Ehrlichman and Gray, Telephone

April 15, 1973 10:16?-11:15? pm (a)

```
1
     Voice:
                      Conversation number thirty eight dash (·) sixty. (0.2) Po:rtion of a
                                                                                                [14.9]
 2
                1
 3
                      telephone conversayshin between Jo:hn D.=Ehrlichmin? en L. Patrick
 4
                2
 5
                      Gray. (·) ·hh This po:rshin uwas recorded on April fifteenth, ·h
 6
 7
                      nineteen sev'ndy three, °·hhh° at en unknown t<sub>s</sub>i:me? between ten
 8
                      sixtee:n, ·h en eleven fifteen p.m.<sup>3</sup>
 9
10
11
                              (5.2) ((dead tape))
12
     Ehrl:
13
                      ...lo:,
                                                                                                [15.3]
14
15
                      I ev Mister Gra[y
     Op:
16
17
     Ehrl:
                                      [Thank you.
18
19
                              (0.9) ((whirring click))
20
21
                              (0.2)
22
23
     Ehrl:
                      Pa:t? This' John Ehrlichmun.h=
24
25
     Gray:
                      =Ye:s [Jo:h[n.Good evening.
26
27
     Ehrl:
                             [·h [ hah-
28
29
     Ehrl:
                      Did I findju et ho:me?
30
31
                      Yes.[Ah'm et ho:[me.
     Gray:
32
33
     Ehrl:
                          [·hh·hhayeh [·hheyahh •(Listen) I wunduh tell you thet uh:m,hh John
34
35
                      Dea:n.hh-hh-hhe has apparently: hh-hh h-• \uh:m \uh: decided to: make
36
37
                      a clea:n breast of thin:gs with the uh U.S. Attorney.
38
39
                              ·)
40
```

⁴ The bullet indicates a pop! in the recording.

¹ According to Emery (pp.330-1), this call was recorded in Nixon's office, with Nixon and Haldeman present.

² L. Patrick Gray III, Deputy Attorney General from 1971- May, 1972, when, upon J. Edgar Hoover's death, he was appointed by Nixon to be acting head of the FBI, a position he held during the FBI's Watergate investigation. [*The Watergate Hearings*, Profiles of Key Figures, p.832] He resigned on April 27, 1973 [Lukas, p.448].

³ Gray, in his testimony before the Watergate Hearings (p.628), has the call occurring at "about 10:30 P.M."

```
1
                      ·hhhh h•An::d,h uh:: one a' the question:s thet apparently they've been
     Ehrl:
 2
              5
 3
                      hasking hi:m is about the: onvelope< thet he turned over duh you:.
 4
 5
                      Yeh well he'd better deny: tha:t
     Gray:
 6
 7
                              (0.2)
 8
 9
     Ehrl:
                      We: ll,hhuh he: 's apparently::, hh pretty much on the record \downarrow on that. uhh\downarrow
10
11
                      Mmhm
     Gray:
12
13
     Ehrl:
                      ·hhhh •(st) thought I'd better alertche ↓to it.↓
14
15
                      What de hell'm I gunnuh do about [tha:t,=
     Gray:
16
17
                                                           [·h
     Ehrl:
18
19
     Ehrl:
                      I don' kno:w.
20
21
     (\emptyset):
               (0.5) (hmhhhmhmhh)
22
23
                      H<u>m</u>?•
     Gray:
24
25
                      Is ih is it still in being<sup>k</sup>?
     Ehrl:
26
27
     Gray:
                      ↑NO::.
28
29
                      •I see:,h
     Ehrl:
30
31
                              (0.9)
32
33
                      ·hhhhhh h•I don' kno:[w.hhh
     Ehrl:
34
35
                                             [Was tol' that tha' [was purely politic'l en I de]stroyed it.=
     Gray:
36
37
     Ehrl:
```

⁵ On July 28, 1972 "at about 6:30 pm", Acting FBI Director Gray went to Ehrlichman's office to discuss "rumors and allegations" that the FBI was leaking material about Watergate. (Given that Mark Felt, now known to have been Deep Throat, was assistant FBI director, the rumors probably had some foundation). John Dean was also present in Ehrlichman's office, and after "the usual greetings", Ehrlichman said "something very close to 'John has something that he wants to turn over to you'." Dean then showed Gray "two white manila legal size file folders", which Dean said "contained copies of sensitive and classified papers of a political nature that Howard Hunt had been working on", with national security implications, and "hav[ing] no bearing on the Watergate investigation whatsoever" but that they were, said Dean, "'political dynamite' and 'clearly should not see the light of day'." Gray asked for "large brown envelopes" to put the files in, which Dean provided. Dean then left the office, and Gray remained another "5 or 10 minutes to discuss the rumors and allegations of leaks from the FBI." Gray told Ehrlichman that he "had spoken to all of the agents assigned to the case and was quite confident that these leaks had not come from the FBI." (Gray doesn't mention having talked to his Assistant FBI Director, Mark Felt.) [This material taken from Gray's August 3rd, 1973 testimony at the Watergate Hearings (pp.624-625). The parenthesized remarks about Mark Felt are my own.] ⁶ Emery (p.331) quotes Nixon's memoirs, re. Ehrlichman's reaction: "We watched the blood drain from his face as he listed to the reply.", Ehrlichman commenting on the call, "'There goes my license to practice law."

```
1
      Ehrl:
                          =\underline{I} see.
 2
                                    (0.6)
 3
 4
      Ehrl:
                          •Okay ·hh Well it prob'ly wa:s. ·hh hė-['n-
 5
                                                                           [Is ther any way you c'n turn 'im o:ff?
 6
      Gray:
 7
 8
      Ehrl:
                          N<u>o</u>:.
 9
                                    (0.3)
10
                          Hm?
11
      Gray:
12
13
      Ehrl:
                          No.
14
                                    (0.6)
15
                          °°(iss none.)°°
16
      Ehrl:
17
18
                                    (0.5)
19
                          °°<sub>m</sub>h<u>m</u>°°
20
      (Gray):
21
22
      Ehrl:
                          ·hhuhhh He•('s) out uff: out iff: uh,hh •any: any orbit thet
23
24
                          we,hh[h h h
25
26
              ):
                                  [heh \uparrow \uparrow h[\underline{e}h \text{ heh}, \uparrow] ((falsetto laugh))
27
                                             [heh huh ] cognize around he:re ((smile voice))
28
      Ehrl:
29
30
      Gray:
                          Uh[hm,
31
                                       (1.2)----]
32
      Ehrl:
                              [·hhu:ehhhhhhh] So: I jis' wan' to alertche tgho ight<
33
34
                                    (·)
35
                 (2.1)
36
                          HMHHHHHHH ·hmhhhh[hhhhh
      Ehrl:
37
38
                                                            [What other things dih yih think he's gunnuh
      Gray:
39
40
                          talk abaht
41
42
                 (0.3)
                                    ((tlk-kl))
43
44
      Ehrl:
                          \cdot tch! \; (0.2) \; mh_{rgh} \; W_{gh} \underline{e} : ll \; {}_{gh}he : \text{'s } p \underline{u} tting \; th \dot{e} \; mne_{gh}h - \; \underline{Mn} : = Eez \; p \underline{u} tting \; the \; best
45
                          face on: hhh heis relations with uh: (·) Petersen: thet 'ee ca:n,
46
47
48
                                    (0.3)
49
50
                          ·hhh C•'z Petersen az sart'v mo:ved in on the Prosecu↓tion.
      Ehrl:
51
52
                                    (·)
53
```

```
1
     Gray:
                     Ah hah,
 2
 3
     Ehrl:
                     ·p·hhh[hh
 4
 5
                           [(W'l) what wiz 'ee doing things with P•eter[sen too:?=
     Gray:
 6
 7
     Ehrl:
 8
9
     Ehrl:
                     •Yah. [whh (·) whh-<u>hh</u> (·) whhhhhh[hhhhh]hhhhh
10
                                         [ 1.5]
11
     Gray:
12
13
              (1.8)
                             (1.7)
14
15
                             ((gn))
16
17
                     •(But) uh, hmhm gn Yih might m:: yee might wan' take a loog itcher hole
     Ehrl:
18
19
                     car:d whur: he's c'ncern'. Cuz I don' kno:w (0.2) all the ins in outs iv yer
20
21
                     relationship er w=yihknow what (0.2) wh[•at
22
23
                                                             [Yeh the only thing I c'n do wih
     Gray:
24
25
                     this is deeny it.
26
27
     Ehrl:
                     h<u>O</u>kay
28
                             (0.4)
29
30
     Ehrl:
                     ·hhhhhhh
31
32
33
     (Ehrl):
                     •(W'l)
34
                             (·)
35
                     Yer nod [gunnuh ba:ck eem up are yuh?]
36
     Gray:
37
                             38
     Ehrl:
39
40
     Ehrl:
                     =\cdot t \cdot hhh \cdot (a[h)
41
42
     (Gray):
     42
```

⁷ In contrast to Gray's highly detailed recollection of his June 28, 1972 meeting with Ehrlichman and Dean, his testimony on this phone call (p.628) is minimal:

[&]quot;At about 10:30 P.M. on the evening of April 15, 1973, I received a call from Mr. Ehrlichman. His remarks were very short, terse and to the point. He simply told me that Dean had been talking to the prosecutors for some time and 'we' think you ought to know about it. It was obvious from his tone and the manner in which he spoke that no questions were invited and none were asked. I merely said thanks as he was hanging up the phone.

[&]quot;I may have said 'Good evening, John' or 'Hello, John' when I picked up the phone and it is my firm recollection that he started talking right away and made no response."

```
1
      Ehrl:
                         b-uh: \underline{I} kin \underline{g}_{n::}n:\underline{y}_{\underline{i}}hknow:: \underline{g}_{m::}u\underline{g}_{h}h::: \underline{j}\underline{u}st (·) just uh,hh-hh >seh d\underline{o}n' know
 2
 3
                         en'thing< about it. ixcept thet uwhat he told me.=
 4
 5
      Ehrl:
                         =hmh-hmh hmh-hmh
 6
               (1.2)
 7
                                  ((tlk))
 8
 9
      Ehrl:
                         °-hhh° mBut uh,h·h he hez pah-uh: gm spent all: day dihday wih the U.S. Attorney.h
10
11
                                  ·)
12
13
                         Mm hm•
      Gray:
14
                         °whhhwhhhw<u>hhh</u>hhw<u>h</u>°
15
      Ehrl:
16
17
                                  (0.4)
                (5.2)
18
                         °·hmhhhh° °·p·tey ·p·tuh°
19
      Ehrl:
20
21
                                  (1.5) ((silence))
22
23
                         ↑So:, hhuhhh 'at's about all I have duh tellyih fer the moment.hhhuhhh
      Ehrl:
24
25
      Gray:
                         •hm
26
27
                         •(En) ah'll keep yih postid if I ca:n.h
      Ehrl:
28
29
                                  (0.3)
30
                         Oka:y=
      Gray:
31
32
      Ehrl:
                         =\Awright.
33
34
      Gray:
                         Jo:hn,
35
                                  ((ggrup duh dup))
36
37
                         Thank you [very much.
      Gray:
38
39
                                      [((receiver down))
                                                                                                              [17.5]
40
41
                                  ((wrrrrr<u>u</u>p))
42
43
                                  (5.3) ((dead tape))
44
45
      Voice:
                         This conclu:des the Abuse of Gover'mint Power segments, h fer
46
47
                         <u>co</u>:nversation number thir<u>dy</u> eight dash (·) s<u>ix</u>ty.
                                                                                                              [17.7]
48
                   8
49
                                  ((duration of call: ca 2 minutes 10 seconds))
```

⁸ Gray testified that "Both of these calls were of extremely short duration, less than 15 seconds each". (*The Watergate Hearings*, p.628)