

Rosenberg Sons to Get \$195,802 From U.S. for Legal Costs in Suit

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WASHINGTON, June 26—The Justice Department has agreed to pay \$195,802.50 to the two sons of Julius and Ethel Rosenberg, who were electrocuted on conviction of espionage charges in 1953, to cover legal costs they have incurred in their continuing suit to obtain information about the Government's espionage investigation of their parents a quarter of a century ago.

According to Justice Department officials, the payment was agreed to Friday in United States District Court here, and the agreement was signed by Federal District Judge June L. Green.

Such payments were authorized under an amendment to the Freedom of Information Act that permits the Government to pay the "reasonable" and "legitimate" legal fees of persons who have "substantially prevailed" in their suits against the Government.

In other words, it permits such payments in cases where the Government has required individuals to go to court to obtain such information and the courts have determined that the individuals had a legitimate right to it.

Largest Such Settlement

According to Mark Kurtzman, one of the Justice Department attorneys who negotiated the agreement, it is the single largest such payment that the Government has made since the amendment was passed in 1974. Other Justice Department

officials said that the Government spent somewhere between \$80,000 and \$120,000 in such payments last year.

The two Rosenberg sons, Michael and Robert Meeropol—who use the name of their adoptive parents—have been trying since July 1975 to obtain materials that might show that their parents were unjustly accused.

Julius and Ethel Rosenberg were electrocuted on June 19, 1953, after being convicted of espionage in a case in which they allegedly sought to transmit atomic secrets to the Soviet Union.

To date, the Meeropols have received more than 100,000 documents in connection with the case, most of them from the Federal Bureau of Investigation. They incurred significant legal costs along the way, however, because they argued that the F.B.I. was withholding improperly many more of the total of about 800,000 documents and they repeatedly went to court to try to force the bureau to provide them.

In agreeing to the settlement, the court, in effect, agreed that the Meeropols had "substantially prevailed" in their argument that the materials should have been provided under the terms of the Freedom of Information Act.

The payment, which will be made by the General Accounting Office rather than by the Justice Department itself, covers the legal fees to date, not any that might be incurred in the future as the Meeropols continue their efforts to obtain more information.