,

learned for the first time Tuesday that Petersen and Attorney General Richard G. Kleindienst had refused an earlier Dean request for those files. 24 APR

Ehrlichman's statement was released through deputy White House press secretary Gerald Warren, but Warren told a reporter that "it's a John Ehrlichman statement, not a White House statement."

Following is the full statement:

"Mr. Gray received some of the contents of the Hunt safe at my office from Mr. Dean in June, 1972. Mr. Dean had previously sealed them in a large envelope. Mr. Gray was told by Mr. Dean that the contents were sensitive materials not in any

way related to the Watergate case. I was present but neither then, nor at any other time, did I give Mr. Gray any request, suggestion or instruction regarding what should be done with the contents. I do not know the nature of the contents.

"Up until April 15, I assumed the FBI director still had the contents. I learned certain new facts concerning the disposition of the contents of the Hunt safe on April 15, 1973. I promptly reported my findings to the President the same day and they were relayed to Mr. (Henry E.) Petersen, the assistant attorney general. The matter has been under investigation by him since then."

Gray, a retired Navy captain who practiced law for about eight years before

joining the Nixon campaign effort in 1968, was appointed acting FBI director May 3, 1972, the day after J. Edgar Hoover was found dead in his bedroom.

Prior to being appointed acting director, Gray had served in a variety of administrative positions, including assistant attorney general in charge of the Justice Department's civil division.

Although Gray had had no prior experience in law enforcement before taking over at the FBI, he was given early credit for easing some of the inflexible atmosphere that Hoover had imposed during his long tenure. In February, 1973, President Nixon nominated Gray to be Hoover's permanent successor.

By that time, a cloud had begun to form over the manner in which Gray had directed the FBI's investigation into the Watergate affair. In addition, Gray came under heavy criticism for speeches he gave during the 1972 campaign that appeared to support Mr. Nixon's candidacy—thus involving the FBI in partisan politics.

At one point in his confirmation hearings, Gray testified that Dean "probably" lied to FBI agents on June 22, 1972 when he said he would "have to check" whether Hunt had an office in the White House. Gray's hope of being confirmed to replace Hoover was by then all but extinguished.

All but abandoned by the White House despite President Nixon's public reaffirmations of support, Gray was almost certain to be rejected by the Senate Judiciary Committee as well as the full Senate if the vote came up.

On April 5, Gray asked President Nixon to withdraw the nomination from consideration.

Hunt, a former CIA agent, was hired as a White House consultant in 1971 by Charles W. Colson, then special counsel to President Nixon, and Ehrlichman, the President's principal deputy for domestic affairs.

Within a week of his hiring, The Washington Post has reported, Hunt traveled to Rhode Island and attempted to obtain damaging information on the personal life of Sen. Edward M. Kennedy, especially regarding his accident at Chappaquiddick.

According to the White House, Hunt worked as a consultant on a project under the joint supervision of Ehrlichman and Colson — examining the Pentagon Papers to see if they were authentic and attempting to determine how they were obtained by the New York Times and other newspapers.

One section of the Pentagon Papers deals with the coup in which South Vietnamese President Diem was assassinated. According to the Pentagon Papers, the United States knew of the

impending coup and shared responsibility for the attempt to remove Diem from power.

However, the Pentagon Papers state that President Kennedy was deeply shaken by Diem's assassination, and most accounts say that the American President had thought Diem was to be given safe conduct out of Vietnam upon his overthrow.

The documents destroyed by acting FBI director Gray apparently were intended to portray Kennedy as having encouraged the assassination of the South Vietnamese president.



HENRY PETERSEN
... questioned Gray



E. HOWARD HUNT
... faked documents