

Judge Will Inspect WXPost JAN 14 1976 Rosenberg Material

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U.S. District Court Judge June L. Green yesterday told the Justice Department to turn over for her private inspection all of its materials relating to the investigation of Julius and Ethel Rosenberg.

The government has refused to turn over the documents to the Rosenbergs' two sons, who have filed a Freedom of Information Act request for all government documents concerning the investigation that resulted in their parents' execution on spy charges in 1953.

The government has turned over thousands of pages of materials concerning the probe, but is continuing to withhold an unspecified number of additional documents that now must be given to the judge.

Green's order followed a two-hour hearing in which attorneys for the Rosenbergs' sons asked that three FBI officials, including Director Clarence M. Kelley, be held in contempt for failing to comply with an earlier court order requiring the documents to be turned over.

Marshall Perlin, who represents Michael and Robert Meeropol (the Rosenberg children took the name of the family that adopted them), said the agency had purposefully failed to search some of its files in the Rosenberg case and had altered the numbering system of files that had been turned over.

Justice Department attorney Jefferey Axelrad denied the allegations, and said any additional searches

sought by the Meeropols would merely be duplicative. Judge Green denied the motion for contempt but indicated that the issue could be raised again later.

Among the documents to be turned over to Green are those whose release the government claims would violate the right of persons not directly connected to the case, and other documents which the government considers classified.

Green said she will begin examining the material as soon as the government submits it to her, and will rule later on whether it should be turned over to the sons.