

Ellsberg Backfire

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Three days before Daniel Ellsberg was indicted in California for unauthorized possession of the Pentagon Papers, Charles W. Colson sent White House chief of staff H. R. (Bob) Halde- man a confidential memorandum describing how the Ellsberg prosecution could be used to confound the press, divide the Democrats and "arouse the heartland."

The story of how this White House political strategy led to the burglary of a psychiatrist's office, a defamatory psychological profile, the illegal use of the Central Intelligence Agency and the ultimate loss of the case against Ellsberg was told in graphic detail yesterday in evidence released by the House Judiciary Committee.

Much of the story has been told before, first to the Senate Watergate committee and the Watergate grand jury, then to jurors who last week tried and found guilty the former No. 2 White House aide, John D. Ehrlich- man.

But the narrative scattered yester- day through four new volumes of im- peachment evidence totaling 2,090 pages gives by far the most detailed picture yet of the bungled political strategy that caused the Ellsberg case to backfire on those who sought to ex- ploit it.

It also shows that President Nixon approved, after the fact, of the break- in of the office of Ellsberg's psychia- trist and that he privately defended this burglary long after he had pub- licly repudiated it.

For instance, during an April 18, 1973, telephone conversation between Assistant Attorney General Henry Pet- ersen and the President, Petersen dropped what he thought was the "bombshell" that Watergate conspira- tors E. Howard Hunt Jr. and G. Gor- don Liddy Jr. had burglarized the of-

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office of Dr. Lewis Fielding, Ellsberg's psychiatrist.

"I know about that," Mr. Nixon re- plied. "That's a national security mat- ter. Your mandate is Watergate. Stay out of that."

The President's response comes from Petersen's testimony to the Watergate grand Jury last August. Ehrlichman, who overheard the Presi- dent on the other end of the phone conversation, said in an affidavit this year that Mr. Nixon told him soon af- ter he hung up that the break-in was "fully justified by the circumstances."

The national security issue cited by

the President in his phone conversa- tion with Petersen has been the battle- cry of the White House in the Ellsberg affair. However, the documents releas- ed yesterday by the Judiciary Commit- tee show a far more persistent White House interest in using the Ellsberg case for purposes of political strategy than in plugging security leaks.

In his June 25, 1971, memo to Halde- man, Colson candidly acknowledged that "the heartland isn't really aroused" over the publication of the Pentagon Papers. Ellsberg is seen as a way of getting at the press second- hand because, Colson said, "the fact that he conspired with the press and the press printed the documents that he stole is bound to have a bad rub-off on the press."

"There is another opportunity in this whole episode, that is the prosecution of Ellsberg," Colson continued. "It could indeed arouse the heartland, which is at present not very excited over the whole issue."

In this memo Colson described Ells- berg as "a natural villain to the extent he can be painted evil."

Several wiretaps, two psychiatric profiles and one break-in later, the White House was still trying to paint this picture without much success.

Fielding's office in Beverly Hills was broken into on Sept. 7, 1971. On Nov. 1, the two leaders of the White House special investigative unit, which di- rected the operation, met with Ehrlich- man to tell him that the Ellsberg pros- ecution was getting nowhere.

A memo from Egil Krogh Jr. and David R. Young, the co-bosses of the investigative unit known as the "Plumbers," spelled out the reasons:

"(a) Ellsberg gave classified informa- tion to the press, not to a foreign power.

"(b) Just a few months after Ells- berg went public, DOD (the Depart- ment of Defense) published virtually the same material.

"(c) There has been no apparent damage as a result of Ellsberg's disclo- sures."

This lack of damage did not deter the White House in its continued at- tempts to turn the Ellsberg case to its own advantage. Two days after the Krogh-Young memo, Liddy met with a CIA psychiatrist, identified in the Ju- diciary documents only as "Dr. 6," and requested a second psychiatric evalua- tion of Ellsberg.

The CIA had, in August, also under pressure from the White House Plum- bers, produced a profile of Ellsberg which described him as "an extremely intelligent and brilliant individual" who seemed to be "responding to what he deemed a higher order of patriot- ism"

The psychiatrist who prepared the profile called it an "indirect personal- ity assessment . . . based primarily on background material and current im-

pressions derived from press reports including newspaper and magazine articles and television interviews."

This report, prepared by a "Dr. 9," under direction of "Dr. 6," did not satisfy the White House.

Instead, according to an affidavit given by Dr. 6, the White House sought an additional report, and Hunt supplied some "poorly xeroxed classified FBI reports and Department of State documents" which showed that Ellsberg:

- "Revealed quasi-secret information while still in the service when he was applying for a Ph.D fellowship."

- Volunteered for Vietnamese service in the State Department "while under the stress of obtaining a divorce from his first wife."

- Sought psychoanalytic treatment in 1968 and 1970.

- "May have been involved in leaking information about a South Vietnamese" in 1970 while under psychoanalytic treatment.

Using this information and other material supplied by Hunt, Dr. 6 prepared a new profile.

"On 12 November 1971 the material was delivered by me to the White House and to Mr. Liddy, Mr. Young and Mr. Hunt," the psychiatrist's affidavit stated. "These men were interested in obtaining information which could be used to defame or manipulate Ellsberg."

The psychiatric evaluation was actually sent to Young by CIA Director Richard Helms, the Judiciary documents show. Accompanying them was a brief letter from Helms in which he said "I do wish to underline the point that our involvement in this matter should not be revealed in any context, formal or informal."

This new profile appears for the first time in the documents released by the committee. The psychiatrist preparing it took pains to point out that all of the material from which it was derived was second-hand or further removed.

Unlike the first profile, this new evaluation made no claims for Ellsberg's patriotism. It traced events to Ellsberg's boyhood and an automobile accident in which Ellsberg's mother and sister were killed and in which he sustained serious injuries. Ellsberg was 15 at the time, and his father, who subsequently remarried, was driving.

"It is possible," wrote the CIA psychiatrist, "that strong feelings of resentment and rage and frustration stir-

red up by death and personal illness or injury are associated with his apparently sudden and extreme shifts in loyalty and enthusiasm."

The report noted that Ellsberg fell ill with hepatitis in Bangkok in 1967 and that a friend was simultaneously killed in an airplane accident. The psychiatrist theorized that the "anger and frustration" caused by these two events "mobilized a shift in his views."

The psychiatrist went on to describe Ellsberg as a man given to "rage and murderous anger" when his "gifts and abilities are not given proper recognition." In the psychiatrist's view "the leaking of the Pentagon Papers was also an act of aggression at his analyst, as well as at the President and his father."

The effort to defame Ellsberg did not stop with psychiatric evaluations or with a break-in. Another Krogh-Young memorandum to Ehrlichman, this one from July 30, 1971 informed him that the Plumbers had asked Richard Smyser, a State Department adviser on Vietnam "for an opinion (for Kissinger) on the relationship of timing between October South Vietnam election and the political exploitation of the Democrats' involvement in the 1963 coup against Diem."

Around the same time, according to testimony he subsequently gave to a federal grand jury, Hunt was fabricating cables to show that President Kennedy ordered the Nov. 1, 1963, assassination of South Vietnamese President Ngo Dinh Diem.

Neither the fabrication nor the defamation succeeded. The remainder of the Judiciary documents recount the now-familiar story of Ehrlichman's discussion of the FBI directorship with the trial judge in the Ellsberg case, W. Matthew Byrne, Jr., and of Byrne's meetings with Ehrlichman and Mr. Nixon.

On April 15, 1973, then-White House counsel John W. Dean III told the Watergate special prosecutor about the Fielding break-in. On May 11, Judge Byrne dismissed the charge against Ellsberg—partly because of the failure of the government to produce wiretap logs on Ellsberg and partly because of the illegal investigations by the Plumbers.

Nearly two years after the Colson memo had described Ellsberg as "a natural villain," he had been acquitted by the unnatural efforts of the White House to use him as political weapon to "arouse the heartland."