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ROSENBERG FILES TO BE RELEASED

Justice Agency and the C.I.A.
Waive \$35,000 in Fees

WASHINGTON, Dec. 1 (UPI) —The Justice Department and the Central Intelligence Agency have waived nearly \$35,000 in search fees for release of the files on the convicted atom spies, Julius and Ethel Rosenberg, officials said today.

The Justice Department said it was waiving \$20,458 in search fees because of the "public interest and historic significance" of the espionage case. The C.I.A., meanwhile, disclosed that it waived last week its \$14,155.30 fee on 953 pages of Rosenberg documents.

The Rosenbergs' sons, Robert and Michael, won a Federal court order releasing the files under the Freedom of Information Act. But they have been unable to pay the large fees for searching through the files and copying them.

Both the Federal Bureau of Investigation and the C.I.A. had said anyone seeking copies of the documents would have to pay a copying charge of 10 cents a page. But Deputy Attorney General Harold R. Tyler Jr. said he had ordered the search fee waived after receiving several requests.

Mr. Tyler said, "The Rosenberg case is close to being unique in terms of both current public interest and historical significance.

"I am convinced that my action is in the public interest in this particular case inasmuch as release of these records will benefit the general public far more than it will any individual requester."

"In taking this action," he said, "I wish to affirm my belief that 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 the Rosenberg case."

The Rosenbergs were electrocuted in 1953 after being convicted of passing atomic secrets to the Russians. Their sons, who use the name Meerepol, which is the name of their adoptive parents, had not requested the waiver but had threatened court action to get the charge removed.

The waiver requests were made by Prof. Allen Weinstein, a professor of history at Smith College, and by reporters for The Washington Star and The Washington Post.

Mr. Tyler ordered the F.B.I. to make the papers available as soon as possible to all who wish to see them. The entire bureau file consists of about 29,000 pages.

The F.B.I. had already waived a charge for the time that executives spent reviewing the documents to remove information that would encroach on the privacy of innocent persons and other matter exempted by the Freedom of Information Act.

Mr. Tyler said this charge would have totaled \$215,000.