

# Judge Upholds Conditions Barring Hoffa From

By AGIS SALPUKAS

Special to The New York Times

DETROIT, July 19—A Federal judge issued an order today that blocked James R. Hoffa from regaining the leadership of the teamsters union. Mr. Hoffa said here that he would appeal the order.

The order by Judge John H. Pratt of the United States District Court in Washington upheld the conditions that President Nixon imposed on Mr. Hoffa when he commuted his 13-year prison sentence on Dec. 23, 1971.

The conditions prohibit Mr. Hoffa from engaging "directly or indirectly" in any union activities until March 6, 1980, the time when his 13-year conviction

for jury tampering and fraud would have run out.

The short, stocky former president of the International Brotherhood of Teamsters, was dressed in a blue suit, white shirt and blue tie. He said at a news conference in his office in downtown Detroit: "Nothing is lost until the final round. You may lose a battle here and there and win the war."

But he conceded that Judge Pratt's order had made his attempt to wrest the presidency of the union away from Frank E. Fitzsimmons, a former close friend, much more difficult.

Mr. Hoffa's intention had been to run for the presidency of Teamster Local 299 in Detroit this fall. Local 299, from which Mr. Hoffa built the Teamsters with 2.5-million members into the largest union in the

world, would have provided a power base from which to open his comeback.

He had an excellent chance to win the election since his old friend, the present head of the local, Dave Johnson, had been prepared to step aside and retire and support Mr. Hoffa's candidacy.

### Uncertainty of Appeal

It is uncertain now whether the appeal, even if successful, can be moved through the courts in time for him to run for the office in October.

Mr. Hoffa said that he could still run for the union presidency in 1976 by being elected as a delegate to the union convention. That route however, "makes it more difficult no question," he said.

In the suit to have the restrictions of his commutation

lifted, Mr. Hoffa's lawyers argued that the bans were imposed as a result of a deal between Teamster Union president Fitzsimmons and President Nixon.

In return for the political endorsement and contributions from the teamster leadership, the lawyers argued, President Nixon imposed the condition to prevent Mr. Hoffa from challenging Mr. Fitzsimmons for the union presidency.

In the order today Judge Pratt held that even if this fact were proved it would not be enough to make the President's action unconstitutional "for the same reason one cannot attack the validity of an act of Congress on the grounds that the Congressmen who vot-

## Regaining Union Leadership

ed in favor of it did so for improper motives."

The judge also held that it was clear that the crimes for which Mr. Hoffa had been convicted were directly related to his union activities.

The judge said that President Nixon was therefore jus-

tified in exacting the conditions on Mr. Hoffa's release since "the public of course has a strong interest in the integrity of union activities inasmuch as unions exert great influence on the economic life of the nation and on the welfare of individual members of unions."