

# Ex-Agent Faces Suit Over Book

New Orleans

Attorney General Griffin Bell said yesterday the Department of Justice is preparing to file a civil suit against a former Central Intelligence Agency employee who broke his promise to clear a book about his experiences with the agency before publication.

The attorney general told a news conference here that the government would seek damages and perhaps some kind of injunction against Frank W. Snepp III, a former senior analyst for the CIA whose recent book, "Decent Interval," describes intelligence activity during the Vietnam war.

Such a law suit would represent the first time that the Justice Department has invited a full legal test of the contract that all CIA employees sign upon joining the agency, promising to submit anything they write after leaving for pre-publication censorship of possible classified information.

"If that contract isn't valid, he and everyone ought to know it," Bell said. "If it is valid, then we think it ought to be enforced . . . There's something wrong with the system when people can back down on their contracts at will."

The attorney general is in New Orleans for the annual winter meeting of the American Bar Association.

The Snepp book, which charges the CIA with bungling in Vietnam, was published three months ago by Random House without any submission of the manuscript to the agency and, thus, with little or no government awareness of its impending appearance.

At that time, the Justice Department decided not to make any attempt in the courts to cut off further printing of the book or restrict its circulation or sale.

Bell said, in response to questions, that the government would seek "some sort of damages" from Snepp and might try to enjoin him from further speaking or writing about information he learned as a CIA employee.

Asked if the Justice Department is not attempting to enforce censorship through the courts, Bell replied: "No, it's not. He (Snepp) didn't have to take the job. That's not censorship to me."

Bell acknowledged, however, that the courts might ultimately decide that the contract required by the CIA as a condition of employment constitutes a "prior restraint" on free dissemination of information and thus a violation of the free press guarantees of the Constitution.

"Let us find that out," the attorney general said.

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