

Ex-CIA Agent Agee Won't Be Prosecuted

Washington

The Justice Department has told Philip Agee, the former Central Intelligence Agency officer who wrote a controversial book about the agency, that he will not be prosecuted for violations of the Espionage Act if he returns here from England, it was learned yesterday.

The decision, which was made Friday by Benjamin R. Civiletti, the new head of the criminal division, came less than two months after Richard L. Thornburgh, his predecessor in the Ford administration, told Agee that he was still the subject of an investigation because of classified material that he revealed in his book, and that he might be prosecuted if he returned.

Civiletti said yesterday that his decision did not represent any change in attitude on the part of the department toward possible violations of the Espionage Act but meant that the investigation had come to an end and that no grounds for prosecution had been found.

The decision by the department comes at a time when Agee is facing deportation from Britain "in

the interests of national security," and at a time when officials of the Central Intelligence Agency have been complaining openly that current laws are not adequate to prevent the release of classified information.

Andrew Falkiewicz, a CIA spokesman, said yesterday that the agency had been informed Friday that the department had given the notification to Agee through his lawyers. "Of course we're upset," Falkiewicz said. "It's not that we want to hurt Mr. Agee, but it reinforces our argument that we don't have laws to prevent people from disclosing classified information."

Earlier in the day, without making any reference to Agee, Stansfield Turner, the new director of central intelligence, said on the CBS television program "Face the Nation" that he was considering measures to curb the disclosure of information about intelligence activities.

Turner said he had found it disturbing that an Agriculture Department employee could be jailed for disclosing information affecting crop futures while it was "very difficult" to prosecute an intellig-



PHILIP AGEE
He's free to come home

ence officer for disclosing national security information.

Many of Agee's former colleagues had criticized him, expressing the belief that his book, "Inside the Company: CIA Diary," jeopardized agency projects and operatives in Latin America because of the detail about agency projects there.

Agee maintained he was providing a public service in alerting citizens to the type of clandestine activities the agency was undertaking and argued that many of the operations he wrote about had been either illegal or improper.

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