# U.S. Weighed Moves to Halt the Times

### **ALL-NIGHT SESSION** HELD BY OFFICIALS

Early Decision That Articles on Vietnam Threatened Security Is Reported

The Washington Star

WASHINGTON, June 17-Within hours after The New York Times published secret Pentagon documents Sunday, Attorney General John N. Mitchell and Defense Secretary Melvin R. Laird began discussing possible attempts to stop the articles.

However, they and their aides took another full day to make specific plans. At an all-night session Monday, high officials of the Justice Department worked out the legal maneuver that did interrupt the disclos-

Officials involved in the planning apparently concluded early that the publication was a threat to security, but nevertheless decided they should not rush into court. They indicated that the unprecedented nature of their moves led to caution, but not to deliberate hesitation.

### Protests Expected

Another factor that lengthened their study, one key source said, was that they anticipated "cries of press censor-ship" and thus wanted to be very sure themselves of what they could do legally.

The sequence of the official reaction begins about 6 P.M. on Saturday, when The Times began putting its initial article on its news wire. Mr. Laird's aides discovered this and told

him.

He already knew of the secret Pentagon study on the Vietnam war and apparently recognized quickly what was

being disclosed.
Attention at the Pentagon centered first, however, on what Mr. Laird would say publicly. He was to appear at 11:30 A.M. Sunday on the C.B.S. television program, "Face the Nation."

, SATURDAY, JUNE 19, 1971

### Series Within Hours of

Sometime before his appearance, he telephoned Mr. Mitchell at home, and the two of them agreed that he would say—if asked—that the dis-closure did endanger national security and that the Justice Department had been asked to become involved.

#### Mitchell Asks for Data

The newsmen, however, did not ask about The Times's article on the air and the prepared reaction did not become

During the day, Mr. Laird apparently spoke with several of his own aides, including General Counsel J. Fred Buzhardt.

But the Justice Department did not become fully involved until Monday. The Assistant Attorney General in charge of the internal security division, Robert C. Mardian, was on the West Coast Sunday, and his absence was a factor. He returned here late Sunday night.

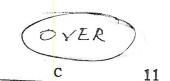
The Times second article appeared Monday morning.

At 9 A.M. Monday, the Pentagon's Armed Forces Policy Council held its regular meeting, and the disclosures made by The Times were discussed. The Army, Navy and Air Force secretaries, military service chiefs, and the Assistant Secretaries of Defense were there.

At about 9:30 A.M. Mr. Buzhardt called Mr. Mitchell's deputy, Richard G. Kleindienst, who told Mr. Buzhardt he should be dealing with Mr. Mardian. By telephone and then; in the afternoon, at a Pentagon meeting Mr. Buzhardt! Pentagon meeting, Mr. Buzhardt and Mr. Mardian went over the background data.

#### No White House Pressure

It was late afternoon or early evening when the decision was made to try first to get The Times to stop publishing its series and return the secret papers to the Pentagon.



## First Publication

The decision was conveyed to the White House in the evening. Officials insisted that the White House was only kept informed, and that it had "ap-plied no pressure and had given no direction."

By the time the decision was made, The Times had already released its third article on its news wire, and was about to start its presses on the Tues-

day morning editions.

Officials then concluded that it would be "physically impossible" to try to stop the series at that point.

By then, though, they had made the commitment to go to court if The times did not voluntarily suspend its series, and Mr. Mardian telephoned that decision to the executive vice president of The Times, Harding

F. Bancroft, at about 7 P.M. After Mr. Bancroft called back at 8:30 P.M. to say that The Times had made up its mind, and Sydney Gruson, a vice president of the newspaper, had read Mr. Mardian the statement rejecting the request, Justice Department aides began their all-night preparations for the challenge in court Tuesday.

They drafted a formal complaint against The Times, two affidavits of background material, a seven-page "memorandum of law" and a draft of an arder to stor The Times's are order to stop The Times's articles and require the return of the secret documents.