

An Ellsberg Witness' Secret Files

Los Angeles

The prosecution sought to show at the Pentagon Papers trial yesterday that key defense witness Morton Halperin himself violated security regulations by taking away classified documents when he left the government service.

Halperin denied the allegation emphatically and said he had only done what was common practice.

Halperin, a former deputy assistant secretary of defense, had testified previously that he supervised compilation of the Pentagon Papers and that they would have been worthless in the hands of a foreign power.

Halperin was testifying at the trial of Daniel Ellsberg and Anthony Russo who are charged with espionage, conspiracy and theft in connection with the Pentagon papers.

Under cross examination by U.S. Attorney David Nissen, Halperin said when he left the Defense Department in September, 1969, he took what he considered to be his "personal papers" and that included some documents marked "top secret."

Halperin said it was not unusual for government officials leaving office at the end of an administration to take papers on which they

had worked.

"You knew you were not permitted to take any classified information, didn't you?" asked Nissen.

"That is absolutely incorrect," Halperin said.

Nissen asked Halperin if employees hired by the Defense Department did not sign a form agreeing to return all classified documents at the termination of their employment.

Halperin agreed that there was such a provision but said he had actually not taken the papers from the government but had them stored in an authorized facility.

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