

Judge Refuses to Stop CIA Death Plot Report

Washington

U.S. District Judge Gerhard A. Gesell refused yesterday to block publication of the Senate intelligence committee report on CIA assassination plots.

The decision was immediately appealed to the U.S. Court of Appeals, which set a hearing for today.

The request for a temporary restraining order came from an anonymous plaintiff who said if his name is published in a report, his life will be in danger from unnamed people seeking revenge.

Gesell, in a decision read from the bench, said he is powerless to prevent Congress from publishing the report even though there is "a real possibility of physical harm to the plaintiff if his name is reported — physical violence against himself, or physical retribution against his family."

"The court has no power of any kind to edit or censor congressional reports," Gesell said.

"The public interest greatly outweighs any private interest of the individual."

But the judge said there is a "clear and present danger of violence."

Gesell described the plaintiff as a "former officer of the CIA . . . a retired GS-14 . . . a man of limited policy or executive function . . . and a central figure in the report."

Informed sources identified the plaintiff in the suit as Dr. Sidney Gottlieb, former CIA director of technical services who has testified in closed sessions before the Senate committee.

Gottlieb, who has been granted immunity from prosecution, has been linked in public reports with the alleged destruction of documents about controversial CIA programs and an alleged plot to ship poison overseas to be used in a CIA-sponsored assassination attempt.

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