

A Contradiction On Ellsberg Theft

Washington

Contrary to assertions in a sworn statement by former White House aide Egil Krogh Jr., the FBI had knowledge in late June 1971 that the Soviet Union did not possess the Pentagon Papers before they were published by the New York Times, according to Justice Department sources.

These sources say that although the bulk of the top secret Defense Department study of the Vietnam war was mysteriously delivered to the Soviet Embassy here it did not arrive until after the Times had printed its first three installments from the papers and had been placed under a temporary court order to halt further publication.

In an affidavit submitted last month at the Los Angeles trial of Daniel Ellsberg, who has admitted giving the Pentagon Papers to the press, Krogh said that he approved a burglary at the office of Ellsberg's former psychiatrist as part of a White House investigation into the unauthorized disclosure of the documents.

Krogh testified that among the factors that led him to authorize the illegal

break-in by the two White House aides was a report from the FBI "that the so-called Pentagon Papers were in the possession of the Soviet Embassy, Washington, D.C., prior to their publication" by the Times.

Krogh said that this information, which he received before the burglary on Sept. 3, 1971, suggested "an effort to aid and abet an enemy of the United States (North Vietnam) through the ally (the Soviet Union)."

Asked whether the FBI had ever made any such report to Krogh, an official replied that the bureau "did not tell Mr. Krogh" that the Soviets had had the papers before they were published.

The sources also noted that the FBI's investigation had not found any evidence that Ellsberg was involved with the sending of the documents to the Soviet Embassy, and they said that the bureau's reports to the White House had reflected this fact.

The sources added that the FBI, which maintains continuous surveillance of the Soviet Embassy, had determined the circumstances of the delivery by the end of June 1971, well in advance of the September burglary.

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