

McCloskey Testifies

Pentagon Papers Called Harmless

Los Angeles

Congressman Paul N. McCloskey told jurors yesterday that he doesn't see anything in one volume of the Pentagon Papers which could have harmed the U.S. if it were released at the time Daniel Ellsberg and Anthony Russo copied it.

McCloskey called as the second witness for the defendants in the Pentagon Papers trial, said he has read several volumes of the Pentagon study of the Vietnam war and revealed he read some of them in May 1971 before they were publicly released.

"In my opinion," the Palo Alto Republican said, holding one volume of the study, "by October of 1969 there is nothing in this volume that could have been used to the injury of the U.S. or to the advantage of a foreign nation."

McCloskey said outside court that Ellsberg gave him the Pentagon Papers in 1971 for use in connection with a Congressional vote then pending on ending the war.

McCloskey was still testifying when court recessed for the weekend. He is to resume the stand Monday.

McCloskey testified that sections of the Pentagon Papers may have been "an embarrassment" to the U.S. He quoted one portion that outlined how marines would be landed at Da Nang.

It said the troops were already on the way, but that permission of the Saigon government would be asked and then a press release put out saying South Vietnam had asked for the marines.

McCloskey took the stand

to testify as an expert in military affairs and document classification after the first defense witness, retired Rear Admiral Gene LaRocque, left the stand. "Nothing that the U.S. did in South Vietnam affected the national defense of the U.S. in any way."

LaRocque's repeated insistence that the Vietnam war was unrelated to U.S. defense brought an angry debate in which Assistant United States Attorney David Nissen implied the admiral was saying this because he had been an opponent of the war.

Bristling, LaRocque stared straight at Nissen and said, "In 1965, Sir, I volunteered to serve in Vietnam and I sent my oldest son to Vietnam where he was wounded. My next oldest son is now a lieutenant in the Navy."

As Nissen persisted in pressing for the admiral's political views on the war, U.S. District Judge Matt Byrne interrupted.

"I'll impose my own objection," he said, telling jurors, "We are not here to determine whether someone opposed or didn't oppose the conflict in Vietnam."

Ellsberg, 41, and Russo, 36, are charged with espionage, conspiracy and theft in connection with release of the papers.

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