

Bundy Says 'Papers' Couldn't Hurt Nation

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LOS ANGELES, March 9—McGeorge Bundy, who served as national security adviser to the late Presidents Kennedy and Johnson, testified in federal court here today that Daniel Ellsberg and Anthony J. Russo Jr. could not have damaged the United States through their disclosure of the Pentagon Papers.

The fourth defense witness in the Pentagon Papers trial, Bundy said the top-secret documents were "no longer so sensitive" by 1969, when Ellsberg and Russo duplicated them.

One reason for this, he testified, was that there had been "a change of administration in Washington" by the time the documents were compromised and they were therefore no guide to what the Nixon administration would do.

Foreign intelligence analysts are interested, Bundy observed, in "the character, policy and way of doing business of the political authorities in another country." But he pointed out that the Pentagon Papers covered only pre-Nixon administrations.

"There is no way of predicting the behavior of President Nixon by a close study of the behavior of President Johnson," he said.

Bundy, 52, now president of the Ford Foundation, was called by the defense as an expert witness on two volumes of the Pentagon Papers dealing with American-South Vietnamese relations between 1963 and 1967—a period during which he was helping formulate American policy in South-east Asia.

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By early 1969, he observed, those volumes had to be seen as "a first cut of history . . . with advantages and disadvantages of a special sort."

They trace, among other things, the American role in the overthrow of the Saigon government of Ngo Dinh Diem in 1963.

Bundy was also questioned by defense attorney Charles Nesson about another document that figures in the indictment against Ellsberg and Russo on charges of conspiracy, espionage and theft of government property — a 1968 Joint Chiefs of Staff report evaluating the effects of the Vietnamese Communists' Tet offensive.

While that report was originally "highly sensitive and fully deserved the highest classification," Bundy said, it "ceased to be classified or classifiable or damaging within two weeks," because most of its contents were disclosed in newspaper reports.

Bundy said that most of the secret information — on U.S. tactics and South Vietnamese troop morale — contained in the JCS report had "a very short life" because it was "overtaken by events" within the next two or three months.

He also testified that far more detailed information on the same subjects had been declassified and published in a report by Gen. William C. Westmoreland, then commander of U.S. forces in Vietnam, in early 1968, a year before Ellsberg's and Russo's alleged conspiracy began.

Disputing a point made by

prosecution witnesses here, Bundy said there was no special significance in later years to the fact that the 1968 report was signed by Gen. Earle C. Wheeler, then chairman of the Joint Chiefs of Staff.

He described the Wheeler report as "a document designed to persuade the reader" — President Johnson — that the United States should commit an additional 206,000 troops to Vietnam. Once that was not done, he said, the document became "less important."

As he took the witness stand, Bundy described his long military, academic and governmental career, including participation in the Normandy landing of the Allies in World War II and his jobs as a foreign policy adviser to Republican candidate Thomas Dewey in the 1948 presidential election and as dean of the faculty at Harvard University.

His hands folded in front of him and his brow knit as he remembered events of 10 years ago, he related his role in determining what national security documents and issues "would require the attention" of Presidents Kennedy and Johnson.

"There was always plenty in the in-box," he said.

Bundy's appearance as a witness in this trial has been a source of some conflict between the two defendants and their staffs. Ellsberg and his aides were eager to have him testify, because of his prominence, while Russo argued that as a "war criminal" Bundy should have no involvement with the defense.