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# TWO MAY TESTIFY IN F.B.I. BREAK-INS

## Former Agents Reportedly Granted Immunity by Justice Department

By JOHN M. CREWDSON

The Justice Department has agreed not to prosecute at least two former members of the Federal Bureau of Investigation in New York City in exchange for their testimony about a number of burglaries carried out by bureau agents in New York in 1972 and 1973.

According to several individuals in and out of Government who are familiar with the Justice Department's rapidly developing investigation of the burglaries, both of those granted immunity were members of a special squad set up to track down fugitives in the Weather Underground organization, which has taken the responsibility for a number of bombings in the last several years.

The Justice Department's civil rights division has thus far identified about 30 members of the F.B.I.'s so-called "fugitive squad" who, according to documents recently discovered in the bureau's New York office, burglarized property of friends and relatives of members of the Weather group in efforts to learn of the whereabouts of the fugitives.

Sources have said that several of those agents, a number of whom reportedly have since resigned from the bureau, have been negotiating with the civil rights division in hopes of trading their testimony for immunity from Federal prosecution.

The civil rights division, which is headed by Assistant Attorney General J. Stanley Pottinger, is known to be chiefly interested in establishing whether F.B.I. supervisors and executives in Washington were aware that agents in the field had carried out burglaries in search of evidence long after 1966, when

J. Edgar Hoover, the late F.B.I. director, ordered the practice halted.

Justice Department lawyers have also begun to notify other present and former F.B.I. agents in New York and elsewhere that they, too, are suspected of committing break-ins even though no bureau documents have yet been found that implicate them, according to sources in the department.

### Other Illegalities

According to one official, the Justice Department, in interviewing several agents, has developed evidence of other illegalities, in addition to the burglaries, that may also become a focus of prosecutions.

The two men granted immunity thus far, one of whom has left the bureau, are expected to appear soon before a Federal grand jury in New York City.

The Justice spokesman confirmed only that Mr. Pottinger was "approving immunity" in connection with his investigation of the F.B.I., the first such criminal inquiry in the bureau's history.

The lawyer for one of the two men who has been given immunity declined today to comment on his client's case. The lawyer for the second man could not be reached.

Justice Department sources have said that the dimensions of the burglary investigation have grown far beyond the New York City break-ins. But the Justice Department sources declined to specify how many agents were involved or whether some of them had worked in offices other than New York.

Federal officials have described as a virtual certainty the likelihood that indictments will eventually be brought against some F.B.I. personnel, but have said that that development was months away.