

1972

NYTimes

NOV 11 1972

**SECREC Y ARGUMENT  
HEARD BY JUSTICES**

WASHINGTON, Nov. 10 (AP) —The Nixon Administration has argued before the Supreme Court that the law does not permit judges to inspect classified Government documents.

Roger C. Cramton, an Assistant Attorney General, told the court yesterday that a Federal circuit court erred when it ruled that a Federal judge should inspect classified documents pertaining to the underground nuclear test in Alaska

last November. The question arose when 33 members of Congress sued under the 1970 Freedom of Information Act for public release of the records, stamped secret by the Government on the ground that they contained sensitive military data.

The circuit court ruled that a Federal judge should review the data to sift out nonsensitive material. The Government appealed the decision to the Supreme Court.

Mr. Cramton asserted that the Congressmen "wanted the military secrets" in the material. But the lawyer for the Con-

gressmen, former Attorney General Ramsey Clark, said the seismic effect of the Amchitka blast was the primary concern.

Justice William H. Rehnquist, without explanation, disqualified himself from consideration of the Government's appeal.