

N.Y. FBI Official Faces Firing in Break-In Case

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J. Wallace LaPrade, head of the FBI's New York office, was told yesterday that he is being fired because he allegedly lied during an investigation of illegal break-ins by FBI agents working for him.

Justice Department spokesmen refused to spell out the charges against LaPrade, but sources familiar with the disciplinary proceedings said he will be discharged after a required 30-day waiting period.

He is in effect being charged administratively with acts for which Attorney General Griffin B. Bell declined to indict him.

Bell rejected a recommendation from prosecutors last year that LaPrade be indicted on perjury charges in connection with grand jury testimony about his role in the so-called "Blackbag" jobs. FBI agents allegedly conducted a series of illegal break-ins, mail openings and wiretaps in the early 1970s in a search for members of the radical Weather Underground.

Former FBI acting director L. Patrick Gray III and two other high-ranking aides were indicted by a federal grand jury Monday on charges of violating the civil rights of citizens when they allegedly approved such actions.

LaPrade responded to the proposed disciplinary charges against him yesterday by holding a news conference in New York in which he issued an unprecedented challenge to Bell to hold a nationally televised debate, and



J. WALLACE LaPRADE
... challenges Bell to debate

he charged that the Carter administration is conducting warrantless investigations similar to the one against the Weather Underground.

He claimed, without providing details, that the Palestine Liberation Organization (PLO) was "in collusion with" the Weather Underground during the period of the break-ins.

He also scheduled a number of ap-

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pearances on television news shows for this morning.

LaPrade told the reporters in New York that he was being transferred to FBI headquarters in Washington starting Monday, but would not disclose the proposed disciplinary action.

His prepared statement referred to terrorists bombings, such as the Weathermen were accused of, and stressed that agents who engaged in the break-ins were acting solely to protect the American people.

He did acknowledge, an aide said later, that the charges against him related to his conduct during the ensuing investigation of the break-ins, not his role as head of the intelligence activities of the New York office at the time.

Officials at both the Justice Department and the FBI privately expressed concern yesterday over LaPrade's vocal attempts to fight the disciplinary action.

The 51-year-old FBI veteran cannot be fired outright, because he is a veteran—though it's been reported that Bell strongly suggested he resign. The law requires that he have 10 days to answer any charges and then an opportunity to appeal any final action.

Bell's aides held a hastily called news briefing to answer questions about LaPrade's charges. Spokesman Terrence B. Adamson said he wasn't responding directly to LaPrade, but noted that warrantless surveillance has been used normally and legally in foreign intelligence cases, such as in gathering information about suspected foreign spies.

He noted that only one American citizen — Ronald Humphrey, a government employe accused of passing classified documents to the North Vietnamese — has been the subject of warrantless surveillance during the Carter administration.

Warrants would be required today for any surveillance of Weather Underground or other domestic terrorist groups, he added.

LaPrade's public challenge to his superiors worried some FBI officials because it seemed to be an attempt to stir up public concern for other FBI agents facing discipline for their role in the break-ins.

LaPrade's problems with the department stem, however, from withholding information from Justice prosecutors during the investigation.

Bell declined to indict LaPrade last year because he wanted his truthful testimony about the higher-ups who approved the break-ins and because he didn't want to have to charge an FBI agent with lying, according to sources familiar with the attorney general's thinking.

Instead, Bell gave LaPrade a chance to give more complete testimony, an action that concerned some Justice Department attorneys because it appeared that LaPrade was getting special treatment.