

BURGLARIES IN '73 CONCEDED BY F.B.I.

Kelley Says Braak-Ins Were
Directed at Radicals
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WASHINGTON, June 30 —
Clarence M. Kelley, Director of
the Federal Bureau of Investi-
gation, who previously insisted
in Congressional testimony and
elsewhere that burglaries by
bureau agents were halted in
1966, confirmed today that the
bureau carried out in 1972 and
1973 "a limited number" of
break-ins directed at radical
domestic and terrorist groups.

Mr. Kelley's admission, in a
statement released by the bu-
reau, followed by more than a
week news reports that the
Justice Department was inves-
tigating possible criminal
wrongdoing by agents and of-
ficials of the bureau in connec-
tion with illegal burglaries com-
mitted over the last five years.

Mr. Kelley became F.B.I. Di-
rector in July 1973, but it was
unclear from his statement
whether any of the entries oc-

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curred after he took over the
bureau.

Meanwhile, well-placed
sources said today that several
bureau officials had offered to
tell Justice Department prose-
cutors what they knew about
the burglaries in return for as-
surances that they would not
be prosecuted.

One source, while refusing to
identify any of those who were
seeking to cooperate with the
Justice Department, indicated
that the potential value of their
testimony lay in their ability
to implicate F.B.I. higher-ups in
the approval of the burglaries.

Justice Department lawyers
have reportedly begun to pre-
sent evidence in their investiga-
tion to a Federal grand jury.
But it could not be learned
whether any of the F.B.I. offi-
cials, who are said in most
cases to have held middle-level
supervisory positions, had testi-
fied under oath.

A spokesman for J. Stanley
Pottinger, the head of the de-
partment's civil rights division,
who is in charge of the investi-
gation, said that Mr. Pottinger
would have no comment on the
sources' assertions.

The department's investiga-
tion was begun after the recent
discovery by lawyers that F.B.I.
agents in New York and else-
where had over the last five
years broken into a number of
homes and offices without
search warrants to obtain in-
vestigative leads on radical and
terrorist groups.

More Burglaries Reported

Despite Mr. Kelley's state-
ment about 1972 and 1973
break-ins, one F.B.I. source said,
the burglaries in some areas of
the country continued up to
last April. He said that they con-
stituted only a fraction of the
extralegal activities he said had
been engaged in by some F.B.I.
agents, in many cases with the
knowledge and approval of
bureau executives.

Mr. Kelley said that files re-
lating to the recent break-ins
were found in the bureau's
New York City field office last
March 17, and that the Justice
Department was notified the
same day.

Those files are known to
have contained reports that one
left-wing group, the Socialist
Workers Party, was burglarized
some 90 times from 1960 to
1966. But Mr. Kelley's state-
ment was the first indication
that evidence of later break-ins
was also found among the per-
sonal papers of John F. Malone,
the former head of the New
York office.

Mr. Pottinger, in a separate

statement, denied today news
reports that he and his assist-
ants at the Justice Department
had "sealed off" Mr. Kelley
from the burglary investigation,
which is being conducted by 12
specially chosen F.B.I. agents
under the direction of the de-
partment.

Mr. Pottinger said that he
had discussed the investiga-
tion's findings with Mr. Kelley
when it was "necessary and
appropriate," and that "what-
ever information is shared with
him remains in his personal
knowledge and possession only,
and is not disseminated to
other persons in the F.B.I. or
elsewhere."

In his statement, Mr. Kelley
said that he had previously
testified before Congress that
surreptitious entries in domes-
tic security investigations ter-
minated in 1966.

"Obviously, such news stories
imply directly or indirectly that
I knew otherwise and/or
that my advisers in the
F.B.I. knew about these entries
and failed to advise me of
them," he continued.

He said that he had never
authorized any such opera-
tions, had never been told of
any by his subordinates and had
been "speaking with the best
knowledge that was furnished
me at the time."

It was not until the discovery
of Mr. Malone's "personal folder"
that he became aware of
any evidence to the contrary,
Mr. Kelley said.

The Justice Department has
identified about 30 F.B.I. agents,
many but not all of them in the
New York field office, who it
believes took part in the illegal
burglaries.

Virtually all of them, sources
said, have been offered immu-
nity from prosecution in return
for their testimony about F.B.I.
higher-ups, and at least one
agent is believed to have ac-
cepted the offer.