

F. B. I. MUST GIVE DATA ON INFORMER

Ordered by Federal Judge
to Turn Over File to

**Socialist Workers
Party** 7/29/76

By **ARNOLD H. LUBASCH**

A judge has ordered the Federal Bureau of Investigation to turn over its file concerning an F.B.I. informer who reportedly carried out a burglary on July 7 at the office of the Socialist Workers Party in Denver.

Judge Thomas P. Griesa, who issued the order yesterday in Federal District Court in Manhattan, said the F.B.I. must give the informer's file and any documents about the burglary to lawyers for the Socialist Workers Party by noon tomorrow.

The judge said he might reconsider his order if the Government could show him that the disclosure of specific information in the F.B.I. file would interfere with a criminal investigation of the burglary case.

Leonard Boudin and Herbert Jordan, lawyers for the Socialist Workers Party, told Judge Griesa that they wanted the F.B.I. material about the burglary to question the informer, Timothy Fedfern, in connection with the party's lawsuit against the bureau and other Government agencies.

Regarding another aspect of the party's suit, Judge Griesa asked the Central Intelligence Agency to give him an unexpurgated version of documents from the C.I.A. files concerning apparent burglaries and electronic surveillance of Americans abroad.

The C.I.A. provided Judge Griesa with a number of secret documents this week to be examined privately in connection with the suit, but he said at yesterday's court session that the documents contained so many "expurgations and deletions" that he could not determine the significance of the material.

If the C.I.A. declines to give him unexpurgated documents, the judge said, then he wants "someone knowledgeable from the C.I.A." to explain to him in private why the Government contends that the specific documents are privileged material that should be kept secret.

John S. Siffert and William

S. Brandt, assistant United States attorneys representing the Government, told the judge that they would give him an answer from the C.I.A. as soon as possible.

The immediate issue in the C.I.A. aspect of the case concerns two affidavits that George Bush, the agency's chief, submitted this month in response to the suit's request for information about surveillance of the Socialist Workers Party.

In one of the sworn statements, Mr. Bush disclosed that C.I.A. files contained information indicating that some of the party's members and associates had been "overheard by means of electronic surveillance conducted abroad" and that other information had been "acquired as a result of several surreptitious entries that were made into premises abroad."

Mr. Bush also submitted a "top secret" affidavit, which only the judge was permitted to see, officially stating why the Government contended that all the information about the electronic surveillance and break-ins abroad constituted privileged documents that could not be disclosed.

The Government's lawyers asked Judge Griesa to accept the claim of privilege without seeing the documents, but he said he wanted to examine the documents privately so that he could decide later whether they should be disclosed as evidence in the suit.

Judge Griesa scheduled another session on the discovery issue for today in the court in Manhattan, where the Socialist Workers Party originally filed its suit three years ago seeking millions of dollars in damages for illegal activities by Government agencies.

The suit has resulted in disclosures that F.B.I. agents broke into the Manhattan headquarters of the Socialist Workers Party more than 90 times from 1960 to 1966.