

Release Of Paper Criticized

11-5-71
By Sanford J. Ungar
Washington Post Staff Writer

Members of the Council on Foreign Relations have reacted angrily to the organization's decision to make available to the Federal Bureau of Investigation a confidential seminar paper by Daniel Ellsberg.

James C. Thomson, a professor of history at Harvard University, yesterday labeled the council's action "outrageous."

"It is counter to normal ethics and to the printed by-laws of the organization," Thomson said after learning that the document had been turned over to FBI agents in response to a subpoena from a grand jury in Boston investigating disclosure of the Pentagon papers.

Ellsberg, who has acknowledged making the Pentagon papers available to the press, participated in a seminar at the council's headquarters in New York last November, delivering a paper entitled "Escalation as a Military Strategy

in Limited War."

Under the normal ground rules of the council, Ellsberg's paper would have remained confidential. Sources close to the council acknowledged yesterday, however, that top officers decided to make the Ellsberg paper available after consulting with their New York lawyers.

Asked to comment on the council action yesterday, Ellsberg warned that the group might have set a precedent which endangers its future ability to operate.

"They behaved wrongly from their own point of view," Ellsberg said of the council action. "If they allowed this precedent, the Justice Department will be there next week asking for transcripts" of closed-door foreign policy seminars.

Ellsberg declined to specify who had participated in the November seminar with him, but sources indicated that other speakers included William P. Bundy, former assistant secretary of state for far eastern affairs.

He suggested that "private communication" such as that involved in the council's meeting is protected by the First Amendment. Ellsberg criticized the council for failing to lodge any formal objection to the government request for his paper.