

Judge Delays Publication of 'Radical' List

By Sanford J. Ungar

Washington Post Staff Writer

Publication of the House Internal Security Committee's list of "radical revolutionaries" who speak on college campuses was held up for another five days yesterday.

U.S. District Judge Gerhard A. Gesell, after hearing arguments from the American Civil Liberties Union and the Justice Department on the purpose of the committee's survey, extended his temporary restraining order against its publication until Wednesday.

He promised to rule at that time on the case, which the House committee has treated as a major confrontation involving the constitutional separation of powers.

Kevin T. Maroney, a Justice Department attorney appearing before the court yesterday, argued that the "Limited Survey of Honoraria Given Guest Speakers for Engagements at Colleges and Universities" is protected by the speech-and-debate clause in Article One, Section Six, of the Constitution.

That clause says that "for any speech and debate in either House [of Congress, its members] shall not be questioned in any other place."

Those who brought suit against the report, including several people on the list, con-

tend, however, that it has "no valid legislative purpose" and should not be distributed outside Congress itself.

They charge it is "exposure (of the names) entirely for exposure's sake" rather than for developing legislation.

But Maroney countered yesterday that the information contained in the report could be useful for a variety of legislation, including amendments to the Subversive Activities Control Act.

The House Committee claims that the courts have no right to inquire into the motives of its investigations.

Chairman Richard H. Ichord (D-Mo.), has filed the report as a House document and several copies were distributed to his colleagues and to the press last week.

The report recommends no legislative action, but refers the list to concerned "parents, students and alumni."

It does not include all the names the committee received from colleges and universities who responded to its poll, but only those it considers to be members of "Communist, militant or radical" organizations.

Also at issue in yesterday's court hearing was whether Congress or the Judiciary has authority over the Government Printing Office.