

Deletions Allowed to Stand

CIA Wins Reversal on Book

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The Central Intelligence Agency yesterday won back the right—at least temporarily—to suppress classified information in a book about the CIA's covert activities.

Reversing a lower court, the Fourth U.S. Circuit Court of Appeals ruled that former intelligence officers Victor L.

Marchetti and John D. Marks failed to prove that 168 deletions from their book, "The CIA the Cult of Intelligence," were improperly excised.

The burden had been placed on the government last April in a decision by U.S. District Court Judge Albert V. Bryan Jr. in Alexandria.

Bryan, who heard closed-courtroom testimony from former CIA Director William E. Colby and his four top deputies, disapproved all but 15 of the agency's deletions. He said the government had shown only that the disputed passages were "classifiable" and not that they had been properly classified.

But the court of appeals said the National Security Council and an interagency committee established by presidential order, "far more than any judge, have the background for making classification and declassification decisions."

For this reason, the court held that the burden of proof established by Judge Bryan "was far too stringent." I ordered the case retried under new ground rules.

Melvin L. Wulf, the Ameri-

can Civil Liberties Union lawyer who represents the authors, said he will seek Supreme Court review. A petition by the book's publisher, Alfred A. Knopf, Inc., appeared equally certain.