Rosenberg Sons Say FBI Withheld Data

United Press International

The sons of Julius and Ethel Rosenberg have charged that the FBI held back thousands of pages of their parents' spy case records and that some pages purporting to be exact copies of original files — except where exempted information was deleted — were "in fact false, altered and forged copies."

They charge that holding back pages was a "willful" violation of a court order that most of the records be made public, court records made public yesterday show.

The U.S. District Court here was asked to hold FBI Director Clarence M. Kelley and two FBI agents in contempt for failing to comply with a court order to release all records not exempted by law.

TWO SUITS FILED under the Freedom of Information Act had forced the FBI to release 29,900 pages of records concerning the events that led to the Rosenbergs' execution in 1953.

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The sons of Julius and Ethel Rosenberg, Robert (left) and Michael Meeropol, have charged the FBI with holding back thousands of pages of the Rosenberg spy case record.

The FBI agents, Thomas H. Bresson and Cornelius Sullivan, filed affidavits saying 7,000 pages were withheld, all or in part, because they contain national security information, involve personal privacy or are exempt on other grounds.

But attorneys for the Rosenberg sons, Robert and Michael Meeropol, charged that the FBI withheld 800,000 pages, not 7,000, and had not given the detailed justification required by the court.

In a motion filed in U.S. District Court, they asked Judge June L. Green to hold Kelley and the agents in contempt and order them jailed if they continue to disobey her orders of Aug. 1 and Aug. 27 to release material to the Meeropols, who took the name of their adoptive parents.

The motion had been unnoticed since it was filed Dec. 22.

JUDGE GREEN also was asked to order the entire FBI Rosenberg files placed in the custody of a special master who would supervise what should be released and what withheld.

A spokesman said the Justice Department wanted to extend its time to reply until next Monday. "We will respond in detail," he said, but declined to discuss the case further.

Marshall Perlin, one of the Meeropols' attorneys, filed an affidavit which also charged that:

- File numbers were removed from all pages released thus far, so there is no way to compare them with an inventory which the judge ordered them to prepare.
- "The FBI has constructed what amounts to a false set of books, a false inventory."
- No files on witnesses in the Rosenberg case have been released, although the court order specifically included witness files.

"**THE SUM TOTAL** of the devices set forth above indicates a flagrant, willful plan to disobey and violate this court's mandate," Perlin said.

He took exception to the FBI's justification for withholding many documents on the ground that release would be an "unwarranted invasion of personal privacy."