



Office of the Attorney General
Washington, D. C. 20530

September 15, 1982

Honorable William J. Casey
Director of Central Intelligence
Washington, D.C. 20505

Dear Bill:

Thank you for your letter of September 3, concerning possible action by the Department of Justice against Philip B. Agee for violation of the court injunction previously entered against him.

The different components of the Department are currently investigating what, if anything, can be done concerning Mr. Agee. You know that I whole-heartedly share your view of the importance of establishing that no individual is beyond the reach of the law and that no individual may openly evade court orders. I do not know at this point, however, if prosecution against Mr. Agee is advisable. We are reviewing the case and will reach a decision in the near future.

Thank you for the benefit of your views on this important topic and for the cooperation your agency has shown to the Department of Justice concerning this case. I will of course keep you closely advised of any decision.

Sincerely,

William French Smith
Attorney General

Central Intelligence Agency



Washington, D.C. 20505

3 September 1982

Honorable William French Smith
Attorney General
Department of Justice
Washington, D.C. 20530

Dear Bill:

I understand the Department of Justice is currently considering whether to bring a criminal action against Philip B. F. Agee for a violation of a court injunction entered against him by Judge Gerhard Gesell on 21 November 1980.

When Mr. Agee joined the CIA, he signed a Secrecy Agreement. On 21 November 1980, an injunction was entered against him, ordering him not to breach his Agreement by disseminating any information or material relating to the CIA, its activities or intelligence activities generally, without CIA review. Since the injunction was entered against Mr. Agee, voluminous amounts of publicly available information have been collected which provides ample evidence that Mr. Agee has repeatedly violated that injunction. All that material is available to the Department of Justice.

Since you are currently considering this matter, I take this opportunity to note that the Agency believes the Government should take every possible action to emphasize the importance of establishing that Mr. Agee is not beyond the reach of the law and may not openly evade the court-ordered enforcement of his Secrecy Agreement with the Agency.

Sincerely,

A handwritten signature in cursive script that reads "William J. Casey".

William J. Casey
Director of Central Intelligence