

Hiss, Rosenberg Data Promised

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The Justice Department announced yesterday it has decided to make public soon "as much information as possible" in the spy cases involving Alger Hiss and Julius and Ethel Rosenberg.

Deputy Attorney General Harold R. Tyler Jr. said information being sought in the two cases by attorneys for Hiss and the two sons of the Rosenbergs would be released "in the near future" in keeping with the Freedom of Information Act's provisions.

The announcement represented a major breakthrough for Hiss, who has been seeking to prove himself innocent of his perjury conviction for denying he turned over government secrets to the Communists. The two sons of the Rosenbergs are also seeking to reopen the case in which their parents were convicted on spy charges and executed.

Tyler said the papers should be released and is confident they will show that the rights of those involved were upheld throughout.

"I expect that a substantial portion of the records concerned will be made available to the public in the near future," Tyler said.

"Public examination of these records will demonstrate beyond reasonable doubt the integrity of the investigative, prosecutorial and judicial

processes as they were carried out in these cases."

- Authorized by Attorney General Edward H. Levi to make all final decisions on freedom of information matters, Tyler said he advised departmental personnel that exemptions in the act were to be invoked in the Hiss and Rosenberg cases "only if there is a compelling reason to do so."

"For instance, a record may be withheld if it is properly classified and cannot be classified or modified in some way to make it appropriate for release," Tyler said in a statement. "Other compelling reasons for non-disclosure include substantial threats to the usefulness or safety of a past or present informant, or to an individual's right to privacy."

Tyler said, "Those involved in the criminal conduct in the two cases, as well as the principal witnesses, have no general privacy interest in the subject matter sufficient to justify the withholding of any of these records."

He added that "an exception will be made for material, if it exists, of an intimate or personal nature wholly unrelated to the subject matter of the cases. Records pertaining to other persons involved in these cases are to be considered very carefully before being withheld on privacy grounds."