

# Judge Roasts Ex-CIA Agent

Alexandria, Va.

Without giving a formal verdict, trial judge Oren Lewis said yesterday former agent Frank Snepp committed "a willful, deliberate breach of the highest trust, and he did it for money" in publishing a book without CIA permission.

Then, after some comments on what an appropriate fine might be, Lewis recessed the two-day, non-jury trial in U.S. District Court and said he will announce his verdict soon, probably this morning.

Outside court, Snepp called Lewis' comment on his financial motives "the most absurd statement I've heard." He said he published "Decent Interval," his expose on the fall of Saigon, "because I thought the CIA had to learn from its mistakes."

The government is suing for the right to take all Snepp's book

royalties and to enjoin him from further uncensored publishing as a means of discouraging other CIA agents from writing similar "whistle-blowing" books. It also wants him fined.

Lewis' summary remarks dismissed the argument that Snepp had not violated his CIA secrecy oath because the book disclosed no secrets.

In his view, the judge said, Snepp's action "was a willful, deliberate breach of the highest trust, and he did it for money."

"It is so plain, so open and obvious to me."

"If all CIA agents can tell whatever they want to . . . the CIA might as well go out of business."

Thinking aloud on how much fine should be levied if he hands down a guilty verdict, Lewis whimsically mentioned the figure \$10

million and said that would be too much.

"But a \$1 or \$1000 fine is no deterrent," he said. "That might encourage other CIA agents" to violate their secrecy oaths.

He also expressed anger at press reports suggesting he seemed predisposed to favor the CIA side. He said, "Some people here may believe I have my decision already written out and just have to pull it out of my pocket."

Snepp himself told reporters he had not submitted his book for CIA censorship because "the agency would have torn the book to shreds."

He said the main issue is "whether or not the agency can in fact censor responsible criticism directed at it. If you want that kind of agency, you're going to have it as this court rules."

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