

MAR 29 1972

# Queries to Professor Indicate U.S. Groping on

By ROBERT REINHOLD  
Special to The New York Times

BOSTON, March 28—A study of dozens of questions put to a Harvard professor before a grand jury yesterday indicates that the Federal Government is still groping for clues about how Daniel Ellsberg distributed the Pentagon papers to the news media.

Proceedings before a grand jury are secret, but The New York Times has obtained an unofficial but almost verbatim transcript of six hours of testimony given by Prof. Samuel L. Popkin, a political scientist who is an expert on Vietnamese village life.

In his testimony, Mr. Popkin denied all knowledge of persons who possessed the secret Pentagon war study before its general publication last June or of how it was leaked to the press. But he refused on First Amendment grounds to give his "opinions" or "speculations" about who in the academic community might have had access to the documents.

### Months of Maneuvering

Mr. Popkin's testimony came after months of complex legal maneuvering in which he attempted to avoid answering questions on the ground that constitutional guarantees of freedom of speech and press protect his right as a scholar to keep his research sources confidential. He agreed to testify only after being held in contempt.

Because of his refusal to answer 14 questions yesterday, Mr. Popkin is scheduled to appear in court tomorrow for another contempt hearing. The 14 questions and the refusals to answer them were read in open court today. None of the other questions or answers were read.

By most informed accounts,

Mr. Popkin has no real connection with the case, apart from the fact that he was a professional acquaintance of Dr. Ellsberg — the former Pentagon official who has admitted leading the documents to the press — and was generally knowledgeable about the activities of scholars in the area of Vietnam studies.

The Government's persistence in obtaining his testimony therefore struck many as evidence that the investigation was still very much in the "fishing" stage.

### Questioned by Iowan

The questions put to him yesterday appear to confirm this view. They were posed by Richard Barry, an Assistant United States Attorney from Iowa who is one of three Federal prosecutors conducting the inquiry for the Internal Security Division of the Justice Department.

After reading a statement to the jury denying having ever "seen any portion of any version of any volume" of the study prior to publication or having been "aware of any plan or intention of anyone to publish or distribute for publication the Pentagon papers," Mr. Popkin was asked by Mr. Barry:

"Were you aware in any manner that anyone possessed the Pentagon papers in Massachusetts?"

Mr. Popkin replied that since portions of the papers were published in that state in newspapers and in book form he was aware that copies must have been possessed prior to publication.

Mr. Barry persisted, asking, "Do you know from knowledge other than from having seen them that someone possessed the Pentagon papers in Massachusetts?"

Mr. Popkin answered, "During the course of my work on Vietnam I have become aware of numerous people working with numerous studies among which may be what is now prominently differentiated from all others as the Pentagon papers."

This was a reference to the fact that a number of scholars and Government officials apparently had access to the papers and had used them for various types of research. In

an interview today, Mr. Popkin said that the papers were such an enormous "hodgepodge" of documents and narrative that it was impossible to say who had used what.

Mr. Barry sought the names, but Mr. Popkin said he had no direct knowledge. Then the prosecutor asked, "What is your opinion as to what persons you believed possessed the Pentagon papers in Massachusetts prior to June 13, 1971?" The papers were first

c 17

## Pentagon Papers

published in The New York Times on that date.

"Is this grand jury really asking me to violate confidences necessary to my research, simply to discover my opinion?" inquired Mr. Popkin. Mr. Barry replied, "The grand jury does not answer questions." The scholar then declined to answer "on the grounds that it violates my rights under the First Amendment to freedom of press, assembly and speech."