

Laird Refused '69 Fulbright Request For the Pentagon Study on Vietnam

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WASHINGTON, June 16 — Eighteen months ago, in a letter to Senator J. W. Fulbright, the Secretary of Defense, Melvin R. Laird, described a secret Pentagon study of American involvement in Vietnam as a "compilation of raw materials to be used at some unspecified, but distant, future date."

Mr. Laird declined in the letter to give the study to the Senate Foreign Relations Committee, which Mr. Fulbright heads. The Secretary said that to do so "would clearly be contrary to the national interest."

The letter offered no specific reason why the national interest might be jeopardized. Mr. Laird contended that the material was sensitive because contributors to the study had been guaranteed confidentiality.

The Pentagon spokesman, Jerry W. Friedheim, declined today to expand on the meaning of Mr. Laird's remarks in the letter, dated Dec. 20, 1969.

Mr. Friedheim said that he assumed that Secretary Laird has stated "what he means" in the letter and that "it sounds to me like he thought it was a historical document."

The Justice Department obtained a Federal Court order yesterday, temporarily halting publication of parts of the Pentagon study in The New York Times.

Secretary Laird said Monday that publication of the documents "violated the security regulations of the United States." He emphasized, in testimony before the Senate Foreign Relations Committee, that he thought it served no useful purpose to make public sensitive information.

Stress on Sensitivity

In his 1969 letter to Mr. Fulbright, the Defense Secretary similarly stressed the sensitivity of the subject rather than its potential impact on national security.

He said the study had been commissioned in 1967 by Secretary of Defense Robert S. McNamara.

"It was conceived as a compilation of raw materials to be used at some unspecified, but distant, future date," the letter said. "On the basis of the understanding that access and use would be restricted, the documents were designed to contain an accumulation of data of the most delicate sensitivity, including N.S.C. [National Security Council] papers and other Presidential communications which have always been considered privileged.

"In addition, the papers in-

cluded a variety of internal advice and comments central to the decision-making process. Many of the contributions to this total document were provided on the basis of an expressed guarantee of confidentiality."

Access Highly Limited

Mr. Laird's letter continued: "As intended from the start, access to and use of this document has been extremely limited. It would clearly be contrary to the national interest to disseminate it more widely. However, the Department of Defense is naturally prepared to provide the committee information with respect to executive branch activities in Vietnam for any portion of the period covered by this compendium."

Mr. Friedheim said today in response to a telephone request for clarification that "it is obviously what Laird thought at that time." The spokesman for the Secretary said that he could not "add any words to what the letter says."

He expressed surprise that the correspondence had been made public. It was part of a series of written exchanges between Senator Fulbright and Secretary Laird that was inserted in the committee's record by Senator Stuart Symington of Missouri following the hearing Monday.

Senator Fulbright first asked for a copy of the Pentagon study in a letter to Mr. Laird on Nov. 11, 1969. In another

letter, on Jan. 19, 1970, the Senator urged that Mr. Laird reconsider his refusal to provide the material.

After one of Mr. Laird's assistants had replied that the Secretary was studying the matter, Mr. Fulbright wrote in April and again in July of last year to ask what Mr. Laird's response was.

On July 21, 1970, Mr. Laird again rejected the request.

"My letter of Dec. 20, 1969, indicated that access to and use of this document, as intended from the start, has been and remains extremely limited," Mr. Laird wrote. "For the reasons expressed in that letter, I have again concluded that it would be clearly contrary to the national interest to disseminate the compendium more widely."

Last April 30, Senator Fulbright again asked for the study in a letter to Mr. Laird and asked whether "executive privilege is being invoked by the President" as authority for withholding the study and other requested documents.

Along with the letter the Senator sent Mr. Laird a copy of a Presidential memorandum dated March 24, 1969, in which Mr. Nixon said his policy was "to comply to the fullest extent possible with Congressional requests for information" unless, "in the most compelling circumstances" it was necessary to invoke executive privilege. Even then, the memorandum stipulated, the privilege would not be invoked "without specific Presidential approval."

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