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## ELLSBERG JURORS BRIEFED ON SPYING

### Kissinger Consultant Tells of Intelligence Gathering

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LOS ANGELES, March 14—The jury in the Pentagon papers trial continued its education today in how the United States gathers intelligence.

On of the defense witnesses for instance, was Dr. Allen S. Whiting, a consultant to Henry A. Kissinger, President Nixon's adviser on national security affairs. From 1962 through 1966, Dr. Whiting was director of the Office of Research and Analysis for the Far East for the Department of State.

Dr. Whiting, who is a professor of political science in the Center for Chinese Studies at the University of Michigan, told the jury that "I cannot see any way in which these [the Pentagon papers] would be of any advantage to a foreign national operating against the United States" in 1969, the year in which Daniel Ellsberg and Anthony J. Russo Jr., the defendants, are accused of stealing them.

#### U.S. Held Uninjured

Furthermore, Dr. Whiting testified, "I see no way in which the material could be used to injure the United States."

Last week, as part of the lesson in intelligence gathering, the jury heard Samuel A. Adams, a Central Intelligence Agency analyst.

Dr. Whiting, under direct examination by Charles R. Nesson, a defense attorney, was asked the basis of those opinions, and he then began to give some insights into how intelligence is gathered and evaluated.

The material in the Pentagon papers was "dated" by 1969, he said, but more important, by 1969 the United States was using infrared devices "capable of detecting the body heat" of an enemy, and its airborne intelligence-gathering had become much more sophisticated.

He was called upon to rebut the testimony of Brig. Gen. Paul F. Gorman, the highest ranking military member of the group that put together the papers.

General Gorman testified in January for the Government as its expert on the 18 volumes of the 47-volume Pentagon papers involved in this case. Reading portions of them to the jury, the general said that disclosure of that information had damaged the national defense.

#### Gorman Is Consultant

Since then, General Gorman has stayed in Los Angeles as a Government consultant in the case.

Dr. Whiting went over the same portions of the papers that General Gorman used in his testimony and attempted to refute the general's contention on each one.

Dr. Whiting said that he had studied the papers as an American intelligence analyst and as a foreign intelligence analyst would.

"It's only when you can identify the source material—when and where it was collected—only then can a foreign analyst assess the capacity of the United States' intelligence," Dr. Whiting said.

One of General Gorman's examples was that the Pentagon papers had revealed that in February, 1967, Premier Aleksei N. Kosygin, at a summit conference in London, had his telephone tapped when he called from the Soviet Embassy to the Kremlin to report to Leonid I. Brezhnev, the Community party chairman.

Reading what Mr. Kosygin said on the telephone to Mr. Brezhnev, an intelligence analyst "would speculate that he desired to be heard," Dr. Whiting said. "This is not an unusual way [in the intelligence community] of one Government's getting information to another. This is one way of communicating."

#### Call Held Deliberate

Thus, he said, he would conclude that the Kosygin-Brezhnev telephone conversation was "a deliberate act" because the Russians knew the phones were tapped and wanted the information contained in their conversation to be unofficially communicated to the British and United States Governments.

The disclosure of the Pentagon papers would be for a foreign analyst at best "a learning experience," he said.

Further, he said, a foreign intelligence analyst would conclude from the Pentagon papers that United States intelligence documents were "overclassified" and would attach no significance to the fact that they were marked "top secret-sensitive."

Dr. Whiting said that he was cleared to receive information in a category even higher than "top secret," a category so high he was not allowed to label it.

Under cross-examination by David R. Nissen, Dr. Whiting said that while he was "familiar with Communist methods of acquiring intelligence, in part," he was "not familiar with their methods of analyzing" intelligence.

Dr. Ellsberg and Mr. Russo are accused of six counts of espionage, six counts of theft and one count of conspiracy.