Report Could Balk FBI Break-In Probe

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The Chicago office of the FBI is nearing completion of a 500-page report showing that the radical Weather Underground, a target of break-ins by FBI agents, received financial support from Cuba, according to sources close to the agents. The report, if confirmed, could hinder a Justice Department investigation of the EBI-directed burglaries.

Top FBI officials authorized the report last month in an effort to stop the Justice Department's criminal investigation of more than 30 current and former FBI agents connected with a number of burglaries of the homes and offices of persons with ties to the Weather Underground in New York, the sources said.

The agents who are the targets of the Justice probe are eagerly awaiting completion of the report, which they feel will force the department to abandon the cases against them.

Recent court cases have indicated that it may be legal for government agents, acting with the authorization of the President or the Attorney General, to conduct warrantless searches and wiretaps if the target is a threat to national security and has connections with a foreign government. It is not known whether the break-ins being investigated fall under this category.

In the past six months the Justice Department has dropped two criminal investigations of government officials involved with warrantless break-ins because the targets had foreign connections.

A high Justice Department source confirmed that there is growing concern in the department that evidence of foreign support for the Weather Underground has complicated, and perhaps weakened, their case against the agents.

However, the source said that prosecutors are intent on continuing the investigation at this point because they feel they should obtain more information about the break-ins before deciding their strategy.

Last week Justice officials impaneled a grand jury in New York to begin hearing evidence in the break-ins.

The Justice source said that the prosecutors are beginning to refocus their investigation on former top FBI officials, including Edward S. Miller, former bureau intelligence chief, and W. Mark Felt, former associate director of the bureau.

Both Felt and Miller announced publicly last week that they approved break-ins in New York under a policy

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