

CIA Says It Won't Prosecute Ex-Agent for Revealing Secrets

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By Jim Mann

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A spokesman for the Central Intelligence Agency yesterday ruled out the possibility that the CIA will seek a criminal prosecution of former agent Victor L. Marchetti for allegedly disclosing agency secrets.

"We're not going to do anything like that, for heaven's sake," the CIA spokesman said. "All we want is for this guy to shut up. It's a one-time thing, I think."

On Tuesday, the Justice Department, acting on behalf of the CIA, obtained a temporary court order preventing Marchetti from writing about CIA activities, as he had planned under a contract with the publishing house of Alfred A. Knopf.

Yesterday, there were the following other developments:

- Marchetti struck back at the CIA, contending that its efforts to keep him from writing his book reflect "a paranoid, clandestine mentality, more than I ever thought." He retired from the CIA in 1969.

- A spokesman for the American Civil Liberties Union, which has agreed to represent Marchetti, termed the impending court battle over Marchetti's book more important than the battle over the Pentagon Papers on the Vietnam war last June.

- A spokesman for Knopf said that the publishing house has not yet decided whether it, too, will enter the court battle. Yesterday afternoon, lawyers for Knopf were said to be studying the order issued by U.S. District Court Judge Albert V. Bryan Jr. in Alexandria.

Issues Denial

Bryan's order also requires Marchetti to show the CIA anything he writes about the

subject of intelligence, even if it is fictional, within 30 days before its release, and orders Marchetti to return to the CIA any documents he might have taken when he quit the agency.

In an interview yesterday, Marchetti denied that he had ever taken any documents from the CIA:

"I don't have any documents to return . . . I'm not a (Daniel) Ellsberg. I did not walk out with a boxload of stuff. That's not my bag."

Marchetti said that the book he plans is not yet written. He has just finished his reading and research for it, he said. He envisions the book as "at times apologetic, at times critical" of the CIA.

The former agent has already written a novel about the CIA called "The Rope Dancer." He said yesterday that he submitted a copy of the novel to the CIA in advance. The agency had no official comment, he said.

The grounds on which the Justice Department obtained the court order is that Marchetti, when hired by the CIA

in 1955, signed a "secrecy agreement" preventing him from disclosing information about agency activities without clearance from the director of the CIA.

Effect of Publicity

Marchetti, who now supports himself with the money he earns from writing about the CIA and intelligence, said he hopes the new publicity will help his novel. "It's still dribbling along (in sales) . . . I'm hoping some good will come out of this."

Ralph Temple, executive director of the ACLU's Washington office, said he feels Marchetti's case overshadows the battle over the Pentagon Papers because "There you were talking about publishing government documents (about the Vietnam war) Here they're stopping a guy from writing something."