

BELL WOULD PROTECT SUED U.S. EMPLOYEES

Attorney General Asks a Change to Let Government Be the Sole Defendant in Civil Actions

By ANTHONY MARRO

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WASHINGTON, Sept. 2. — Attorney General Griffin B. Bell said today that the Justice Department would soon propose that the Federal Government be substituted as the sole defendant in civil suits against Federal employees for actions taken in the course of their duties.

Mr. Bell told a group of West Virginia lawyers and businessmen here today that the growing number of civil damage suits being filed against Government employees had become "a significant new concern in Federal law enforcement and intelligence agencies."

The Attorney General, who has said previously that the Government should pay any damages awarded in such matters, said that suits of this kind could make Federal employees reluctant to perform vital services "because they fear they might be sued for damages and as a result lose their life savings or homes."

Mr. Bell, addressing a joint meeting of the West Virginia Bar Association and the West Virginia Chamber of Commerce, said: "I stress that these proposed amendments would still allow the Government to hold employees accountable for their deeds and still leave them subject to disciplinary action or criminal prosecution."

2 Suits Involve F.B.I. Men

In the last two years scores of civil suits have been filed against Federal law enforcement and intelligence officers, many of the actions seeking large sums in damages in compensation for violations of civil rights.

At least two such suits have recently been filed in New York City, against agents of the Federal Bureau of Investigation and officials who were said to have had a hand in illegal break-ins, wiretaps and openings of mail by the bureau in its search for fugitive members of the Weather Underground.

The measure proposed by Mr. Bell, as an amendment to the Tort Claims Act, would pay only the costs of damages awarded plaintiffs in civil suits but would not pay any legal fees incurred by Government employees as a result of criminal investigations or Federal indictments.

Recently an attorney for many of the F.B.I. agents involved in the reported break-ins and wiretaps against Weather Underground fugitives said they planned to sue the Government for reimbursement of legal fees they had incurred.

However, the attorney, Jack Solerwitz of Mineola, L.I., said today that it had

been decided to postpone filing of the suit until it was determined that there was a possibility of legislation that could reimburse agents as well for fees involving criminal investigations.

"We still think the Government should pay these costs," he said. "But we're going to hold off for a month or two to see if there's a chance we can get the Congress to do it."