

Justice Rules on Books

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Justice Department officials who may have inside knowledge of the Watergate case or the prosecution will be free to publish their memoirs or diaries once they have left the government payroll, according to a department spokesman.

However, department employees still on the job cannot publish information that has not been made public previously, without specific permission from the deputy attorney general. The rule covers members of the staff of the Watergate special prosecutor as well as other Justice Department employees.

PERMISSION will be granted on a case-by-case basis, the spokesman said,

if the deputy attorney general decides publication would be in the public interest.

Publication of "inside" information by those who have left the government may still be prohibited by judicial gag orders covering certain phases of the Watergate case or limited by legal ethics.

Earl J. Silbert, the first Watergate prosecutor, testified earlier this year that he had kept a diary beginning in the fall of 1972. On the other hand, Asst. Atty. Gen. Henry E. Petersen said he had not kept a diary — and that he sometimes wished he had and sometimes was glad he hadn't.

UNDER THE department

policy, Silbert could not sell his diary to a publisher as long as he continues to work for the government, without specific permission from the deputy attorney general. But once he left the government, he would be free to publish the diary even if it contained information that had not previously been made public — unless he were restrained by a gag order or legal ethics.

In the Watergate case, several books have been written by reporters who covered the case and by those who participated in the break-in or the subsequent cover-up. But no insider books have been published by any of the government investigators or prosecutors. — Orr Kelly