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Nixon's Secrecy Rationale:
Isolate Policy Foes on Right

Impact of Papers

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In his Watergate statement last week, President Nixon presented publicly for the first time his own version of how the 1971 Pentagon Papers leak led to his entanglement in the Watergate scandal.

The presidential account makes new allegations about the Pentagon Papers episode. It also raises new questions of White House credibility.

It was primarily because of the leak by Daniel Ellsberg, Mr. Nixon contended, that he created the White House special investigations unit that became known as "The Plumbers." Ultimately it was the Plumbers who brought Mr. Nixon the Watergate scandal by breaking into Democratic National Committee headquarters in the early morning hours of June 17, 1972.

In recent days high White House officials have been made available to the press to elucidate on Mr. Nixon's new version of events.

At the same time, former government officials who were deeply engaged in the

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Pentagon Papers study are disputing both the facts and conclusions presented by the President Tuesday night in claiming a national security rationale for the Watergate scandal.

Leslie Gelb, who directed the secret study of U.S. decision-making in the Vietnam war, branded as "false" yesterday one of Mr. Nixon's key assertions in his Watergate statement. He challenged the President to prove his claim that a majority of the documents in the first three installments published by The New York Times came from sources other than the study.

With respect to the Pentagon Papers the President made these assertions:

- No responsible government official knew until a few hours before publication on June 13, 1971, that the Pentagon Papers had been stolen.

- Most officials did not know they existed and no senior government official had read them or knew with any certainty what they contained.

- A majority of the documents published in the first three installments of The New York Times—prior to a temporary stop order at the government's request—"had not been included in" the 47-volume Pentagon Papers study.

- Officials had good reason to believe a security leak of "unprecedented proportions" had occurred and it posed a grave threat to the administration's conduct of foreign relations.

These circumstances, the President said, called for "extraordinary actions." Therefore, he continued, "during the week following the Pentagon Papers publication, I approved the creation of a Special Investigations Unit within the White House—which later came to be known as the 'Plumbers.'"

Those are the basic ingredients of the President's case. Almost a year to the day from the inception of the Plumbers its two most celebrated members, E. Howard Hunt and G. Gordon Liddy, were arrested after the break-in at Democratic headquarters where they had been carrying out electronic espionage that has had no demonstrated connection to national security interests.

The history of the Pentagon Papers affair does not altogether support the President's contention that high officials of the government were ignorant of their existence or the general thrust of the study.

For one thing, Henry A. Kissinger, the President's national security adviser and chief architect of his foreign policy, was a paid consultant to the Pentagon task force that drafted the study. He served in that role for a brief period in 1967 and was said by those in charge of the project to be entirely familiar with its scope.

"We tried to get Kissinger interested in staying on," said a former Pentagon official who was deeply engaged in the project, "but he didn't seem to have the time."

In late 1969 the Federal Bureau of Investigation was engaged in an investigation of Daniel Ellsberg and his suspected intentions of leaking the Pentagon Papers documents, according to evidence introduced in the Ellsberg trial.

Acting FBI director William D. Ruckelshaus recently disclosed that Ellsberg was being overheard on the wiretapped phone of former National Security Council staffer Morton Halperin late in 1969 and early in 1970.

And so more than 18 months before the Pentagon Papers made their electrifying public debut in The New York Times, the then prospective chief defendant in the case was under active surveillance by the FBI, the government agency charged by law with investigating such matters.

Nor was the existence of the Pentagon Papers study unnoticed in other agencies of the administration.

On Nov. 8, 1969, Sen. J. W. Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee, wrote Defense Secretary Melvin R. Laird and asked that he make the secret study available to his committee.

Two days earlier Ellsberg had met with Fulbright and advised him of the study. At that time Ellsberg gave the Foreign Relations Committee chairman a small portion of the report dealing with the Gulf of Tonkin incident in 1964.

Laird on Dec. 20, 1969, wrote to Fulbright, and refused to transmit the material. In doing so, Laird cited the intelligence "sensitivity" of the material as well as

the executive privilege that attached to presidential documents. Laird's Dec. 20 letter was the first formal confirmation by the Department of Defense of the existence of the Pentagon Papers study.

On Jan. 19, 1970, Fulbright made the request again and on Feb. 18 Laird again rejected it.

The following month Ellsberg gave the Foreign Relations Committee some 3,000 pages that had been photocopied from 25 volumes of the study. On July 10, 1970, Fulbright again asked Laird to release the documents. The answer again was no.

Fulbright finally took the Senate floor on Aug. 7, 1970, and issued an unusual challenge. "I hope that the first enterprising reporter who obtains a copy of this history will share it with the committee," he declared.

Nearly half of the Pentagon Papers study was at that moment lying in a safe of the Foreign Relations Committee.

"Fulbright was trying to get the study on an official basis," a staff aide explained. "There was a mass of Xerox material classified top secret. Unless we got it on an official basis, our hands were tied."

Yet by that point the evidence suggests that Kissinger, Laird and the FBI were fully alerted to the existence and the scope of the study. In the case of the bureau there was an intensive surveillance already under way of Ellsberg, prompted by intelligence that he had unorthodox designs on the documents.

By Oct. 25, 1970, Parade magazine had an allusion to the existence of the Pentagon Papers study and it named task force director Gelb.

In his Tuesday night statement, President Nixon said that the late J. Edgar Hoover had become increasingly alienated, in his role as FBI director, from the CIA and other agencies with the exception of the White House.

Perhaps the President was trying to suggest that he did not have sufficient confidence in the FBI to carry out the investigation once the Pentagon Papers surfaced. And that was why he established the "Plumbers" under the direction of former White House aide John D. Ehrlichman's office.

But he did not say as much. Security leaks are the province of the bureau. And as it turned out in the files of the Ellsberg case, much of the material gathered by Hunt on the Pentagon Papers was based upon FBI reports.

As to Mr. Nixon's additional assertion that the majority of the New York Times documents came from elsewhere than the Pentagon Papers study, the evidence is contradictory.

Gelb, the man in charge of the study, denies it flatly. Only one document that he saw in The Times, the Gulf of Tonkin command and control study, was not part of the Pentagon Papers, Gelb insists.

"The President rested a major part of his national security case on that point. He ought to be able to establish its truth," said the former deputy assistant secretary of defense for international security affairs.

White House officials became available to newsmen recently in hopes of resolving this question. One of these officials tried to portray the security concerns of the administration in the aftermath of the Pentagon Papers disclosure.

"No one knew what was still outstanding and this contributed to the confusion of that first week," said a senior official. At first, he said, it was felt that some 31 of the 45 full texts and partial documents published by The Times were nowhere in the 47-volume study.

He could not explain why the White House did not call the Pentagon officials in charge of the project, Gelb or his aide, Col. Paul F. Gorman, and pose the question directly.

It was not until December, 1971, that the Pentagon leak analysis team determined that all but four of the documents in the first three installments of The Times could indeed be traced to the Pentagon Papers study, a fact that the President did not mention.

Gelb could have dispelled the initial White House confusion, had he been contacted immediately. Many of the missing documents were not included in the final 47-volume version of the study because the task force was running out of time and secretarial help.

"We just decided there were too many documents to type and include in the study," he said. The man who chartered the inquiry, Robert S. McNamara, was

gone and a new administration was in power.

This explains why the White House and Pentagon could not immediately find the documents which had been leaked to The Times and other newspapers but did not appear in their entirety in the final study.

In any event, the President's assertion that "a majority" of the New York Times documents came from somewhere other than the Pentagon Papers file is not true, according to his own administration spokesmen.

However, it may have been the government's impression at the time the Papers surfaced in the press.

These senior administration officials assert that the President, in the Tuesday statement, was not in any way hinting at future efforts to renew prosecution of Ellsberg. The President was merely trying, they said, to illustrate the confused state of affairs within the government when the Pentagon Papers were first published.

Mr. Nixon said his high alarm over national security prompted him to create the Plumbers a week after the Pentagon Papers appeared



LESLIE GELB
... disputes Nixon claim

in The Times. That would be about June 20.

Ten days later the Supreme Court ruled that the government had failed to make a sufficiently compelling case of a national security breach to justify prior restraint against The New York Times and The Washington Post.

The court permitted the newspapers to resume publication of the Pentagon Papers. But the activity of the Plumbers continued.

Finally, the expressed fears of the President that the release of the Papers would put a severe crimp in his diplomatic initiatives in Vietnam, China, the Soviet Union and elsewhere were not to be borne out. The months that ensued after the Pentagon Papers leak were, ironically, the most fruitful ones for the Nixon foreign policy.