

PRIVILEGED AND CONFIDENTIAL

In February of 1971 Neil Sheehan was offered what has since been called the "Pentagon Papers." His source would make these materials available to the Times if it "would handle it properly" -- certain conditions were set forth. The following narrative briefly describes the relationships Neil had with Times personnel from that point until publication on June 13, 1971. These relationships are not set forth in detail, but rather they are sketched out so as to acquaint you with their existence. Since the source or sources of the material in question has never been divulged and remains a confidential matter with Sheehan, no references to these relationships will be made.

Around March 3, 1971, Neil first broached the subject of publishing the D.O.D.'s history of U. S. involvement in the Vietnam war to Bob Phelps of the Washington Bureau. Phelps suggested Neil take this up with Tom Wicker, who like Phelps, thought the Times would do it. Wicker suggested, however, that it would require a policy

decision from New York. Wicker told Neil to talk with James Reston; that he secure the policy reading. Neil then went to Reston, sketched out what he thought he would get and asked if he would take it up with New York. Reston made it clear at this time that if the policy decision was affirmative, the Times would, of course, still have to see it before it accepted conditions.

A few days later, Neil told Max Frankel of the proposed project. That noon Reston walked up to Neil as he was entering the elevator and told him "You have clearance, young man." Later that day after Neil told Frankel of the decision made in New York, Frankel met with Reston and later reported back to Neil that "We might well take it under the conditions your source wants, i.e., using it all or very large chunks. We're very interested. But we can't agree until we see the materials and can make a judgment."

Neil, thinking the source would turn over the materials promptly, told Frankel he would have to go out of town to get the materials, and then bring them to New

York to obtain a final decision regarding the source's conditions. Frankel said he would fly to New York once the materials were there.

Frankel told Neil later that on March 13th, the night of the Gridiron Dinner, he called Jim Goodale aside and told him to read the law on classified documents because they might have a story involving a lot of classified documents.

From the point of time when New York gave Neil clearance until he called Frankel the night of March 23rd to say he had all the material, Neil had limited contact with Times personnel. On March 20th he Xeroxed a limited number of documents from the Pentagon Papers on the Times Washington Bureau machine. That day he also borrowed a tape recorder from Les Ledbetter. The recorder was inadvertently left aboard an airplane upon which Neil and a source travelled. On March 20th or 21st Neil also called Bill Kovacs and asked him to obtain a Xerox for him (under an assumed name) and to get money from New York to pay for reproduction. The following day,

when Kovacs brought the money (\$400) to Neil, he was told in very general terms why Neil was in Boston. Early on the morning of March 23, Neil called Phelps and told him he was almost finished and would be returning home soon. That night he called Frankel to say "I got it all."

On the afternoon of March 24th Neil met with Frankel and Phelps and told them what he had and why he handled it the way he did. Neil stressed his obligation to protect his source and said he believed he had a 90% chance of talking the source into giving him permission to publish the material.

At Frankel's request, Neil prepared a memorandum on what the materials contained and how the stories might be written. This memo was submitted to Frankel on March 28th. Frankel took it to New York on March 31st, along with selections of the narrative and documents which Neil had Xeroxed on the Washington Bureau machine. On April 1st Frankel, upon his return to Washington, told Neil that New York was excited and that they were sending Gerald Gold down to work with Neil. It was decided that they would work in a hotel suite in Washington (Jefferson Hotel).

On April 2, before Gold came down, Neil told Frankel he was worried about the position he would be in if, after extensive work by Gold and himself, the source still refused permission to print. Neil told him in this context of the book IPS was working on and how this could be used as a lever against the source. Frankel said that he should begin now and if he needed more time to get permission later, he could ask for it then. Frankel said he "told New York it was a 90% chance Neil can talk his source into it. Let's not go back to New York now and tell them it's now 89%."

Beginning on April 5th, Gerald Gold came down to Washington. Neil and Gold began working at the Jefferson on Monday. The materials were kept in Neil's home. After a week, Gold took the material he had read to New York for Xeroxing so that he and Neil could have working copies. Gold went up to New York around April 9th to get his car and came back with two working copies. The "originals" were returned to Neil.

On April 9th Neil reported to Frankel on the state of negotiations with the source. On April 11th Gold returned and he and Neil began breaking major themes and subjects out of the material read so far. (See Gold's undated memo drawn up after the April 11th discussion. The memo was prepared for a meeting with Frankel).

There was then a second week of reading and work with Gold. Around April 13th they reported their status to Frankel and they discussed development of a schedule. At the end of the week of reading, Gold took the remaining materials that had not been reproduced to New York. Again, two working copies were made for Neil and Gold with another copy made for safekeeping to be kept at 229 West 43rd Street. All the Xeroxing was done on Arthur Ochs Sulzberger's machine on the 14th floor of the Times by the two secretaries and the news clerk from the Foreign News Desk.

On April 19th Neil picked up Gold at the Times. They planned to bring the remaining materials that had been Xeroxed down to Washington with them. Before

leaving for D. C., Neil went in to see Greenfield who had just returned from Africa and was not aware of the project. Neil, with Gold, briefed Greenfield for 1-1/2 hours. He said "You've got the journalistic hydrogen bomb." Rosenthal joined them and asked Neil to return that Wednesday for a meeting.

On April 20th Neil met with Frankel and arranged for the two of them, along with Phelps and Gold, to travel to New York for the Wednesday meeting. Frankel asked Neil to prepare another memo on how the stories would be written.

Wednesday Neil, Gold, Frankel and Phelps first met in Seymour Topping's office. From there they went to James Reston's office and were joined by Turner Catledge, Sydney Gruson, Abe Rosenthal, James Greenfield, James Goodale, Peter Millones.

Neil was given the floor and briefed the group for over an hour on what he had and how it was organized. In response to a question by Goodale, Neil said that the documents were not stolen, but copied. The meeting ran from 10:30 a.m. to about 1:00 p.m.

Neil told the group that he had Xeroxed the materials without permission and the source was unaware that he had done so. He explained how the papers had been obtained, including his wife's involvement. He also told them of the involvement of the Institute for Policy Studies. No one asked and Neil did not tell who his source was. There were, however, questions regarding the authenticity of the papers and the stability of the source. The group was told that the source had seen a number of Senators in an effort to have them publicly reveal the content of the papers but to date had been unsuccessful. Neil also told the group that he did not have the volumes on secret diplomacy. He explained that the Senate Foreign Relations Committee had the volumes in its safe and that his source was not going to let him see them because they could contain channels still in use. As to the materials he had, Neil said "The stuff is all publishable; there might be a few names of U. S. agents we'd want to leave out to protect them. That's all."

The morning meeting had settled the question of publishing. In the afternoon another meeting was held to consider the mechanics. Reston, Greenfield, Topping, Rosenthal, Frankel, Gold and Millones were present in Rosenthal's office. Their discussions centered upon how to run the stories; the use of 10 to 12-page inserts and the need for security. As to security, the concern was twofold: (1) the government might try to seize it; and (2) the competition. It was decided that the number of Times people to be involved should be limited. Goodale told Neil he wanted a lawyer (presumably outside of his office) to look at the papers. Neil expressed concern about the lawyers seeing the material. A hypothetical case was suggested as an alternative to showing actual documents.

Neil was asked who he would need to help. The people selected were picked for competence and loyalty by Topping, Rosenthal and Gold. (One reporter was rejected because his wife was a "peacenik," he wasn't considered discreet and she might talk). The group then

turned to the question of where the team would work. Washington was determined as inappropriate. Tarrytown and Charlottesville were considered before the Hilton Hotel was finally decided upon. Millones obtained a suite in the name of the Times before the day was over. (The rooms were actually in Gold's name.) The bills went to Millones and then directly to the Chief Accountant, McCabe. Typewriters, filing cabinets, a safe and other supplies were obtained by Millones.

On April 22nd Gold and Neil, having returned to D. C., packed and returned to New York where they checked into the Hilton and began work. They had with them two working copies of the materials. The third set, which had been at 229 West 43rd Street, was moved to Greenfield's apartment at Rosenthal's direction as Goodale wanted it out of the Times building.

During the next month work began, additional people joined the Hilton group and the pressure to meet deadlines started to build. In the meantime, Neil was still unable to get permission from the source and more and more people

outside of the Times became aware of the project. In addition, Congressman McCloskey now had portions of the papers. To compound the pressure, Neil was told at a dinner meeting at Greenfield's home that Louis Loeb thought that "publication was illegal." During the period, Neil sent one of the secretaries, Muriel Stokes, to Washington to deliver some materials to Susan who, in turn, gave them to IPS. On May 26th Neil finished his first piece and delivered it to Rosenthal's wife.

On May 27th Neil's source gave him "official permission" to possess the papers. Neil moved them to the Hilton that night. An inventory of these materials revealed some important pieces were missing -- probably given to Congressman McCloskey.

By June 6th Neil finished his second piece. The possibility that McCloskey leaked the papers he had to the Los Angeles Times had, by this time, placed still further pressure on the group. Phelps reported back on the second of his two visits with McCloskey -- that the

Congressman heard the Times was "working on something" and that he would not turn over what he had to another paper.

Around that time Greenfield came over to report the publisher's decision regarding publication.

At 6:00 p.m., June 12th the presses began rolling.


MITCHELL ROGOVIN

ATTACHMENT

As of May 3, 1971, the following persons connected with the Times either worked on or knew about the "Pentagon Papers" project. This list was prepared, as of the above date, by Gerald Gold:

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| 1. Neil Sheehan | 18. James Reston |
| 2. Gerald Gold | 19. Jim Goodale |
| 3. Susan Sheehan | 20. Sydney Gruson |
| 4. Gloria Gold | 21. Turner Catledge |
| 5. Max Frankel | 22. Fox Butterfield |
| 6. A. M. Rosenthal | 23. Ivan Veit |
| 7. Gene Roberts | 24. A. O. Sulzberger |
| 8. Jim Greenfield | 25. Linda Amster |
| 9. Dick Mooney | 26. Eileen Butler |
| 10. A. M. Siegal | 27. Sam Akt |
| 11. Bob Phelps | 28. Rick Smith |
| 12. Seymour Topping | 29. Louis Loeb |
| 13. Marxie Courtney | 30-31. Loeb aides |
| 14. Jimmy Calta | 32. Mary Grimes |
| 15. Cathy Patitucci | 33. Leslie Toner |
| 16. Muriel Stokes | 34. Gail Fresca |
| 17. Peter Millones | 35. Kathy Shea |