

# Ellsberg's Attorneys Contradicted by F.B.I. Agent

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A Federal Bureau of Investigation agent testified today that Morton H. Halperin, a former Defense Department official, had said that he sent the Pentagon papers to the Rand Corporation for storage "acting as an official of the United States Government."

This directly contradicts a basic contention of the defense attorneys in the Pentagon papers trial that three former officials sent a set of those papers to Rand as their own private papers, and that two of those officials, including Mr. Halperin, gave Dr. Daniel Ellsberg a special relationship to them.

Earlier, retired marine Lieut. Gen. Victor H. Krulak testified as a Government rebuttal witness that disclosure of one volume of the papers could have been helpful to Communist China

### Key Defense Witness

The F.B.I. agent, Earl C. Bevels, said that he interviewed Mr. Halperin on Oct. 6, 1971, after Mr. Halperin left government service, and that he was told that Dr. Ellsberg was first denied access to the set of the papers because it was believed that Dr. Ellsberg was "indiscreet and might tell some of his friends of the study and some of the particular incidents related in the study."

Mr. Halperin, a defense consultant, was a key defense witness in this case. In the Defense Department he had overall supervision of the task force that compiled the Pentagon papers.

The F.B.I. agent was another Government rebuttal witness. He was asked by the chief

prosecutor, David R. Nissen if Mr. Halperin had not told him that he, Mr. Halperin, was afraid Dr. Ellsberg would disclose the papers, and he replied, "yes."

Mr. Bevels also said that Mr. Halperin had told him, in an official interview, that he and Leslie H. Gelb, who ran the Pentagon papers task force on a day-by-day basis, considered the papers "to be very sensitive."

The agent also testified that at the time of the interview Mr. Halperin said that the various agencies, governmental and private, supplying researchers and writers for the papers "would bill the Department of Defense for their services."

This directly contradicted Mr. Halperin's testimony, to the effect that no such billing was contemplated.

Dr. Ellsberg and Anthony J. Russo Jr., charged with the theft and disclosure of the papers on United States involvement in Indochina, are on trial on six counts of espionage, six counts of theft and one count of conspiracy.

Most of the day was devoted to the examination of General Krulak, whose main point was that military contingency plans in one volume of the papers could, even as late as 196A, be helpful to Communist China.

### Testified in Operation

But he testified at great length on "Operation Silverlance," a large military practice campaign, off the coast of California in 1965, when, the general said, he "directed" and "conceived."

Representative Paul N. McCloskey Jr., testifying for the defense, had said that he had played the role of the American ambassador in Silverlance in a mythical country named

Lancelot. The defense tried to contend that Silverlance was, in essence, preparation for Vietnam, but the general refused to agree. And he said that Congressman McCloskey, then a Marine officer, did not have a major role in Silverlance, as the Congressman had contended.

"He was wired for sound, saying what I wanted him to say," the general said. "This [role] did not require a superior diplomatic intellect."

General Krulak is a vice president of the Copley newspaper and is director of their editorial and news policies, with head-

quarters in San Diego. The witness, a short man, said proudly that his nickname was "brute."

He also testified that he sometimes wrote articles for the Copley papers under the name "John J. O'Malley" and in two of them, on June 18, 1971, and on July, 1971, he assailed The New York Times for revealing the papers. The Times disclosed the papers for the first time on June 13, 1971, and the point of the questioning by the defense on the O'Malley articles was to show that General Krulak was a biased witness against the defendants.