

Comptroller 05/10/03
File



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

August 17, 1971

BY LIAISON

Honorable Egil Krogh, Jr.
Deputy Assistant to the President
for Domestic Affairs
The White House
Washington, D. C.

Dear Mr. Krogh:

Enclosed is a summary covering this Bureau's investigation during the past week relating to Daniel Ellsberg and the publication by "The New York Times" of classified material concerning United States-Vietnam relations during the period 1945-1967.

The summary also covers this Bureau's investigation during the past week relating to the recent unauthorized disclosures involving Strategic Arms Limitation Talks and information set forth in Department of State cables relative to the alleged misbehavior in Kenya of Bert M. Tollefson, Jr., an administrator for the Agency for International Development. We are continuing these investigations and you will be furnished further results obtained.

Single copies of the enclosure are also being sent to the Honorable H. R. Haldeman, Assistant to the President, and to the Attorney General.

Sincerely yours,

J. Edgar Hoover

Enclosure



DECLASSIFIED
E.O. 13526, Section 2.5
per HR. 7/8/11
by WAH NARA, Date 7/16/19
[9 PGS]



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INVESTIGATIONS OF UNAUTHORIZED
DISCLOSURES OF CLASSIFIED INFORMATIONDaniel Ellsberg

Information has appeared in the press to the effect that prior to "The New York Times" release of articles based on the "McNamara Study" on June 13, 1971, arrangements were made for staff writers of "The New York Times" to work in secrecy in the preparation of the material for publication. Members of "The New York Times" staff immediately after obtaining the "McNamara Study" reportedly analyzed the documents while residing at the Jefferson Hotel, Washington, D.C. Records of the Jefferson Hotel show that Gerald Gold, an employee of "The New York Times," was registered at the hotel from April 5 through April 21, 1971. No record could be located showing that Neil Sheehan, writer of the articles which appeared in "The New York Times," was registered at the hotel. Numerous long-distance telephone calls were charged to Gold's bill and investigation is being conducted to identify the recipients of these calls.

According to information which has appeared in the press, after an analysis of the "McNamara Study," staff writers of "The New York Times" moved from the Jefferson Hotel, Washington, D.C., to the Hilton Hotel in New York City. Prior investigation revealed that during the period the staff writers were at the Hilton Hotel a telephone call was made from the suite of rooms occupied by them to Dwayne Walls at the Downtowner Motor Inn, Raleigh, North Carolina. Walls, when interviewed on August 9, 1971, advised he was in Raleigh, North Carolina, on June 10 and 11, 1971, writing a free-lance story on the current session of the North Carolina Legislature. While in Raleigh he stayed at the Downtowner Motor Inn from where he made and received several telephone calls to and from Linda Charlton, a reporter for "The New York Times." He advised Charlton is a personal friend of his and the telephone calls were in regard to her offer to help him in seeking

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grants to aid in a book he is writing on poor whites migrating from the South. Walls recalled that in one telephone call Charlton advised him she was at that time working on "something big" but she did not furnish any details. Walls stated he later determined after the publication of the "Pentagon papers" by "The New York Times" that Charlton had worked as a rewrite specialist on biographical sketches for approximately two weeks prior to publication of the articles.

Dr. James Claude Thomson, Jr., Faculty of Arts and Sciences and Assistant to the Dean of Harvard College, advised on August 12, 1971, he has known Daniel Ellsberg since 1964, having met him at Government and academic conferences. Thomson recalled being in attendance at a dinner sponsored by the editors of "Time" magazine on February 7, 1971, at which Ellsberg and others were considering the implications of the invasion of Laos. On February 19, 1971, Dr. Thomson saw Ellsberg at a meeting of Harvard students and faculty members discussing a "teach-in" to be held on February 22, 1971, regarding the Laos invasion.

On either April 18 or 20, 1971, Ellsberg appeared unannounced at Dr. Thomson's office and asked for his advice in confidence regarding what Ellsberg termed a hypothetical question concerning what would happen if the "McNamara Study" was somehow released to the public. Dr. Thomson informed Ellsberg he was not a lawyer, had not personally seen the papers and, therefore, was unaware of their value and since he was not an attorney, he was not aware of anyone's chances regarding prosecution. He told Ellsberg a question of this type should be checked with lawyers and Ellsberg indicated he had already done some checking. Ellsberg mentioned that one way the study could be released would be through its publication in the "Congressional Record." He gave no indication as to Congressional members who might be contacted.

A confidential source who was a member of the Communist Party in the early 1940's advised on August 12, 1971, that a cocktail party was held on August 6, 1971, at the summer residence of Professor Robert J. Lifton, Oceanview Drive, Wellfleet, Massachusetts, which was attended by approximately 250 people. The principal speaker at this party was Daniel

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Ellsberg who was accompanied by his wife, Patricia. Ellsberg spoke approximately 15 minutes on the general theme of peace but during his talk he stated that the first person to whom he gave the "McNamara Study" was Senator J. William Fulbright.

Eqbal Ahmad, who has been charged with conspiring to damage heating ducts leading to the United States Capitol building, Washington, D.C., also spoke briefly concerning the case against him and on the topic of peace. Contributions were requested from those present but only a small amount was collected. The purpose of the collection was unknown to the source. Moving pictures were taken of the speakers by unknown persons. Robert J. Lifton, at whose residence the party was held, is a psychiatrist with offices in New York City. He has previously been identified as participating in activities against the Vietnam war and has publicly discussed results of his examinations of Vietnam veterans.

A confidential source who has furnished reliable information in the past advised on August 13, 1971, that on the evening of August 12, 1971, Daniel Ellsberg spoke at an outdoor rally sponsored by the Southern Christian Leadership Conference (SCLC) which organization was holding its national convention in New Orleans, Louisiana. Ellsberg spoke for approximately ten minutes advising the audience that he is currently under indictment for his part in the release of the "Pentagon papers." He stated he decided to release this information after a change in his philosophy which was brought about by his reading the book entitled "Strive for Freedom" written by the late Reverend Martin Luther King. Ellsberg said, "The Government should have burned this book if it wanted me to keep secrets." Ellsberg contended that he not only was influenced by the book but also by those men and women who had gone to jail to avoid the Vietnam war. Ellsberg called on black people to join him in their fight for freedom and stated that since reading King's book he has a new outlook on life and wants to work for the black people for a united America. In addition to Ellsberg, the source identified other speakers as Mrs. Martin Luther King, Dr. Ralph Abernathy and former Senator Eugene J. McCarthy.

Prior investigation has revealed that the "St. Louis Post Dispatch" (SLPD) issues dated June 23, 25 and 30, 1971, and July 1, 2 and 6, 1971, set forth articles which may have been based on the "McNamara Study."

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On August 11, 1971, a source who is highly placed in business and financial circles in St. Louis, Missouri, furnished information learned by him from Arthur Bertelson, an editor of the SLPD. Bertelson told the source that after the first publication of the "Pentagon papers" in "The New York Times" the SLPD had wanted them. Bertelson mentioned the SLPD was miffed because "The New York Times" and the "Washington Post" would not provide the papers to the SLPD. Bertelson said that Richard Dudman, head of the SLPD Bureau in Washington, D. C., had received a telephone call in Washington, D. C., thought by the source to be a long-distance call from Boston or Cambridge, Massachusetts. The caller, whose identity is unknown to the source, had asked Dudman if the SLPD wanted the "Pentagon papers." Dudman had replied in the affirmative and was told to go to Cambridge and call a telephone number, and arrangements would be made for turning over the papers. According to Bertelson, Dudman contacted the SLPD editor regarding this.

Dudman sent (first name unknown) Ottenad, another SLPD reporter in Washington, D. C., to Boston, who carried out the instructions. Ottenad was told to go to a certain address where he was personally handed the papers later published by the SLPD. No indication was given by Bertelson to the source as to who gave the papers to Ottenad or exactly when the transaction took place. The source was of the opinion the papers were taken by Ottenad to Dudman in Washington, D. C., before they were sent to St. Louis.

Bertelson told the source that, after the SLPD was enjoined by the United States District Court in St. Louis from further publication of the "Pentagon papers," he, Bertelson, had experienced difficulty in convincing other SLPD officials to discontinue publication in defiance of the court order. After complying with the court order, according to Bertelson, the SLPD officials felt they were "in the clear with the law."

The current Congressional Directory lists Richard Dudman as head of the Washington, D. C., Bureau of the SLPD and identifies Thomas W. Ottenad as being on the staff of that office. Records of the Sheraton Commander Hotel, Cambridge, Massachusetts, show that Thomas W. Ottenad, 1701 Pennsylvania Avenue, Washington, D. C., associated with the SLPD, registered at this hotel at 2:33 p.m. on June 24, 1971, and checked out at 5:25 p.m. on the same date.

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He was assigned room 312 and records show that he placed three long-distance telephone calls to the Washington, D.C., Bureau of the SLPD. He also placed a local call at 5:06 p.m. to the Cambridge Taxi Company, Cambridge, Massachusetts.

Records of the Cambridge Taxi Company show that a telephonic request for a taxicab was received at approximately 5 p.m. on June 24, 1971, from the Sheraton Commander Hotel. The records show that cab number 150 responded to this call; however, the driver was unable to locate anyone desiring a cab at the Sheraton Commander Hotel.

Records of the Northeast Airlines, Logan Airport, Boston, Massachusetts, show Ottenad purchased a ticket at the National Airport, Washington, D.C., on June 24, 1971, for travel from Washington, D.C., to Boston on Northeast Airlines, Flight Number 326 leaving Washington, D.C., at 12:40 p.m. on June 24, 1971. Ottenad also purchased a ticket at Logan Airport for travel to Washington, D.C., on Northeast Airline, Flight Number 317 leaving Boston at 8:45 p.m. on June 24, 1971. Both of the tickets were charged to American Airlines on a travel charge plate of the Pulitzer Publishing Company in the name of Thomas Ottenad. Records show both were used.

Strategic Arms Limitation Talks (SALT) Leak

This investigation relates to unauthorized disclosure of information pertaining to SALT appearing in "The New York Times" article of July 23, 1971, by William Beecher.

A review of the Department of Defense (DOD) investigation into this matter revealed a "quick analysis" of the article in question by Mr. Archie L. Wood, Special Assistant to the Assistant Secretary of Defense (Systems Analysis). Mr. Wood described the classification of the material in the article as "Secret - Sensitive." The analysis revealed the information emanated from a diversity of sources, including National Security Division Memorandum (NSDM) 117, from "original draft agreements," from President Nixon's speech of May 20, 1971, from "original draft treaties," from a National Security Council meeting which did not appear in any papers known to Mr. Wood and, in Wood's opinion, from other discussions.

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Mr. Wood characterized the information in the article as mostly true, but false with reference to paragraph five in the article, which stated "the more ambitious American proposals have been made orally at the Strategic Arms Limitation Talks."

The DOD report further revealed that the classified material in the article was contained in United States Department of State (USDS) cables numbered 0794, 0796 and 0797, all classified "Secret."

On August 9, 1971, Colonel Clyde O. Clark, United States Army, Assistant to the Assistant Secretary of Defense, International Security Affairs, advised that the two documents involved (NSDM 117 and 120) are the responsibility of the National Security Council staff, which organization would have responsibility for classification and declassification of the documents. Clark denied personal contact with Beecher in over a year and denied furnishing any information regarding SALT to any other reporter. He stated that the USDS is the primary action agency regarding SALT, and USDS "no dissemination" cables would have contained background information used in the NSDMs. He stated these cables have had even wider distribution than the NSDMs involved.

9 | On August 9, 1971, Donald D. Daley, Deputy Chief, Division of Investigations, Office of Security, USDS, advised his office conducted an investigation concerning this matter and had interviewed approximately 129 individuals at USDS who had access to the pertinent documents. No admissions have been obtained concerning furnishing the information to Beecher; however, Benson D. Adams, Office of International Security Policy and Planning, Bureau of Political - Military Affairs, USDS, reacted positively to a polygraph examination.

Henri G. Grignon, Deputy Assistant Secretary for Security, USDS, advised on August 10, 1971, that NSDMs 117 and 120 emanated with the National Security Council and this organization had responsibility for classification and declassification of the documents. He further stated that since the "no dissemination" cables of USDS were based on the NSDMs, these cables would likewise be based on National Security Council classifications.

A review of USDS investigation shows that all persons having access to the source material involved in this matter were interviewed with the exception of one person who has been

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on annual leave since July 5, 1971. Three persons were afforded polygraph examinations and as previously indicated, Dr. Adams had a positive reaction.

Dr. Adams informed USDS investigators he had access to copies of a source document containing elements of proposals that may be put forward by United States representatives at future SALT meetings. He further related he had discussed the information with Richard Perle and John O'Shaughnessy, both employees in the office of Senator Henry M. Jackson of Washington. Adams stated both of these individuals are friendly with Beecher. Adams also admitted Beecher contacted him on July 19, 1971, and July 29, 1971, seeking information regarding United States SALT proposals not yet presented at Helsinki. He stated he refused to give Beecher such information but had discussed with Beecher SALT information already in the public domain.

On August 9, 1971, Howard J. Osborn, Director of Security, Central Intelligence Agency (CIA), advised that no internal investigation had been conducted by CIA concerning this matter. He furnished a list of 23 persons at CIA who had access to NSDM 117. Osborn was unaware of the existence of NSDM 120.

An analysis of the Beecher article has been prepared by the Arms Control and Disarmament Agency. This analysis revealed that nearly all of the description in the article regarding the United States proposals can be found in two cables from Helsinki to Washington. They were described as SALT cable 800, classified "Secret," which is the text of the statement of the United States Ambassador on July 12, 1971, outlining some provisions of the United States anti-ballistic missile (ABM) proposal and SALT cable 813, classified "Secret," which is the draft of the Ambassador's proposed statement for July 20, 1971, regarding the ABM. Most of Beecher's description also appeared in NSDM 117, classified "Top Secret," but discrepancies indicated the article could not have been written from this document alone. It was further indicated that no single document contained all the points made in the Beecher article.

Tollefson Leak

This investigation relates to the unauthorized disclosure of information in State Department cables which appeared in the "Washington Post" article by Jack Anderson on July 27, 1971. There were two State Department cables, classified "Confidential," which concerned the alleged misconduct of Bert M. Tollefson of the Agency for International Development (AID) while in Kenya.

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As previously reported, Dr. John A. Hannah, Administrator, AID, advised that disclosure of the information in the cables did not result in any injury to the national defense of this country.

On August 9, 1971, William B. Macomber, Deputy Undersecretary of State for Administration, advised after consulting with the Legal Office and African Desk at the USDS, that the "Confidential" classification on the two documents in question could not be justified in terms of the classification standards. He added that there would be no problem regarding declassification for prosecutive purposes.

The USDS conducted investigation into this matter and interviewed thirty-one individuals, eight of whom are employed by AID. The AID interviewees included Dr. Hannah; Samuel Adams, Assistant Administrator in Charge of the African Bureau, AID; and their secretaries. Each denied knowing how Jack Anderson obtained the information set forth in his article of July 27, 1971.

The remaining individuals interviewed are employed by the USDS, principally in the "Operations Center" where cables are received and appropriate dissemination is determined. None of the persons interviewed admitted transmitting the information to Anderson's staff or knowledge concerning any person who might have done so. The investigation determined the cables were available to numerous individuals under normal operating procedures in the "Operations Center" and two of the persons admitted making copies of the cables in question for "reading files" for their respective offices. These individuals denied knowing anyone on Anderson's staff and each stated he did not pass information to the press.

Samuel Gammon, Assistant to the Deputy Undersecretary of State for Administration, advised on August 11, 1971, that inquiry is currently being conducted by USDS in Kenya to determine whether the leak of the information occurred in that country.