

N.Y.T. 6/19/72
**F.B.I. Data Seized
By U.S. Prosecutors**

The following article was written by Nicholas M. Horrock, based on reporting by him and John M. Crewdson.

Special to The New York Times

WASHINGTON, Aug. 19 —

Agents of the Federal Bureau of Investigation, assigned to investigate a series of burglaries carried out by their colleagues, removed today what one Federal official termed "file cabinet after file cabinet" from the Bureau's headquarters here and from its field office in New York City.

The agents took possession of the documents in what the official described as a carefully coordinated action carried out at 10 A.M. with no advance warning to the bureau. They were acting under instructions

Continued on Page A19, Col. 1
Continued From Page 1, Col. 2

from Justice Department prosecutors.

The documents, now in the possession of the prosecutors, are believed to be relevant to the Justice Department's inquiry into a number of burglaries committed by bureau agents in the New York City area in the last five years.

In a related development, bureau sources said that J. Wallace LaPrade, an assistant F.B.I. director who heads the agency's Manhattan office, had authorized some of the burglaries that have come under investigation.

Mr. LaPrade was at the time in charge of intelligence operations in the New York area. The burglaries that prosecutors believe he approved took place in late 1971 and early 1972.

It was not immediately clear why the Justice Department, which has been receiving what the F.B.I. Director, Clarence M. Kelley, has termed the full cooperation of the bureau in its investigation, was moved to dispatch selected agents to carry out what amounted to a surprise seizure of evidence.

But the action raised the possibility that the prosecutors feared that crucial evidence might be destroyed.

The involvement of Mr. LaPrade in the planning and au-

thorization of the burglaries has come under investigation by the Department of Justice, the sources said. Mr. LaPrade is the second assistant director of the bureau to be swept up in the growing inquiry into "surreptitious entries" by the bureau's agents in domestic security cases in the last five years.

Repeated attempts to reach Mr. LaPrade were unsuccessful. His secretary and an aide at the New York office said that he was "out of the building." A spokesman for the bureau said that he had no comment on the allegations.

According to sources familiar with Mr. LaPrade's F.B.I. service, he directed domestic security operation in the New York field office in 1971 and early 1972. In this period, the sources said, burglaries were planned and carried out by the bureau's agents.

These sources said that Mr. LaPrade had presumably received authority from bureau headquarters in Washington before authorizing the operations. These activities, the sources said, preceded the death of J. Edgar Hoover, the former director of the bureau, who had ordered the surreptitious entries be stopped in 1966.

It is not clear whether bureau officials obtained Mr. Hoover's permission to make the entries.

Mr. LaPrade's successor in directing domestic security operations in New York, Andrew J. Decker, is also under criminal investigation in this case. Mr. Decker, who is an assistant director stationed in Washington, declined to comment on the matter earlier this summer.

The targets of the burglaries being investigated by the Justice Department were the homes and offices of people the bureau believed were aiding or harboring members of the Weather Underground, a militant antiwar group. Several Weathermen were being sought by the bureau as fugitives, and



The New York Times
J. Wallace LaPrade

the agents reportedly made the entries in the hope of finding clues to their whereabouts.

Sources familiar with the operation said that the bureau has assigned several men to seek evidence that would link the Weather Underground to foreign espionage services. These sources said that the bureau would use any such evidence to try to establish that the Weather Underground cases were national security rather than domestic security matters.

Even if they were national security cases and predated a Supreme Court decision in June 1972 that limited Federal investigation techniques in security matters, it is unclear whether the bureau had the authority to make an entry without the specific approval of the President.

Earlier this week, two former senior F.B.I. officials, Edward S. Miller and W. Mark Felt, said in interviews that they authorized burglaries in 1972 because they believed that L. Patrick Gray 3d, who was then acting director, had given his approval. Mr. Gray denied through his lawyer that he had ever approved an illegal act, particularly burglaries in the Weather Underground cases.

Two Ex-Officials Called

Mr. Gray has told associates, however, that he did approve an entry in Dallas that was aimed at alleged Arab terrorists who were plotting attacks on Jews here. He has said that he believes this was legal, because it was in a foreign espionage case.

The Justice Department today subpoenaed Mr. Felt and Mr. Miller to appear before a grand jury in New York on Aug. 26. The grand jury is investigating the burglaries.

Senior bureau officials said privately today that this and two other investigations of alleged malfeasance by bureau officials could result in the virtual eradication of the executive structure left by Mr. Hoover.

"The gripe in the old days was that you couldn't get to the top, because nobody ever left, but lately upward mobility around here has been pretty good," one official said wryly.

Though no official has said he was retiring or resigning as a result of the investigations, several top officials have left the bureau recently. One of them, Nicholas Callahan, was asked to retire by the director of the bureau, Clarence M. Kelley.