

Gray Resigns; Ruckelshaus Heads FBI;  
Hunt, Liddy Linked to Ellsberg Case

APR 28 1973

**FBI: Head of Environment Agency  
Says New Post Is Temporary**

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L. Patrick Gray III resigned yesterday as acting FBI director amid reports that he destroyed politically explosive documents from the Watergate investigation. President Nixon promptly replaced him with William D. Ruckelshaus, head of the Environmental Protection Agency.

The White House left the impression that Gray had been forced out of office, while Gray implied that he was quitting because accusations against him were hurting the reputation, the in-

tegrity and the effectiveness of the FBI."

Either way, the 57-year-old former submarine skipper and Nixon loyalist was prematurely removed from his post and was himself the subject of grand jury interest over the destruction of papers belonging to convicted Watergate conspirator E. Howard Hunt Jr.

Ruckelshaus appeared at a White House news briefing and made clear his intention to serve only temporarily while the President resumes his "intensive search" for a successor to the late J. Edgar Hoover.

The search, which began when Gray's own nomination faltered in the Senate and was withdrawn April 5, should last only a month or two, Ruckelshaus said. Meanwhile, he added, "I promise the American people honest, fair and vigorous prosecution of my duties."

Ruckelshaus, who was an assistant attorney general under John N. Mitchell before taking over as chief enforcer of clean-environment laws, added, "I got the honor statement from the President that no matter

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who was involved in current scandals) that there would be no sparing of anybody regardless of their position here or anyplace else."

Gray, who had been staying on only long enough to permit the nomination and confirmation of a permanent director, thus became the second person in two days to lose his job in the ever-widening investigations of political espionage and alleged coverups. The first was Jeb Stuart Magruder, deputy director of President Nixon's 1972 campaign, who resigned as director of policy development in the Commerce Department.

Gray's resignation statement did not deny news reports that, acting on what he considered orders from presidential aides John D. Ehrlichman and John W. Dean III, he had destroyed papers taken from Hunt's executive office building safe last June after Hunt had become a suspect in the burglary and eavesdropping of the Democratic Party's Watergate offices.

The brief statement, issued by Gray's information officers while Gray began clearing out of his office, said his "personal acts of judgments that may now be called into question—and my own continued presence at the helm" were an embarrassment to the FBI."

Nevertheless, Gray's state-

ment said, "I depart from the FBI with a clear conscience, the knowledge that I have done my duty as best I have been able to see that duty, and with an admiration and respect for the men and women of the FBI that only one who has led them and served with them can ever fully understand."

Majority Whip Robert C. Byrd (D-W.Va.), Gray's prime opponent at his confirmation hearings, said he was pleased by the resignation and the Ruckelshaus appointment.

"I am pleased on two counts," Byrd said. "First, because the President acted so quickly, and second, because Mr. Ruckelshaus has no connection with the Watergate case."

Byrd had been calling for Gray's removal and charging that Gray "was obstructing the course of justice" when he destroyed the Hunt papers. He noted that Gray, asked at his hearing whether anyone else had ever been present when he met with Ehrlichman at the White House, had replied, "No, I believe not."

It was cross-examination by Byrd that produced Gray's admission that in retrospect Dean "probably lied" when he told an FBI agent last June that he would have to check to see whether Hunt had a White House office.

Dean volunteered the remark during an agent's interview with a member of the White House staff. Gray's Senate critics questioned his judgment in per-

mitting Dean to sit in on interviews and in giving Dean more than 80 confidential FBI reports, many of which are said to have implicated White House employees.

Less pleased with the Ruckelshaus appointment was former Attorney General Ramsey Clark. Referring to Ruckelshaus' unsuccessful 1968 Senate race in Indiana, Clark said, "He may be Mr. Clean to some, but he was just as political as the rest of them."

Sen. Lowell P. Weicker (R-Conn.), who was Gray's strongest supporter for the FBI post, took a different view of his constituent from New London yesterday.

Confirming news reports of the destruction episode on the basis of his own talks with Gray, Weicker said he now "would concede not only excesses of bad judgment and blind loyalty, but a dearth of personal integrity and devotion to good."

Weicker, a member of the Senate's Select Watergate investigation committee, accepted Gray's statement that he did not know the contents of the material he placed in an FBI "burn bag," but said that did not soften his judgment.

"I have to question," Weicker said, "why any person feels that he is under a particular obligation to accept materials for destruction without being apprised of the nature of such materials."

Gray learned two weeks ago that the documents included a dossier on Sen. Ed-

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ward M. Kennedy (D-Mass.), prepared by Hunt when Kennedy was rated a potential Democratic presidential candidate, and phony State Department cables fabricated by Hunt to place blame on the late President John F. Kennedy for the 1963 assassination of South Vietnamese president Ngo Dinh Diem.

Weicker had expressed deep anger when Gray's nomination was withdrawn three weeks ago, complaining that "the wrong man has been cast adrift. It's a sad commentary when a man of Pat Gray's caliber goes and men of lesser caliber stay on in high places." A year ago Weicker had sponsored Gray for a vacancy on the prestigious Second U.S. Circuit Court of Appeals.

Some observers agreed with Weicker that Gray's openness with the Senate Judiciary Committee had caused his downfall, both by revealing some startling information from the FBI's Watergate probe and by his offer of wide Senate access to FBI files. The White House cited the offer of access to files in rebukes to Gray that preceded the withdrawal of his nomination.

Ironically, Gray drew Judiciary Committee criticism for his failure to dispose of certain FBI files—the secret dossiers on members of Congress discovered by Gray several months after he took over. Gray testified that he wanted desperately to get rid of the files but had no legal authority to do so on his own.

Gray's assistants said he had talked with President Nixon and Attorney General Kleindienst just before submitting his resignation. White House press secretary Ronald Ziegler disclosed that Mr. Nixon had had "a long discussion" with Kleindienst the night before.

"He talked with him at length," Ziegler said. "The Attorney General, at the President's request, discussed this matter with Mr. Gray last night. By 'this matter' I mean the matter of the news reports. This is all I can say."

Told that he seemed to imply the President had asked for the resignation, Ziegler said, "I intend to leave no implication."

Ziegler said the President received word of Gray's action on board his plane, Spirit of '76, returning to Washington from Mississippi yesterday afternoon. When he reached the White House, Mr. Nixon met with Ruckelshaus for 45 minutes before announcing that he was instructing Kleindienst to designate the EPA director as acting FBI head.