

Bid to Cut Name in Report on C.I.A. Fails

NOV 18 1975

By NICHOLAS M. HORROCK

Special to The New York Times

WASHINGTON, Nov. 17—A Federal District judge ruled today that the publication of a report on Central Intelligence involvement in political assassinations might endanger the life of a former C.I.A. official but refused to order the man's name deleted on jurisdictional grounds.

Lawyers for a man described only as a retired C.I.A. official immediately filed an appeal and the United States Court of Appeals for the District of Columbia scheduled a hearing for 10 A.M. tomorrow. The lawyers, Henry Truit and Terry Lenzner, moved in court to have the name of the former intelligence officer stricken from a report prepared by the Senate Select Committee on Intelligence.

They declined to identify their client in public court session. However, the two lawyers represent Dr. Sidney Gottlieb, a retired C.I.A. official who directed the agency's Technical Services Division.

Questioned in Plots

Dr. Gottlieb was questioned in a closed session of the Senate committee earlier this fall on his role in C.I.A. plots to kill Fidel Castro, Prime Minister of Cuba, and Patrice Lumumba, a leader in the Congo crisis in 18961.

Judge Gerhard A. Gesell said in his ruling in Federal District Court that he believed "the public interest [in the assassination report] greatly outweighs the right to privacy of an individual."

Though he said that the danger to the former officer had been established, taken on balance with the national importance of the report, he was compelled to deny the motion.

The lawyers for the officer immediately filed an appeal.

Printing Set to Begin

The urgency in the handling of the case arose because the Government Printing Office had planned to begin printing the secret report tonight. It was preparing two press runs, one of 300 copies to be distributed to members of the Senate on Thursday, and another 10,000 copies for general distribution if the Senate moved to make the report public.

Judge Gesell said that his court had no jurisdiction to order the editing of the 300 copies for the senators and his order pertained mainly to the question of whether the be removed from copies destined for the public.

This was the second attempt to have the report edited or its publication halted because it was felt that the report would endanger the lives of individuals. Earlier, President Ford wrote a strongly worded plea to the committee not to publish the report on this and other grounds. The committee overrode his request by unanimous vote.

According to information made public in today's hearing, the committee has already deleted 20 of 32 "sensitive" names in the report. Presumably these were the names of C.I.A. intelligence officers or agents. The 400-page report is also expected to contain the names of several dozen better-known Government officials and public figures.

Dr. Gottlieb volunteered to testify before the committee in late summer after returning from India, and he was granted immunity from prosecution.

In addition to his alleged role in the preparation of assassination plans, he has also been questioned about the death in a C.I.A. drug experimentation program of an Army scientist

in 1953 as a result of an overdose of LSD.

Dr. Gottlieb destroyed numerous records of his operation at the C.I.A. shortly before leaving the agency in 1973. He has also been questioned about this.

Under the present plan with the assassination report being presented to the Senate Thursday, it could be a public document by Thursday evening.

Earlier today, three staff members of the committee said that it would look into the domestic intelligence operations of the Federal Bureau of Investigation in public hearings tomorrow and Wednesday.

They said that the committee had evidence that the F.B.I. used techniques of investigation after 1971 similar to the harassment methods used in the counter intelligence program known as Cointelpro.

Clarence M. Kelley, director of the bureau, said earlier this year that Cointelpro operations were halted in 1971.

The committee, they said, will trace 50 years of the F.B.I.'s counterintelligence work and will tel about burglaries carried out by the bureau as well as establish that it currently conducts "massive" surveillances of American citizens.