



By James M. Threasher — The Washington Post
W. Mark Felt, left, and Edward S. Miller after receiving unconditional pardons.

President Pardons 2 Ex-FBI Officials Guilty in Break-Ins

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President Reagan yesterday pardoned two former top FBI officials convicted of authorizing illegal break-ins, saying that they had served the bureau and the nation "with great distinction."

In a five-paragraph statement issued at the White House, Reagan granted full and unconditional pardons to W. Mark Felt and Edward S. Miller, convicted Nov. 6 of authorizing the break-ins during the Nixon administration's search for radical opponents of the Vietnam war.

"I certainly owe the Gipper one," Miller said at a news conference in the crowded downtown office of his lawyer, Thomas A. Kennelly.

The pardons were engineered by Reagan's White House counselor and closest aide, Edwin Meese III, who called Kennelly on Jan. 30 and invited lawyers for the two former bureau employees, who had not even applied for a formal pardon, to submit memos to the White House outlining the reasons that they should not be punished.

A close friend of the president said that Reagan initiated the action, believing that the agents had not knowingly done anything wrong.

Reagan once told an aide that he

thought the agents were being penalized unfairly because they believed they were acting according to law. In the pardon statement, the president compared the plight of the two convicted men to that of the draft evaders pardoned by President Carter.

"Four years ago thousands of draft evaders and others who violated the Selective Service laws were unconditionally pardoned by my predecessor," Reagan said. "America was generous to those who refused to serve their country in the Vietnam war. We can be no less generous to two men who acted on high principle to bring an end to the terrorism that was threatening our nation."

Felt and Miller were convicted of violating the rights of friends and relatives of the Weather Underground, a radical and sometimes violent organization opposed to the Vietnam war. U.S. District Court Judge William B. Bryant spared both men prison sentences, but fined Felt \$5,000 and Miller \$3,500.

The fines had been stayed pending appeal of their sentences; now they will not have to be paid.

Miller called the president's action "a very fine thing for the FBI," saying it would quell any reluctance by bureau employees to do their jobs fully.

Agents had supported both men
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Two Former FBI Officials Are Pardoned by Reagan

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— a defense organization of current and former agents had raised more than \$1.5 million to aid Felt, Miller and 140 other agents involved in the investigations.

Felt and Miller were fined four days after charges were dropped against L. Patrick Gray III, acting director of the FBI at the time of the illegal break-ins. This action increased sympathy for Felt and Miller on the grounds that subordinates were being charged for crimes for which their superior was not.

In pardoning Felt and Miller, Reagan said that to punish them further after three years of criminal proceedings "would not serve the ends of justice."

"Their convictions... grew out of the good-faith belief that their actions were necessary to preserve the security interests of our country," Reagan said. "The record demonstrates that they acted not with criminal intent, but in the belief that they had grants of authority reaching to the highest levels of government."

"America was at war in 1972, and... Felt and Miller followed procedures they believed essential to keep the director of the FBI, the attorney

general and the president of the United States advised of the activities of hostile foreign powers and their collaborators in this country. They have never denied their actions, but, in fact, came forward to acknowledge them publicly in order to relieve their subordinate agents from criminal actions."

The pardons were dated March 26 and apparently their issuance was delayed by the March 30 assassination attempt on the president. Meese asked that the pardons be announced yesterday in time for an address he was making to law enforcement officials on the West Coast.

Both Felt and Miller were clearly elated.

"I'm so pleased I can hardly contain myself," Felt said. "I don't know how I'm ever going to thank him."

The D.C. Court of Appeals recently indefinitely suspended Felt from practicing law. A District bar official said yesterday that he expected that the court would vacate its order.

Speaking for both pardoned men, attorney Kennelly gave this view of the pardon: "We thank God and we thank President Reagan that these two good men have been vindicated at last."