

## FBI Explores Eligibility

# Pardons Weighed for Watergate Quartet

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MIAMI, June 19—The FBI is investigating the four Miami men who were captured during the 1972 Watergate break-in to determine if they qualify for presidential pardons.

The inquiry was ordered by the Justice Department in response to pardon applications submitted by the four—Bernard L. Barker, Virgilio R. Gonzalez, E. Rolando Martinez and Frank A. Sturgis. They were released from prison in 1974 after serving a little more than a year.

All four said in interviews that they were being investigated. Lawrence M. Traylor, the Justice Department's pardon attorney, confirmed that he asked the FBI in mid-April to conduct the inquiry. He said the White House had not requested the action, and he expressed doubt that President Carter and Attorney General Griffin Bell were even aware of the Miami men's applications.

The final decision on the pardons would be Carter's. He recently commuted the sentence of Watergate conspirator G. Gordon Liddy, making Liddy eligible for parole next month, but that was short of a pardon.

(A White House spokesman said the President has made no comments on any pardon.)

No Watergate figure has been pardoned except former President Nixon.

A threat of prosecution in connection with the Watergate cover-up was removed when Nixon's successor, Gerald Ford, issued him a blanket pardon.

The Miami four pleaded guilty on Jan. 15, 1973, to burglary, wiretapping and conspiracy after they were captured inside Democratic Party offices in Washington's Watergate complex on June 17, 1972. The subsequent scandal shook the nation and toppled the Nixon administration.

Since their release, the four have claimed they were led to believe that they were handling an authorized national security mission for the U.S. government.

Their Washington attorney Daniel E. Schultz, said he submitted pardon applications from Barker, Martinez and Sturgis to the Justice Department last December, a month before Ford left office. No action was taken until April.

"We handle all these cases in regular order," said Traylor. "The older cases get considered first." He said there were "many hundreds" of cases ahead of the Miami men's.

Gonzalez did not complete his application until recently, and it reached the Justice Department only last Tuesday. However, Gonzalez said that someone began calling his friends and associates several weeks ago to inquire about him. Traylor said it could have been the FBI "anticipating" Gonzalez's case.

Barker, Martinez and Sturgis said they were interviewed separately by

the FBI last month. The FBI in Miami would not confirm its role, saying that any comment should come from the Justice Department.

Traylor said that pardon investigations usually take two months or longer. He said the FBI routinely interviews the applicants, questions neighbors and employers, checks police records and sometimes inquires at credit bureaus. "We look at everything that we think a good citizen ought to do," he said.

He said his office will make a "preliminary determination," then ask the U.S. attorney in Washington, Earl Silbert, and the sentencing judge, John J. Sirica of the U.S. District Court, for recommendations, then make a recommendation to the attorney general. The President has the final word.

The process normally takes 18 months from the time of application, Traylor said, but could be speeded because of unusual interest in this case.

The Miami four, who were involved in Cuban exile intrigues before Watergate, seem to be living conventional lives while retaining an interest in the anti-Castro cause they believed they were serving in the Watergate affair. They said they were looking in the Democrats' offices for evidence of a connection between Cuba and Presidential contender Sen. George McGovern (D-S.D.). No such evidence was found.

Barker, 60, is a sanitation inspector for the city of Miami. Gonzalez, 51, is

practicing his old locksmith trade. Martinez, 54, leases automobiles. Sturgis, 52, is sales manager for a book printing firm.

Barker, who recruited the three others at the behest of White House consultant E. Howard Hunt, said he does not deserve to be branded a felon "from the circumstances in which we were recruited and because of what could be termed as proper authority—I mean, how high do you have to go up to receive your instructions for national security?"

Sturgis, who headed security in Fidel Castro's air force before defecting, said that Nixon and others "used" and "betrayed" him.

Sturgis also said that former Secretary of State Henry A. Kissinger "bugged his own people. So why didn't Kissinger go to jail for breaking the law? Why is Kissinger different?"

Barker, Gonzalez and Martinez said they felt no resentment at serving more time than some higher-ups. "I do not believe that society benefits from having those men in jail," said Martinez, who used to be on the CIA payroll. "Put them in jail for what? For an example that others will follow? I believe that they have suffered enough."

"I'm the only one serving time, that's fine with me," said Gonzalez. "Why do you have to destroy 15 or 20 families when only one man can suffer?"