

Washington Court: Kissinger papers remain secret from press

United Press International
WASHINGTON — Henry Kissinger's papers remain secret from the press, a Supreme Court ruling Monday won a Supreme Court ruling that transcripts of his telephone conversations while he was secretary of state do not have to be turned over to a press group.

Over two dissents, the court reversed an appeals court order that the transcripts had to be returned to the Library of Congress where Kissinger deposited them when he was secretary of state.

The court also affirmed an order denying requests for transcripts of Kissinger's telephone conversations while he was White House national security adviser Richard Nixon.

The court's action was a blow to the Reporters Committee for Freedom of the Press and other groups seeking the transcripts, which they say provide "the most complete background on the development of American foreign policy."

Justice William Rehnquist wrote for the court majority that a federal

district court did not have power to order the transcripts returned to the State Department for determination of whether they are "agency records" subject to disclosure under the Freedom of Information Act.

The court rebuffed arguments by the Reporters Committee that Congress, in enacting the freedom of information law, intended to let private citizens sue to recover records wrongfully removed from government custody.

The Reporters Committee and other groups sued to obtain transcripts of telephone talks Kissinger had between 1968 and 1977 when he was the White House national security adviser and then secretary of state.

The State Department denied the request, saying the transcripts were not agency records under its control.

When he left office, Kissinger donated his papers to the Library of Congress on condition they not be made public for 25 years.



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Eight indicted after slaying

United Press International
NEW YORK — Eight alleged underworld soldiers were indicted Monday on criminal contempt charges by the grand jury investigating the slaying of Carmine "Lilo" Galante, who was gunned down in a Brooklyn restaurant last summer.

The indictments announced by Manhattan District Attorney Robert Morgenthau were based on videotape and tape recordings secretly made of alleged meetings among the suspects at the Ravenite Social Club, a storefront that allegedly served as a hangout for the mob in Manhattan's Little Italy section.

In addition to probing Galante's murder, the indictment said the grand jury was investigating whether people used the club for planning crimes.

All of the suspects surrendered to police.

The defendants were to be arraigned Monday.

Galante, 69, reputed "Boss of Bosses" in the mob, was shot at a restaurant in Brooklyn on July 12.

Published reports have said Galante's murder was ordered by other mob bosses who were displaced at Galante's ventures in drug trafficking and his penchant for publicity.

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Court rules obscenity no copyright defense

United Press International
WASHINGTON — The Supreme Court Monday refused to take up a challenge to the copyright on the pornographic film, "Behind the Green Door."

This left intact a ruling that a theater which showed the movie without the distributor's permission could not defend itself against copyright infringement charges merely on grounds the movie is obscene.

When Kenneth Andrew Bora of Texas said he showed a pirated copy of the movie to the Cinema Adult Theater in Dallas, he was sued for copyright infringement by Mitchell Brothers Film Group, which owns exclusive market rights on the 1972 film.

In response, Bora claimed the movie's copyright was "invalid because the movie is obscene. He maintained the copyright was not entitled to protection because of a legal doctrine known as "unclean hands" which a Capital News relief if a party is guilty of dis-

honest or unethical conduct.

A Dallas judge ruled for Bora, concluding he conducted only a "restricted or limited showing" to test acceptance of the movie by the general public.

After viewing the film, the judge found it obscene and held the copyright therefore "is not entitled to the protection from infringement by the defendants."

On appeal, the 5th U.S. Circuit Court of Appeals reversed the decision. Although the panel did not rule on whether the movie is obscene, it held the lower court erred in allowing Bora to claim obscenity as a defense.

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Budget cut considered

United Press International
WASHINGTON — President Carter indicated Monday he had not decided whether to seek a \$20 billion cut in the federal budget as part of a stepped up battle on inflation.

Carter's answer came to a question reports that he is considering Congress for the massive cut in the \$615.8 billion fiscal 1981 budget which he earlier sent to Capitol Hill.

Income in the budget is estimated at \$600 billion. A \$20 billion cut would theoretically cut spending by income and wipe out federal deficit spending for the year beginning Oct. 1.

Carter made the brief comment as he returned from a long weekend at Camp David.

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