

DROP IS EXPECTED IN 'SECRET' MEMOS

Fulbright Says That Ruling Will Have 'Psychological Effect' on Government

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, June 30—Congressional leaders today generally applauded the Supreme Court decision on publication of material from Pentagon papers.

The ruling was greeted with almost silence by the White House officials of the Nixon Administration.

Asked if the White House had any reaction, Ronald L. Ziegler, press secretary to the President, replied, "I have no comment on the Supreme Court decision today."

Asked what the President thought of the decision, Mr. Ziegler said: "The President is aware of the Supreme Court decision. He has been in a National Security Council meeting this afternoon."

And asked if the President supported freedom of the press, Mr. Ziegler replied: "There is no need for me to comment on that. The President's stand on the First Amendment and freedom of the press is well known."

Mitchell: No Comment

A Justice Department spokesman said that Attorney General John N. Mitchell would have no comment on the Court's ruling.

But at the State Department and on Capitol Hill, the Court decision was generally viewed as certain to speed up the process of declassifying many documents, some of them dating back many years, now stamped "secret" and "top secret."

State Department officials said that the Court decision was certain to discourage many officials from writing too many "secret" memos, but they said they did not think that this would seriously affect foreign policy process.

Senator J. W. Fulbright, Democrat of Arkansas, chairman of the Foreign Relations Committee, said that the decision was certain to have "a tremendous psychological effect" on secrecy in government and "indiscriminate" classification of documents.

"I could not be more pleased if I were editor of The New York Times," he said. "The Times has justified the First Amendment."

'Great Day for Freedom'

The Senate Democratic leader, Mike Mansfield of Montana, reacted more cautiously to the decision but said that, barring matters affecting national security, "this will be a good move in the freedom of information area for the American people and, may I say, for the United States Congress as well."

Senator Hubert H. Humphrey, Democrat of Minnesota, said in a floor speech: "The Court has performed its most valuable service for many a year. . . . This is a great day for freedom in the land."

While reaction to the Court's decision was generally favorable, several Senators were openly critical of the New York Times for printing the documents and of Dr. Daniel Ellsberg, a former Defense Department official who has said that he gave the press the 47-volume Pentagon study on United States involvement in Vietnam.

Senator Barry Goldwater, Republican of Arizona, said that he felt that The New York Times and Dr. Ellsberg should be charged under the Espionage Act.

Dr. Ellsberg was indicted this week on a charge of unauthorized possession of "documents and writings related to the national defense"—it carries a penalty of up to 10 years in prison, \$10,000 fine or both—and was released on \$50,000 bail. No criminal charges have been filed against The Times or other newspapers.

Newspapers Criticized

Senator Gordon Allott, Republican of Colorado, said that he felt that The New York Times and other papers had set themselves above the law. "This cannot be permitted," he added.

The main issue, Senator Allott said, is whether people in government with the responsibility of classifying documents "are going to be allowed to make those decisions, or whether the press is going to make the decisions for them."

Several Government panels are now looking into the question of classification and declassification of documents.

State Department officials disclosed today that Secretary William P. Rogers had quietly ordered the creation of such a panel shortly after articles on the Pentagon study began appearing in The Times and other newspapers.

Department officials said that the group would study how best to make available to Congress or to the press information that was now Classified.

Another governmental panel, headed by Assistant Attorney General William H. Rehnquist, is reviewing the Government's system of classification and declassification.

Mr. Rehnquist told a House

Government Operations Subcommittee today that too many Government documents are classified. David O. Cooke, a Deputy Assistant Secretary of Defense, told the subcommittee yesterday that at least 20 million Government documents are now classified, a number that he said he felt was excessive.

Meanwhile, a Defense Department official said tonight that consideration was being given to printing copies of the Pentagon papers for members of Congress. However, he said, that no final decision had been made.

Senator Edmund S. Muskie, Democrat of Maine, said today that he would introduce a bill to create an independent board to declassify appropriate documents "and provide Congress and the public the information they must have to play their proper roles in our democratic system."

Senator Muskie said that the Court decision "is a victory for the American people's right to know."

Symington 'Gratified'

Senator Jacob K. Javits, Republican of New York, termed the Court ruling a "historic reaffirmation of freedom of the press" and a reaffirmation of "the good judgment and high patriotic sense of The New York Times and The Washington Post."

Senator Stuart Symington, Democrat of Missouri, said that he was "gratified by the decision."

"What the press is really doing here," he said, "is a job the legislature should have done for itself." He added that he did not think The Times should be

criminally prosecuted for publishing the documents.

Senator George S. McGovern of South Dakota, the only announced candidate for the Democratic Presidential nomination, said that he "never doubted the First Amendment meant what it said."

Senator McGovern said he also never doubted that the Court would "stand with the men who wrote the Constitution rather than those in this Administration who think that freedom of the press is just another political catch phrase."

The Senate Republican leader, Hugh Scott of Pennsylvania, said that he was "pleased that the Supreme Court has ruled in favor of a free press."

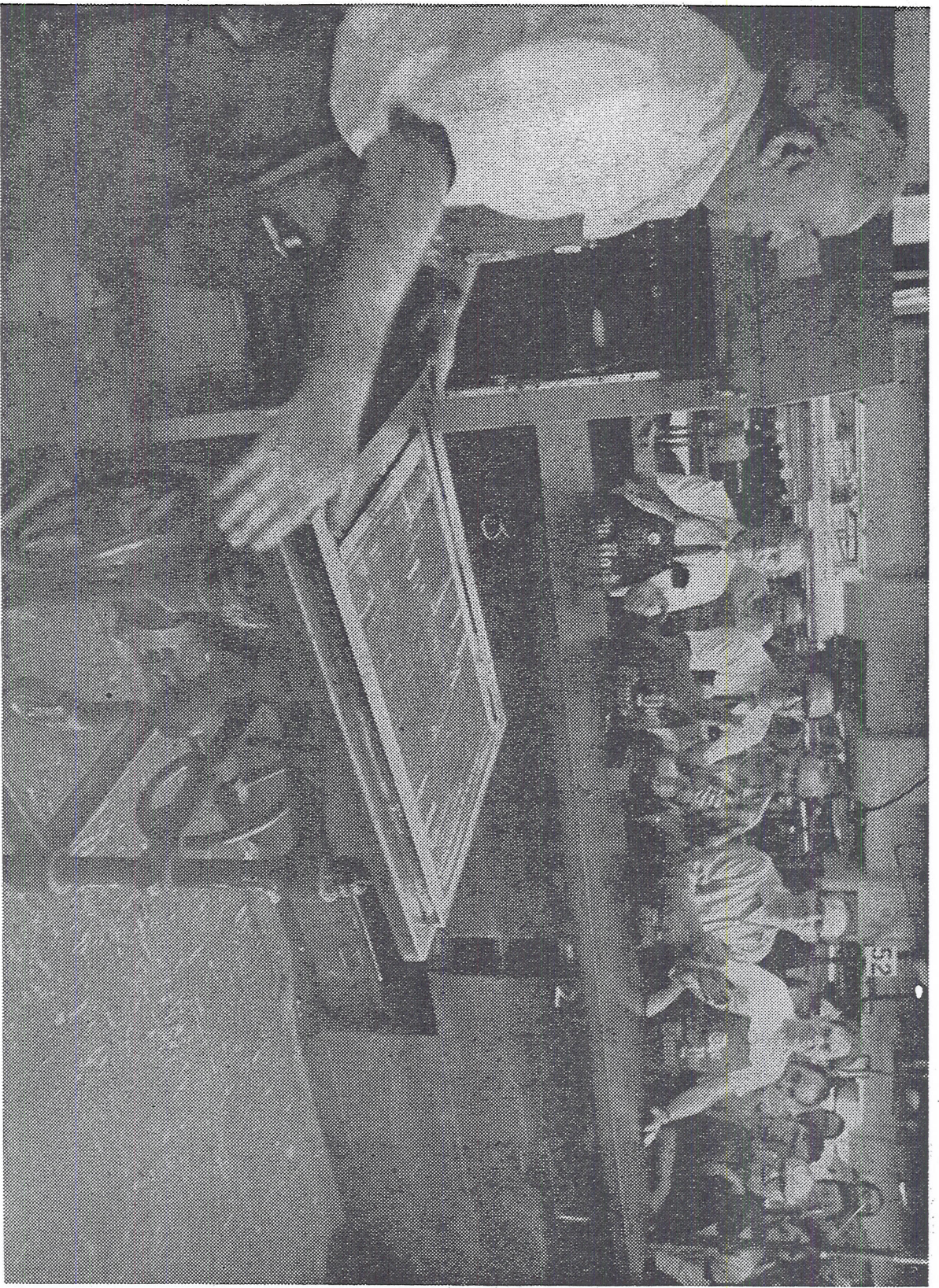
But Senator Robert A. Taft Jr., Republican of Ohio, while praising the Court for upholding freedom of the press, said that the ruling presented "some serious problems for Congress" on protecting truly sensitive documents.

Representative William S. Moorhead, Democrat of Pennsylvania, chairman of a House government operations subcommittee investigating government secrecy, said that he was "gratified" at the court ruling.

But Representative Samuel A. Stratton, Democrat of upstate New York, said that he felt the Court had made "a very serious mistake."

South Africa Cleric Accused

JOHANNESBURG, June 30 (AP)—The Very Rev. Gonville A. French-Beytagh, the Anglican Dean of Johannesburg, was charged today with advocating the violent overthrow of the South African Government. Dean French-Beytagh is an outspoken critic of the apartheid policy of racial separation.



ROLLING: A prepared page of type of the Pentagon series is wheeled into composing room of The New York Times after Supreme Court decision

The New York Times/Edward Hausner