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BY BILL MOYERS

Mercy Without Justice

When Richard Nixon resigned I expressed to several friends a hope that he would not have the pleasure of seeing the spirit he brought to public life live on in the gloating attitudes of his enemies. For 25 years the man had massaged the baser instincts of politics. Now he was going, and it would be enough, I thought, simply to be rid of him, without rancor. Let the law take its course, but let the vindictive spirit go with him; the harm he had wrought could only increase if those who fought him came in the end to imitate him.

That was a month ago, and I assumed then Nixon would one day be pardoned by his successor. But I believed Gerald Ford first would permit the tale to be told, so we could know more fully how Watergate came to be and how to guard against its recurrence. Once the trials of Haldeman, Ehrlichman and their cohorts were behind us, the special prosecutor, armed with evidence from Nixon's own tapes, could issue a full report. The conclusions of the Senate Watergate committee and the House Judiciary Committee are already a part of the record; this last effort would complete the task of

in government. This is more likely to happen if Nixon acknowledged that the White House scandals were more than "mistakes and misjudgments" and cooperated in making the whole story public. But with Spiro Agnew lately insisting that the charges against him were never proven, we have a preview of what to expect from Nixon. Already his apologists are quoting the Supreme Court pronouncement in 1866 that a pardon makes the offender "as innocent as if he had never committed the offense." And last week the former President suggested that his guilt is not in his conduct but in the minds of other people.

BALONEY

Why did Ford change his position so suddenly? Well, he said, by failing to pardon now, "ugly passions would again be roused, our people would again be polarized in their opinions and the credibility of our free institutions of government would again be challenged at home and abroad." This is baloney from the man who four weeks ago was insisting that society is held together by the glue of truth. The season's award for ugly pas-

keep our skepticism intact. There is nothing quite so suffocating of liberty as an overwrought conscience in a "humble servant of God" who, arriving in high office, confuses his will for that of Providence. A few centuries of that kind of thing convinced Western man to find a better way to resolve differences in society than by submitting to the personal chapel of a prince. We call it law.

To succeed, the process of law needs to be persuasive enough for all of us voluntarily to make a habit of it. In the last decade, kicking the habit has almost become fashionable in high places. After the disorders and illegalities of the Vietnam era and the pernicious effects of Watergate, Gerald Ford could have inspired a renewed willingness to submit freely to the legitimacy of law. But by treating the Nixon affair so capriciously, he has added to the shambles.

WILLING TOOL

Why he did so remains a puzzle; none



Mr. Ford's amnesty and clemency

Washington — President Ford does amnesties and clemencies better than pardons. His plan for easing the return of draft evaders, resisters and military deserters still has inequities which can be remedied in part by a liberal review board and by later presidential orders. But it is better than the plan Attorney General Saxbe first drew up and infinitely better than no amnesty at all.

It will satisfy neither the amnesty hawks nor the amnesty doves — neither the veterans' organizations on one side nor the organized draft evaders and resisters in Canada and Sweden on the other. That doesn't make it right, but it makes it Ford.

Basically, President Ford is a man who cleaves to the center, veering a little to the right or left depending on whether he is expressing the conservatism of the old House minority leader or an episodic liberalism borrowed from the obvious mood of the nation and from his own empathy. The present amnesty marks one of his

about the choices that faced the draftees. Some decided to go abroad, to separate themselves from an America which they felt had betrayed itself and them. It was a choice made deliberately, and one respected it when it was made on principle with a willingness to face the consequences. Some decided against it.

I recall one case vividly — a thoughtful, passionate utterly honest young man. He had been an anti-draft leader at college and wanted no part of the war on moral grounds. He was awaiting for his draft examination.

I asked him what he planned to do to avoid service. Would he take an inner-city teaching job, which for a time was accepted as a kind of substitute civic service? No, that wasn't his cup of tea, and he couldn't do it and be honest. Would he evade the draft by going to Canada or Sweden, as so many were doing? No, he was an American, and this was his turf. He didn't intend to go

pledge which in effect is a confession that they broke their loyalty.

And there could have been some provision for dealing justly and effectively with the hundreds of thousands of "less than honorable" discharges, many of which resulted also from principle and conscience.

One fact speaks strongly for President Ford's intent to add authentic clemency to the conditional amnesty. It is the presence of two men on the clemency review board — former Sen. Charles Goodell (R-NY) and the Rev. Theodore Hesburgh of Notre Dame — who need no credentials for their humanist liberalism and the tough fiber of their social courage. If any plan can be given compassionate energy in its actual operation, such men will do it.



9/25/74

Few takers for alternative service

Deserters want jobs near home, 'enough' pay

By Robert M. Press
Staff correspondent of
The Christian Science Monitor

Camp Atterbury, Ind.

Finding alternative-service jobs required for military deserters and draft evaders is the next big challenge in making President Ford's amnesty program work.

That is what is emerging in interviews with men among the first large group to accept amnesty — more than 130 deserters, many of whom were in military prison when the President announced his plan Sept. 16.

One of the conditions for amnesty is acceptance of up to 24 months of alternative service. But of 11 desert-



BREEZY
Showers likely today.
Chance of showers tonight.
Sunny tomorrow.
(COMPLETE REPORT ON PAGE 4)

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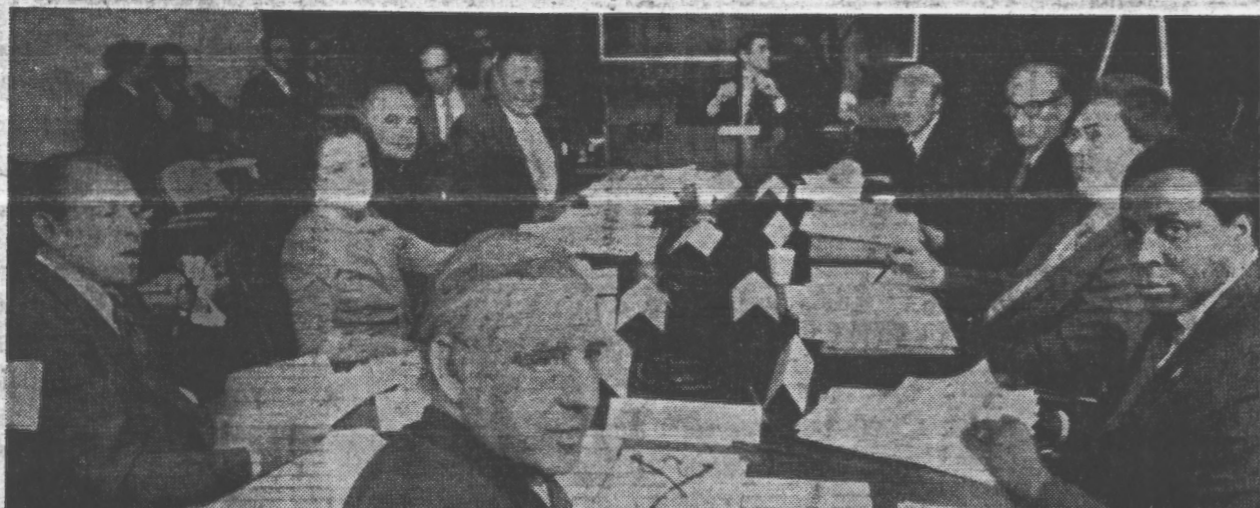
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Blood Clot Detected in Nixon Lung



Clemency Unit Pledges To Avoid Entrapment

By LUCIAN WARREN

News Washington Bureau

WASHINGTON, Sept. 26 — The Presidential Clemency Board headed by former Sen. Charles E. Goodell (R., N. Y.) has started its work with an invitation to draft dodgers and deserters of the Vietnam war era to take the initiative in seeking a conditional amnesty pardon.

After Mr. Goodell and eight other members of the board were sworn in Wednesday by President Ford, the Jamestown native told reporters he has been assured by the Justice Department that men seeking

Mr. Goodell said the work of processing amnesty cases may not be as heavy as originally estimated.

Of 206,775 delinquent draft registration cases at one time on the federal books, a large number, he said, later accepted some kind of induction

Inside

Inquirer 9/26

Insiders say Attorney General William B. Saxbe is not long for the Ford Administration. He'll reportedly be replaced by Charles Goodell, the former senator from New York who heads up the nine-member Clemency Review Board which is dealing with Vietnam deserters and draft evaders.

DRAFT VIOLATIONS OF MANY DOUBTED

Thousands Who Hid or Fled
May Not Be 'Delinquents,'
Clemency Official Says

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, Sept. 25—The chairman of the Presidential Clemency Board said today that there might be thousands of men now in hiding or living abroad who fear they are "draft delinquents" but who are not. "We have not way of knowing b now how many such cases there may be, but it is pos-

For Many Deserters in Canada, Amnesty Stirs Suspicion and Indecision

By JON NORDHEIMER

Special to The New York Times

VANCOUVER, B.C., Sept. 25—"I don't trust those guys this much."

The young man lifted a thumb and forefinger in front of his heavy beard and brought the fingers together until the tips were an inch apart. He studied the space between the fingers for a long moment and then narrowed the gap to one quarter inch.

Satisfied he had accurately defined the full limits of his confidence in the Government of the United States, he dropped his hand and let it seek out a glass of beer on the table of the smoky in the West End section of Vancouver.

The young man with



It has been a decade since the exodus began, and the assimilation into Canadian life, which is now more of a nation of immigrants than the United States, has been rapid and in some cases complete.

Marriages, employment and other commitments have established an atmosphere of permanence that many of the exiles are formalizing by turning landed immigrant status into citizenship after five years of residence — a milestone observed daily by increasing numbers of war objectors.

Committees formed to represent the exiles politically have disbanded or lost strength as the new immi-

son of a college professor, "is more important to most of us than American citizenship."

Mr. Van Deusen and Mr. Vernon, share a comfortable house with five Canadians their age in the Point Grey section of the city where the streets are named after famous British battles. Balaclava . . . Blenheim . . . Trafalgar . . . Waterloo.

By kickoff time Sunday they were seated before a television set in their living room, watching the first game in a football doubleheader, an old American custom they won't break. Mr. Vernon had a \$10 bet riding on the game, between the Miami Dolphins and the Buffalo Bills, and he was riveted

He picked up the telephone and instead of calling the Army base he placed the call to his parents in Gilroy.

A few minutes later he popped his head into the living room and, grinning widely, said: "Anybody want to buy a pair of snow tires?" The others sat up and looked at him.

He explained quickly that his parents had received a letter from the Army saying he was qualified for amnesty with no other charges pending. "She said she saw on television that the first guys processed out in Indiana didn't have to get haircuts or wear uniforms. Sounds great, huh?"

He sat down on the vinyl sofa and watched the last half of the game, but it was

Clemency Unit Pledges To Avoid Entrapment

By LUCIAN WARREN

News-Washington Bureau

WASHINGTON, Sept. 26 — The Presidential Clemency Board headed by former Sen. Charles E. Goodell (R., N. Y.) has started its work with an invitation to draft dodgers and deserters of the Vietnam war era to take the initiative in seeking a conditional amnesty pardon.

After Mr. Goodell and eight other members of the board were sworn in Wednesday by President Ford, the Jamestown native told reporters he has been assured by the Justice Department that men seeking clemency will "not be entrapped" and that they can seek information in the clemency program without fear of arrest.

The invitation, however, apparently is designed to take care of those who may have violated selective service laws and military absenteeism regulations only and other violators of the uniform code of military justice would still be subject to arrest.

* * *

A JUSTICE DEPARTMENT spokesman has said that any returnee from abroad would be advised of his legal rights with regard to the amnesty program, but that if any exile had charges against him other than those governed by Mr. Ford's

Mr. Goodell said the work of processing amnesty cases may not be as heavy as originally estimated.

Of 206,775 delinquent draft registration cases at one time on the federal books, a large number, he said, later accepted some kind of induction.

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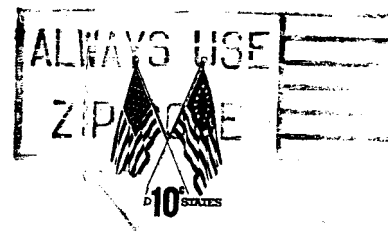
MANY OF THOSE who might think they are subject to draft evasion charges may be able to go free if they ask the proper authorities whether there are any charges pending against them, he said. Or, he indicated, they may be able to get a clemency pardon by agreeing to "alternative service" for the nation as prescribed by their local draft boards.

Clemency May Exclude Citizens of Canada

WASHINGTON, Sept. 26 (AP)—A Justice Department spokesman said Wednesday that President Ford's

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Enterprises

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Mr. Charles E. Goodell
1225 19th Street N. W.
Washington, D. C. 20036

Nixon's 'enemy', Ford's friend

Clemency board's Goodell wins political pardon

By Aldo Beckman

WASHINGTON—Two months ago Charles E. Goodell was a zero in the Washington power structure. He was less than a zero, really, since he was persona non grata at the White House and, worse than being ignored, he was scorned by the man in power.

Now Ralph Nader calls twice a week seeking favors. Reporters plead for interviews; Senators and congressmen call to suggest that he tell the President their point of view.

The Capitol Hill calls even included one from a senator, whose hawkish views on Viet Nam were diametrically opposed to the dovish stance Goodell became famous for. The senator had not bothered to telephone Goodell in more than four years.

IN WASHINGTON, it is not unusual

after Goodell, then a House member, helped engineer his election as Republican leader in 1965.

After the Ford swearing in, Goodell and Sen. Robert Griffin [R., Mich.] walked thru the receiving line in the East Room together, recalling how they had worked together as House members to help Ford defeat Charles Halleck of Indiana, the incumbent G. O. P. House leader.

"You two got me into all this," Ford smiled at his two old friends as they shook his hand.

GOODELL was called on to help Ford aides during the transition and was named chairman of the Presidential Clemency Board when Ford announced his plan for conditional amnesty for Viet Nam draft evaders and military deserters.

The board met for the first time this week, and later a relaxed Goodell told



son exercising all this executive pow-

Goodell cannot totally disguise the touch of bitterness he still feels about that campaign. But he said he gets no satisfaction out of the fate eventually dealt to Agnew and Nixon.

"I literally feel sadness toward Agnew and Nixon," he said. "I feel a growing sympathy for them and their families. But I understand what they did and why they did it. They couldn't stand it if you didn't mirror their image.

"Their's was an ugly, hateful approach to life. Either you were a friend or an enemy. There could be no in-between.

"I really feel that a democratic society cannot survive very long without respect for differences."

Goodell, now 48, and earning a healthy income as a Washington lawyer

Pro-Amnesty Unit Urges Congress To Quash Penalties

By Austin Scott

Washington Post Staff Writer

Fifteen representatives from one of the nation's largest groups favoring unconditional amnesty visited Capitol Hill yesterday to ask Congress to go beyond President Ford's clemency proposal.

"My husband is a draft resister. He doesn't feel he can take advantage of the pardon because he doesn't feel an act of conscience can be pardoned," said Margaret Bishop of Cleveland.

She said her husband, Dale Petty, was convicted of refusing induction, was sentenced to five years' probationary work and a \$3,000 fine, and will serve out that sentence

rather than apply for amnesty. The 15 were all members of the National Council for Universal and Unconditional Amnesty (NCUUA), which calls the Ford proposal "a cover-up, not an amnesty."

Meanwhile, the Justice Department revealed for the first time yesterday that draft evaders who want to apply for clemency will have to give up some of their constitutional rights.

The agreement that U.S. attorneys will ask applicants to sign reads:

"I also knowingly and voluntarily agree to waive the constitutional right against double jeopardy . . . the constitutional right to due process or a speedy trial, and the statute of limitations . . ."

An advisory letter prepared

Mansfield strongly supports the Ford proposal.

The petition asked Congress to enact "a broad and nonpunitive amnesty. Only in this way do we envision the healing and reconciliation of this troubled nation."

The 15 were all relatives either of war resisters or of men killed in Vietnam.

"I served four years in World War II and two in Korea," said Wallace Ralston of Newton, Mass., father of a deserter now living in Sweden.

His son deserted in 1963, and he opposed his son's actions, Ralston said, until he spent nearly a year working in Vietnam in 1969. "It was in that period I came to see the reason for men leaving the service and evading the serv-



*This Week in Washington***The President's Clemency Man**

By William J. Lanouette

Charles E. Goodell, once again is in the thick of the Vietnam War controversy.

When he was U.S. senator from New York, the liberal Republican was an outspoken war critic and a target of former Vice President Agnew's rhetoric and former President Nixon's political recriminations. After his defeat at the polls in 1970, he has practiced law, written a book about political prisoners, and generally kept a low profile.

But that relative obscurity ended abruptly last week. President Ford put the soft-spoken Goodell back in the center of the postwar debate by naming him to head the new Presidential

*Goodell Is There
To Catch the Heat
On Ford's Plan*

In many instances—I don't know how many at this point and neither does the Justice Department—but in many instances a judge has given him (a draft evader) a sentence, suspended the sentence, and ordered him to engage in an alternative service as a condition of the suspended sentence. Having completed that alternative service, he still has a criminal record. Under the procedure proposed by the President, upon completion of alternative service, there would be no criminal record."

The second change affects a man who received a punitive or undesirable discharge from the military for desertion. He could apply to the new board for a "clemency discharge," perhaps after performing some alternative service. The new type of discharge would remove some barriers to jobs for the deserter, but it would not restore any veterans' rights.

Pentagon Reports 300 Inquiries
Response to Ford's program was

News Analysis

Clemency Board. The President and



"AMNESTY" FOR WAR RESISTERS— ABC'S OF HOW IT WILL WORK



When President Ford on September 16 disclosed his plan for clemency for Vietnam draft evaders and war deserters, he hoped it would be taken as "an act of mercy to bind the nation's wounds and to heal the scars of divisiveness."

Many did not take it that way. Large groups denounced the plan as being too lenient. Others saw it as unreasonably punitive.

Many others were simply confused, uncertain what the President proposed. Questions arose immediately. To get the answers to the questions most people are asking, "U.S. News & World Report" went to the legal documents involved and to White House officials.

In simplest terms, just what does the plan provide?

In essence, it sets up a means for the draft dodgers and deserters to "wipe the slate clean" by serving up to two years in the type of civilian jobs assigned to conscientious objectors during the war. Such service would be in place of prison terms now imposed as the penalty for both offenses. Once service is completed, draft evaders would be free to return to normal life in the U.S., with no conviction on their records. Deserters would be given a special "clemency" discharge from the armed forces.

How many are eligible for the plan?

The maximum number appears to be about 28,500 young men. Of these, some

involved. The White House calls it "earned re-entry" or "clemency."

Officials who helped draw up the plan believe that, ultimately, a large number of youths in Sweden and Canada who are demanding full amnesty will choose clemency, chiefly as a means of returning to the United States without risking prosecution and possible prison sentences. In the case of a deserter, he also would avoid the near-certainty of getting a dishonorable discharge—often a severe handicap in job seeking.

What's behind the objections from resisters now living abroad?

Chief objection appears to be the implication of guilt of military resisters. Many also charge that the penalty to be paid is severe compared with the full pardon given ex-President Nixon.

Was there any connection between the President's plan for military resisters and his pardon of Mr. Nixon?

President Ford insists there was not. At his news conference on September 16, he put it this way:

"The only connection between those two cases is the effort that I made in the one to heal the wounds involving the charges against Mr. Nixon, and my honest and conscientious effort to heal the wounds for those who had deserted military service or dodged the draft."

Just how would a draft evader living in Canada participate in the program?

He is free to return to the United



Self-exiled draft evaders, living in Toronto, listen to Mr. Ford's words on clemency.

States and must check in with the U.S. attorney in his home district within 15 days. There are one to four of these federal officials in each State—98 in all. The U.S. attorney will consider each case, and set the period of time—up to two years—for "alternate service."

THE NATION

almost no staff. Member Symington complains that, from the U-2 incident to the Chile affair, the subcommittee has known less about CIA activities than the press. A House subcommittee chaired by liberal Democrat Nedzi meets more often, but he looks on his responsibility "as making a determination as to whether or not the CIA has acted legally, after or during the fact." Thus no one in Congress knows in advance about potentially controversial CIA operations. Complains Democratic Representative Michael J. Harrington of Massachusetts: "There is a studied inclination in Congress toward noninvolvement, superimposed on a pattern of deference toward the Executive Branch. If the Executive is in the dock, you have got to put the Congress in there too—and firmly."

More than 200 times in the past two decades, Congressmen have sponsored bills and resolutions calling for more effective supervision of the CIA. At least twice, Congress has voted on such legislation, and both times the bills were soundly defeated. Last week Republican Senators Howard H. Baker Jr. of Tennessee and Lowell P. Weicker Jr. of Connecticut made another attempt. Their bill would create a committee of House and Senate members to supervise and regulate the CIA and all other members of the U.S. intelligence committee.

Possible Leaks. Its chances of passage are rated better than even, because of the storm over the CIA and because the bill was referred to reform-minded Sam Ervin's Government Operations Committee. But the bill may yet be defeated. Even many members of Congress

AMNESTY

Limited Program, Limited Response

As President Ford last week unveiled his program to permit Viet Nam War evaders and deserters to earn their way back into U.S. society, he termed it "an act of mercy to bind the nation's wounds and to heal the scars of divisiveness." But the wounds bled anew. Leaders of veterans' organizations immediately denounced the plan as "a gross injustice" to those who had served, died, and suffered. Members of war resisters' groups assailed it as a "punitive" assault upon men who had been guilty only of "premature morality." Yet Ford's plan, an extremely complex attempt to resolve a national dilemma, doubtless reflected the middle position of most Americans on the issue.

Certainly, there are inequities in Ford's program, which had been opposed as too gentle by the Justice and Defense Departments and some Congressmen. It falls well short of the blanket postwar amnesty that past Presidents extended, and few were rushing to accept it until they could figure out just how it would be administered. If in practice the leniency stressed by Ford prevails over the fairly harsh provisions of the plan, many exiles may return. If the plan is rigidly applied, relatively few may do so.

The key question is whether returnees from abroad and the U.S. underground will have to serve the full two

years in low-paying public-service jobs. Ford's proclamation requires that the jobs be in fields that "promote the national health, safety or interest"—in hospitals, forests, schools and public institutions, usually as menial laborers.

Uncertainty arises because the plan empowers officials to reduce a term on the vague basis of past "honorable service, penalties already paid under law, and such other mitigating factors as may be appropriate to seek equity." These judgments will be made by regional U.S. Attorneys or a military Joint Alternative Service Board at Indiana's Fort Benjamin Harrison under general guidelines from their Washington superiors. The scheme is designed to minimize inequities stemming from local prejudice.

Incredible Oversight. The plan for handling deserters contains two sharp differences from the treatment of draft evaders: 1) only deserters must take an oath reaffirming their allegiance to the U.S.; 2) through an incredible oversight (privately admitted by the Pentagon but publicly denied as a mistake by the Justice Department), deserters can escape serving the alternate public-service work. They will be given "undesirable discharges" and must pledge to take a compensatory job, but will lose only the benefit of changing their discharge to one termed a "clemency discharge" if they fail to do so. Neither type of discharge is a legal barrier to em-



A.C.L.U. to Challenge Amnesty Program; Offers Free Legal Aid to Exiles

By LUCINDA FRANKS

Calling President Ford's conditional amnesty plan "worse than no amnesty at all," the American Civil Liberties Union said yesterday it would legally challenge what it termed constitutional inequities and defects of the clemency offer and show Vietnam-era exiles that there are better options for repatriation open to them.

Directors of the organization said at a news conference that a large percentage of the estimated total of 50,000 war resisters had been illegally drafted and that they would be better off fighting their cases in the courts than accepting the Government's "earned re-entry" proposal.

program will hurt them more than help them and that it could seriously damage their lives," Mr. Neier said.

A vast number of induction orders violated Selective Service regulations, according to A.C.L.U. lawyers, and such defective orders would be subject to nullification if applicants for clemency took their cases to court. For the draft violator, this could mean a dismissal of charges, and a deserter could have his military service declared null and void.

Henry Schwarzschild, director of the liberties union's Project on Amnesty, said that during the last few years about two-thirds of draft cases tried in Federal courts had been dis-

Ford's amnesty," Mr. Neier said.

Another inequity, he continued, is that applicants are not advised of their right to have legal assistance and their right to appear personally at the various boards that determine the length of their alternative service.

For instance, he said that the length of alternative service for deserters at Camp Atterbury was decided by a military board 60 miles away. The applicant is not given the opportunity to appear before the board and speak on his behalf, he said, nor is he allowed to examine his personnel file to point out errors in the records of his military service.

vice in the United States just to be able to visit here, he said.

A.C.L.U. directors said that the "clemency discharge" that would replace an undesirable discharge once a deserter completed alternative service was a downgrading, rather than an upgrading, of his military status.

"An undesirable discharge is an administrative discharge which is given out for every-

thing from talking back to an officer and it can be appealed to a military review board," said Mr. Schwarzschild. "A clemency discharge in effect brands you as a traitor to many employers—it is saying 'we do not recognize your desertion as an act of conscience but see it as a crime to which we responded with clemency.'"

Mr. Neier said there were many other defects in the pro-

gram, which the liberties union would test one by one in the courts. One of them, he said, is that out of the 500,000 Vietnam veterans with less than honorable discharges, the Clemency Review Board will only review for possible upgrading only those bad discharges given for AWOL or desertion, not for antiwar activities such as leafletting or demonstrating in protest against the war.

10/1/24 J. J. J.

JAIL TERM RISKED BY DRAFT EVADER

He Will Refuse Alternative
Service Under Ford Plan

By DIANE HENRY

Special to The New York Times

WASHINGTON, Sept. 30—

William Meis, a 29-year-old draft evader who says he lived for seven years in Montreal, said today that he would surrender to a United States Attorney this week and risk a prison sentence in protest against President Ford's conditional amnesty program.

Mr. Meis, the first draft evader to announce publicly that he will surrender, refuse alternative service and face a prison sentence, said that Mr. Ford's "earned re-entry" plan "is not an attempt in justice."

"I do believe total and universal amnesty is just," he said. "I don't feel I was ever disloyal to America."

As part of the carefully organized protest by the Safe Return Amnesty Committee which included a strong effort to interest the press with mimeographed statements and telephone calls, Mr. Meis attempted unsuccessfully to meet with members of the President's clemency board at the Executive Office Building this

Are jobs available for amnesty seekers?

By Robert M. Press
Staff correspondent of
The Christian Science Monitor

Chicago

As the first of potentially thousands of draft resisters and military deserters report this week for alternative service, the outlook for finding them jobs — if they want them — is mixed.

Inflation and high unemployment are making jobs scarce, according to Selective Service officials, who are charged with finding the jobs. But some of these officials are optimistic that enough low-paying jobs can be found, especially if employers show "acceptance" of the young returnees and hire them.

Under the terms of the clemency program, deserters and draft resisters must agree to perform up to 24 months alternative service. The jobs are to be with nonprofit organizations

and 8,000 draft resisters are the most likely ones to apply for clemency.

But former employers of conscientious objectors may not have enough jobs today for those seeking alternative service. At one time, more than 40 percent of the objectors worked in hospitals, according to the Selective Service. One of those employers, the University of Chicago hospitals and clinics, has no openings for "alternative service" applicants.

If jobs become available, the first preference in filling them will be veterans, under present federal guidelines, says John Milkereit, a staff spokesman.

And a Los Angeles County hospital which had hired about 100 conscientious objectors in the past has no jobs today for alternative service applicants, says Carlos Ogden, director of the Selective Service System of

On Clemency Limit Options

10/4/74
By Austin Scott

Washington Post Staff Writer

The Justice Department guidelines sent to all U.S. attorneys for implementing President Ford's clemency program list only four circumstances in which draft evaders may be given less than 24 months of alternative service.

The department last week refused to make the guidelines public, but a copy has been obtained by The Washington Post. They read in part:

"The length of alternative service shall normally be 24 months, but the United States attorney may reduce the term in light of the following circumstances:

"(1) whether the applicant ... was erroneously convinced by himself or by others that he was not violating the law;

"(2) whether the applicants immediate family is in desperate need of his personal presence

"(3) whether the applicant lacked sufficient mental capacity to appreciate the gravity of his actions; and

"(4) such other similar circumstances."

At the time the clemency program was announced in mid-September, the White

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The EQUITABLE Life Assurance Society of the United States

HOME OFFICE NEW YORK, NEW YORK

GENE H. MARTENSON, C.L.U.
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NATIONAL LEADERS CORPS

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18 XA
Sunday, October 6, 1974



Charles E. Goodell
chairs clemency board



Philadelphia Bulletin

Ford Recruits Congress Pals For His Staff

Congressional Quarterly
Washington — In surrounding himself with people he has known and trusted since his days in the House of Representatives, President Ford is assembling the most congressionally oriented group of White House staff and advisers since Lyndon B. Johnson launched his legislative offensives on Capitol Hill 10 years ago.

"It's been very difficult for him to recruit people quickly — there was practically no transition period when he came into office," said a House Republican who is close to Mr. Ford. "Naturally, he's turned to people from his own immediate milieu."

One of Mr. Ford's chief advisers, counsellor Robert T. Hartmann, was his top assistant in the House. Another counsellor, John O. Marsh Jr.

sides a set of advisers and staff who understood Congress: decisive Democratic majorities in both houses, and his own qualifications as a President who himself once wielded decisive power in the Senate.

Mr. Ford lacks Republican majorities in either the House or the Senate, and observers are predicting further Republican erosion at the polls, this November.

10-7-74
Check
Proud of you!
Glad to see things working out as the nation seems to be regaining some sense
Regards,
Gene



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10-7-74

Jack
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Gene

Philadelphia
Bulletin



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Goodell - Congrats

Perseval

Mr. Charles E. Goodell, Chairman
National Clemency Board
Washington, D. C.

U.S. Asked To Extend Furloughs

United Press International

With only 10 days left before 86 draft resisters must return to prison, the presidential Clemency Review Board said yesterday it has asked the Justice Department to extend their furloughs so each request for clemency can be considered individually.

Chairman Charles Goodell told a news conference if the Justice Department refuses, he will try to hold an emergency meeting of the board next week.

The 86 resisters were released from federal prison on 30-day furloughs Sept. 16, when President Ford announced his clemency and earned re-entry program.

"We consider these our highest priority," Goodell said.

He said the board did not decide any individual case during its two-day closed meeting earlier this week. Instead, he said, it was working out "the policy and process that will be applied to all cases..."

Goodell said this policy, designed to insure fairness, includes provisions for the strictest secrecy of an applicant's file, his right to be represented by a lawyer, access to his own file and an opportunity for an applicant to submit evidence of any mitigating factors.

He said the board agreed to consider such mitigating factors as lack of education, personal hardship, mental or physical illness, public service employment, tours of service in a war zone, harassment or inequitable treatment in the service, and imprisonment for either resistance or desertion.

"I think the program is going to be a success," Goodell said.

The board so far has re-



United Press International

Charles Goodell tells reporters the Clemency Review Board needs more time to consider individual cases.

House Votes Increase In Veterans' Benefits

United Press International

The House yesterday approved unanimously and sent to the Senate for final congressional action a compromise bill to give an estimated 11 million veterans a 23 percent increase in benefits retroactive to Sept. 1.

The measure, worked out in a House-Senate compromise and given 388-to-0 approval by the House, would boost veterans' benefits more than either

eran would go from \$220 per month to \$270.

Married veterans with no children would receive monthly payments of \$321 instead of \$261. A married veteran with one child would get \$366 instead of \$298, and a married veteran with two or more children would get another \$22 for each child other than his first.

Goodell Slated to Be Attorney General

By Jack Anderson

Charles Goodell, the former Republican senator who was ridden out of office by the Nixon administration because of his anti-war views, has now been tentatively chosen as the next Attorney General by President Ford.

In his 1970 Senate race in New York, Goodell was denounced by Vice President Agnew as the "Christine Jorgensen" of the Republican party. An able conservative in the House, Goodell had mellowed into a liberal-moderate in the Senate.

Largely as a result of the Agnew attacks and withdrawal of President Nixon's firm support, Goodell was trounced by Sen. James Buckley, a Conservative Party candidate. But House mi-

came away from a meeting with Mr. Ford a few weeks ago with the understanding that he could keep it.

At the White House, Saxbe is admired for his tough stands on crime which have also won him popularity with the average American. But Saxbe is outspoken and often is caught with his foot in his mouth. In addition, his deputy Laurence H. Silberman is handling most of Saxbe's day-to-day duties already. Mr. Ford, therefore, has decided that Saxbe eventually must go.

FOOD PRICE WATCH—The government report that food prices have gone up only 14 per cent will be challenged by Rep. Wayne Owens (D-Utah), who has conducted his own research in the supermarkets.

up 38%; Parkay margarine and Welch's grape jelly to go on the muffins, up 106% and 41% respectively; Pillsbury Hungry Jack pancakes, up 32%; Log Cabin syrup for the pancakes, up 36%; M.J.B. instant coffee, up 55% for Nestle's Choc Quick, up 34%; sugar for the coffee up 156%; Nabisco shredded wheat up 27%; milk in cartons, up 9%.

• Sack luch — Bread, up 49%; Skippy peanut butter, up 25%; Clover Club potato chips, up 68%; Oreo cookies, up 39%; Glad sandwich bags, up 16%; the napkin cost 27% more and the Zec brown luch bag 31% more.

• Mexican Economy Dinner— Woods Cross tomatoes, up 52%; golden grain pinto beans, up 198%; Minute rice, up 48%; Lit-

thorized interference" in a delicate discrimination case against the Purex Corp.

Instead of fighting for employees' rights through normal legal channels, charged Commission general counsel William Carey, Powell tried to help Purex get a settlement behind the scenes.

In an unusual confidential letter, Carey said Powell had gone behind his back to get Commission staff lawyers to sit down with a Purex representative. Carey also charged that Powell had advised Purex that problems in the case were only due to a "regrettable misunderstanding" by Carey's staff.

When Carey, a veteran trial attorney, learned of Powell's meddling, he fired off the letter. In it, he said Powell had "compro-

10/20/64

Amnesty Program Net to Date: 8% of Deserters, 1% of Evaders

WASHINGTON, Oct. 19 (UPI)—One month after President Ford announced his amnesty program, only 8 per cent of the eligible deserters and 1 per cent of the draft evaders have shown up.

"There's an awful lot of skepticism," a Justice Department official said. But he predicted that more draft resisters would come as men saw that the offer did not have any traps.

An Army officer said recently that five returning deserters had told him they were "advance scouts" sent out by groups of resisters in Sweden and Canada to test the fairness of the program, and that they liked it.

However, a group of deserter organizations met in Toronto just after Mr. Ford announced

estimated 10,000 deserters eligible.

However, the Pentagon said it had received telephone and written inquiries about the offer from 3,673 men, or more than one-third of the deserters.

A third part of the Ford program is the Clemency Board, which is empowered to wipe clean the slates of the 8,700 civilians already convicted of draft evasion and an estimated 40,000 veterans given less than honorable discharges during the war.

A spokesman for the board said that it had received only 350 applications thus far.

WASHINGTON, Oct. 19 (AP)—Draft Director Byron V. Pepitone said Thursday that by Thanksgiving he would release from further service all conscientious objectors who are doing satisfactory alternative



MPLS MORNING TRIBUNE - OCT 23 - 1974 (WED)

CHERUBIC CHORISTER!
↑

Ford may get clemency board's first pardon suggestions by Thanksgiving

By Al McConagha
Staff Correspondent

Washington, D.C.
The Presidential Clemency Board may forward its first list of recommendations for pardons to Mr. Ford by Thanksgiving, Charles Goodell, chairman of the body, said Tuesday.

Goodell, who complained the clemency program is misunderstood, said the first of 400 applications to his board for relief will be taken up in an interim session.

by small number of applications for clemency to what he regarded as widespread confusion concerning the work of the White House Clemency Board.

The board deals with draft evasion and military absence cases in which there are already convictions. It can recommend presidential pardons and clemency discharges instead of punitive or undesirable discharges.

No one's situation would

This is understood by these agencies and a formal Justice Department opinion supports this position.

Federal pardons are recognized by the states and this would help those who would otherwise find job or other opportunities beyond reach because they were convicted of felonies, Goodell said.

Goodell said citizens have an obligation to serve their country if qualified

yesterday during a luncheon meeting.

Quizzed on political matters, Goodell said he was opposed to the timing of the pardon granted by President Ford to former President Nixon but not to the pardon itself.

"I think he has been severely punished," said Goodell of Nixon. "He has been virtually ridden out of the Oval Office on a rail. Disgraced. How vindictive do you want to



Charles Goodell

the impact of the timing of the pardon announcement on the cover-up trial. He did not elaborate on the nature of that impact.

Inquiry Fuels *Buffalo* Rumor of Post For Goodell *10/23/74*

By ROLAND POWELL
News Washington Bureau

WASHINGTON, Oct. 25 —

The FBI is conducting a background investigation of former New York Sen. Charles E. Goodell, reviving rumors he is being considered for appointment at attorney general.

The inquiry has been confirmed by the Buffalo Evening News. The agents in the field are to get their reports into headquarters here no later than tomorrow.

No one in a position to know will confirm what the prospective position is.

Mr. Goodell was unavailable, but a spokesman in his law office here said it was the understanding of the law firm the investigation was a post-facto one in connection with Mr. Goodell's appointment Sept. 16 as chairman of the Clemency Board.

The FBI says it is normal policy for its agents making inquiries not to know the purpose.

Cabinet Post Held Possible For Goodell *10/23/74*

By PETER C. ANDREWS

Courier-Express Washington Bureau

WASHINGTON — Charles E.

Goodell, whom President Gerald R. Ford appointed last month to head the Clemency Board, may be in line for bigger things, possibly even a Cabinet post, according to reports circulating around Washington and Goodell's hometown of Jamestown, N.Y.

Goodell is a close personal friend of Ford, a friendship that originated many years ago when both were in the House of Representatives and Goodell was one of a small group of Republican rebels who pushed Ford into the post of Minority Leader.

Their friendship continued after Goodell was appointed to fill the unexpired term of assassinated Sen. Robert F. Kennedy and even after Goodell was the victim of a Nixon/Agnew purge in the 1970 election.

When queried about the possibility of a Goodell appointment, the White House press office said it was not aware of anything in the wind. When told



A lull in meetings at Magazine Publishers Assn. recent conference in Palm Beach, Fla., gave speakers Katherine Graham, Washington Post, and Charles E. Goodell, former New York senator, a chance to get acquainted.

Admission 10/23/74

12,500 Deserters Are Eligible; 1,481 Have Applied

By Almost Any Standard, the Amnesty Plan Isn't Working

By PHIL STANFORD

CAMP ATTERBURY, Ind.—Until two months ago, this old military base, with its rows on rows of two-story frame barracks, white paint peeling from their sides like sooty tissue, belonged to a simpler time. It was built in a hurry after Pearl Harbor, served as a training center and, shortly after VJ-Day, was abandoned.

And except for occasional weekend sessions by the Indiana National Guard, that is how it remained for nearly three decades—until this fall when planners in Washington decided that Atterbury would be just the place to handle all the deserters who would be coming back once President Ford announced his amnesty program.

On Sept. 16, the day President Ford announced his program, the Joint Clemency Processing Center, as it was called, opened. On Oct. 15, it closed for lack of business.

Operations were moved to smaller facilities at Fort Benjamin Harrison, about 50 miles to the north, on the outskirts of Indianapolis. And Camp Atterbury became a ghost town again. In the process, in a way that was never intended, it also became a useful symbol of the present status and the prospects of Mr. Ford's program.

1,481 deserters had applied for amnesty and of these 500 were already in military custody. The statistics on draft evaders are even less impressive. Out of 6,800 said to be at large and eligible, only 66 have surrendered. The Clemency Review Board, which is supposed to review the cases of men already convicted of desertion or draft evasion, estimates that 213,000 of them are eligible to apply for clemency. So far only 560 have applied.

After six weeks it may still be too early to call Mr. Ford's amnesty a failure, but it certainly has not been a success. There have been a number of reasons put forward to explain its lack of success. By far the best, however, is that it is not strictly an amnesty program. In his proclamation of Sept. 16, Mr. Ford refers to "the opportunity to earn" the right to return to American society, but he never once uses the word amnesty.

On the day of the proclamation, reporters interviewed scores of officials in Washington to get their reaction to the program. One of those they asked was F. Edward Hébert, Chairman of the House Armed Services Committee and an unbending opponent of amnesty. "This is nothing more or less than existing law merely clothed in a cloak of amnesty," said Mr. Hébert. Several spokesmen for war resister groups have tried to make the same point, but Mr. Hébert did it best.

Before the proclamation, military lawyers say, it was routine at most posts for commanders to dispose of deserters returned to their control by giving them an Undesirable Discharge "for the good of the service." Under President Ford's program a deserter gets an Undesirable Discharge but he also gets a term of as much as 24 months alternative service. After he completes the alternative service he gets a Clemency Discharge to replace the other, but there is a question as to its value since it does not change his ineligibility for service benefits. If many men see it this way, it is likely they will take advantage of an apparent loophole in the law and not show up for their alternative service. Once a man has received his Undesirable Discharge, the military no longer has authority over him, and the Pentagon has let it be known that it would be difficult to prosecute a man for failing to perform alternative service.

(FORD)

ARLINGTON, VA. (UPI) -- PRESIDENT FORD SAID TODAY VIETNAM VETERANS ARE "THE SILENT HEROES OF THEIR GENERATION" AND ORDERED THE FEDERAL GOVERNMENT TO HIRE 70,000 OF THEM BY JULY 1.

SPEAKING AT AN ARLINGTON NATIONAL CEMETERY CEREMONY COMMEMORATING VETERANS DAY, FORD SAID ACTION IS UNDERWAY TO IMPROVE VETERANS ADMINISTRATION SERVICES INCLUDING ITS MEDICAL PROGRAM.

FORD, WHO LAID A WREATH AT THE CEMETERY'S TOMB OF THE UNKNOWN, ALSO PLEDGED HE WILL "DO EVERYTHING POSSIBLE" TO MAKE SURE ALL THE MEN MISSING IN ACTION IN SOUTHEAST ASIA ARE ACCOUNTED FOR.

"IT HAS BEEN SAID THAT THE FORGOTTEN MEN OF THE VIETNAM CONFLICT ARE THOSE WHO SERVED," FORD SAID. "THEY'RE THE SILENT HEROES OF THEIR GENERATION. TOO OFTEN, THOSE WHO FAILED IN THEIR DUTY HAVE MONOPOLIZED THE HEADLINES AND DISTORTED THE IMAGE OF THEIR GENERATION."

"I INTEND TO SEE THAT THE SILENT HEROES, THE MORE THAN 6-1/2 MILLION AMERICANS WHO SERVED THEIR COUNTRY IN THE VIETNAM ERA WITH QUIET COURAGE, ARE NOT FORGOTTEN."

FORD SAID AN INTERAGENCY TASK FORCE HAS GIVEN HIM A "JOBS FOR VETERANS PLAN OF ACTION." THE PLAN IS AIMED AT THE FEDERAL GOVERNMENT RECRUITING AND HIRING 70,000 VIETNAM VETERANS BY THE FISCAL YEAR ENDING JULY 1, 1975.

"I AM ORDERING FEDERAL DEPARTMENTS AND AGENCIES TO MOVE, AND MOVE NOW, ON THIS ACTION PLAN TO MAKE SURE THESE VETERANS ARE HIRED AS QUICKLY AS POSSIBLE," FORD SAID. HE SAID "IMPORTANT PROGRESS IS ALREADY BEING MADE." UNEMPLOYMENT AMONG VETERANS HAS DROPPED SINCE ITS PEAK IN 1971."

HE CREDITED THE NATIONAL ALLIANCE OF BUSINESSMEN IN THIS.

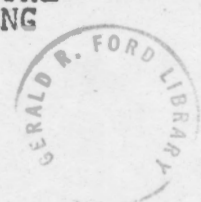
"THIS COMING YEAR THEY HOPE TO PROVIDE 200,000 JOBS FOR VETERANS, INCLUDING THE PLACEMENT OF 7,500 DISABLED VETERANS," HE SAID. "THEY ARE DOING A MAGNIFICENT JOB..."

NOWHERE IN THE SPEECH DID FORD MENTION HIS AMNESTY PROGRAM FOR VIETNAM EVADERS AND DESERTERS. HE MENTIONED THE DRAFT DODGERS ONLY IN PASSING:

"THEY (THE VETERANS) SERVED IN SPITE OF THE MOST DIFFICULT PSYCHOLOGICAL PRESSURES," FORD SAID. "THEY SERVED AT A TIME WHEN MANY OF THEIR PEERS AND THEIR ELDERS WERE DENOUNCING SERVICE TO ONE'S COUNTRY AS IMMORAL."

"THEY SERVED WHILE SOME AVOIDED SERVICE. THEY SERVED WITHOUT THE FULL MORAL SUPPORT THAT THIS NATION HAS USUALLY GIVEN ITS FIGHTING FORCES."

UPI 10-28 11:20 AES



UP-035

(STOCKS)

NEW YORK (UPI)--INVESTORS, SHOWING CONCERN OVER INFLATION, RECESSION AND THE PLIGHT OF THE AUTOMOBILE INDUSTRY, STAYED ON THE SIDELINES TODAY AS PRICES FELL SHARPLY ON THE NEW YORK STOCK EXCHANGE.

THE DOW JONES INDUSTRIAL AVERAGE WAS OFF 7.28 TO 628.91 SHORTLY BEFORE 11 A.M. EDT. DECLINES LED ADVANCES, 621 TO 281, AMONG THE 1,272 ISSUES CROSSING THE TAPE.

THE FIRST-HOUR TURNOVER AMOUNTED TO AROUND 2,800,000 SHARES, COMPARED WITH 3,820,000 TRADED DURING THE SAME PERIOD FRIDAY. THE LACK OF VOLUME MAY HAVE REFLECTED VETERANS DAY HOLIDAY TO SOME EXTENT.

GENERAL MOTORS LED THE ACTIVE LIST, OFF 1 -8 TO 31 3/4 ON 95,000 SHARES. GM LATE FRIDAY REPORTED THIRD QUARTER EARNINGS OF FIVE CENTS A SHARE, COMPARED WITH 92 CENTS A YEAR AGO. THE AUTO GIANT IS LAYING OFF 6,000 EMPLOYEES.

FORD FOLLOWED, OFF 1 1/8 TO 29 ON 70,200 SHARES. FORD, WHICH IS EXPECTED TO REPORT ITS EARNINGS SOON, IS LAYING OFF 950 EMPLOYEES. CHRYSLER, WHICH LOST \$8 MILLION IN THE THIRD QUARTER DESPITE COST CUTTING, WAS DOWN 3/8.

CHEMICALS, OILS AND OIL-RELATED ISSUES WERE LOWER. DUPONT LOST 1 AND EASTMAN KODAK 1 1/4. BOTH HAD LOWER THIRD QUARTER EARNINGS.

SCHLUMBERGER AND SUPERIOR OIL LOST 2 A PIECE, AND INDIANA STANDARD

POINT.
BYRROUGHS LOST 1 1/2.
GOLD MINING ISSUES WERE HIGHER AS BULLION PRICES CONTINUED TO RISE
ON FOREIGN EXCHANGES. ASA LTD. CLIMBED 4 1/4, DONE MINES 3 1/4,
HOMESTAKE MINING 3 1/8 AND CAMPBELL RED LAKE 1 7/8.
OTHER GROUPS GENERALLY WERE MIXED IN FRACTIONS.
UPI 10-28 11:26 AES

UP-036

ADD FORD, ARLINGTON
FORD DID GIVE ENCOURAGEMENT TO THE FAMILIES OF MEN MISSING IN
ACTION.
"I INTEND TO MAKE CERTAIN AS WELL THAT THE MEN MISSING IN ACTION
ARE NOT FORGOTTEN -- AND, TO THEIR FAMILIES AND FRIENDS I MAKE THIS
PLEDGE: I WILL DO EVERYTHING POSSIBLE TO RESOLVE THE UNCERTAINTY OF
THEIR STATUS," HE SAID.
FORD SAID WHILE THE VETERANS ADMINISTRATION "HAS DONE A FINE JOB
UNDER VERY DIFFICULT CIRCUMSTANCES ... I AM FRANK TO ADMIT THAT TREAL
PROBLEMS EXIST."
ONE PROBLEM, HE SAID, IS OVERCROWDING WITH SUCH RESULTS AS
VETERANS HAVING TO WAIT TOO LONG FOR HOSPITAL TREATMENT. ANOTHER IS
GETTING "TOP QUALITY" DOCTORS, NURSES AND OTHER PERSONS TO WORK IN
THE VA PROGRAMS.
"I HAVE ASKED VA ADMINISTRATOR DICK ROUDEBUSH TO LET ME KNOW WHAT
IS NEEDED TO ELIMINATE THESE PROBLEMS," FORD SAID. "I AM DETERMINED
TO DO EVERYTHING I CAN TO MAKE A GOOD SYSTEM EVEN BETTER."
THE CEREMONY AT THE TOMB -- FORMERLY CALLED THE TOMB OF THE
UNKNOWN SOLDIER -- WAS ONE OF THE FEW EVENTS THE PRESIDENT SCHEDULED
DURING THE DAY BEFORE TAKING A SEVEN-STATE CAMPAIGN SWING LATER IN
THE WEEK ON BEHALF OF REPUBLICAN CANDIDATES.
UPI 10-28 11:29 AES

UP-037

(FORD-INDIA)
NEW DELHI (UPI) -- PRESIDENT FORD HAS ACCEPTED AN INVITATION "IN
PRINCIPLE" TO VISIT INDIA AT A DATE WHICH HAS NOT YET BEEN ARRANGED,
U. S. AMBASSADOR DANIEL PATRICK MOYNIHAN SAID TODAY.
CHATTING WITH NEWSMEN AT A DINNER HOSTED BY VISITING SECRETARY OF
STATE HENRY KISSINGER IN HONOR OF INDIAN FOREIGN MINISTER Y. B.
CHAVAN, MOYNIHAN SAID THE FORD VISIT TO INDIA WILL NOT BE MADE IN
CONNECTION WITH THE U. S. PRESIDENT'S FORTHCOMING TRIP TO THE SOVIET
UNION.
FORD PLANS TO VISIT JAPAN AND SOUTH KOREA BEGINNING NOV. 19 AND
THEN MEET WITH SOVIET LEADER LEONID BRAZHNEV IN VLADIVOSTOK NOV.
23-24.
UPI 10-28 11:31 AES

UP-038

(WATERGATE)
WASHINGTON (UPI) -- DEFENSE ATTORNEYS IN THE WATERGATE COVER-UP
TRIAL CHARGED TODAY THAT FORMER SPECIAL PROSECUTOR LEON JAWORSKI HAS
NOT ABIDED BY A COURT-IMPOSED OBLIGATION "TO KEEP HIS MOUTH SHUT"
ABOUT THE CASE.
THE LAWYERS' COMPLAINT WAS REGISTERED BEFORE E. HOWARD HUNT JR.,
ONE OF THE LEADERS OF THE 1972 WATERGATE BREAK-IN, WAS CALLED TO THE
STAND AS A "COURT WITNESS" -- A TECHNIQUE, WHICH THE DEFENSE ALSO
PROTESTED, ALLOWING THE PROSECUTORS TO CALL HIM WITHOUT VOUCHING FOR
THE ACCURACY OF HIS TESTIMONY.
JOHN WILSON, LAWYER FOR FORMER WHITE HOUSE CHIEF OF STAFF H.R.
HALDEMAN, SAID THAT JAWORSKI, WHO RESIGNED FROM THE JOB OF SPECIAL
PROSECUTOR LAST FRIDAY, WAS "GOING THE CIRCUIT OF PANEL SHOWS."
WILSON ADDED THAT JAWORSKI'S FORMER COUNSEL, PHILLIP A. LACOVARA,
ALSO HAS SUBMITTED TO LENGTHY MEDIA INTERVIEWS.
WILSON SAID NEITHER JAWORSKI NOR LACOVARA HAVE ABIDED BY THE RULE
THAT A LAWYER IN THE WATERGATE CASE HAS A "CONTINUING OBLIGATION TO
KEEP HIS MOUTH SHUT."

The family of Pvt. Felix Longoria stands before his casket at his 1949 burial in Arlington National Cemetery.



Tribute to Pvt. Longoria

Spanish-Speaking Veterans Honor Fallen Comrade

By Elizabeth Becker

Washington Post Staff Writer

When U.S. Army Pvt. Felix Longoria was buried in Arlington National Cemetery on a cold, rainy day in 1949, only his family, a representative of President Truman and some Texas Congressmen attended the ceremony.

Among the Texans was then-Sen. Lyndon B. Johnson who had arranged for the reinterment of Pvt. Longoria, who had died while fighting with the Army in the Philippines but who was refused burial in his Texas home town of Three Trees because of his heritage.

It was to his grave site yesterday that about 75 persons, members and friends of the American G.I. Forum—a Spanish-speak-

but I hope we are not lulled into complacency."

When Pvt. Longoria fought with the Americal Division in the Philippines, not one officer was of Hispanic origin, although the 22,000-man division was 40 per cent Spanish-speaking, according to Antonio Morales, president of the G.I. Forum.

"We won the war," Morales said, "and more than 824,000 of us have fought for this country since World War I."

"Among the deserters and draft dodgers you will find no one with a Spanish surname," said Lupe Saldana of the G.I. Forum, "and Spanish-surnamed Americans won more medals of honor than any other ethnic group in the nation."

(Capt. Robert Graham of the ...)

W. G. J.
p 21

WEDNESDAY, OCTOBER 30, 1974

Goodell Asserts Deserters Lack Faith in Review Unit

WASHINGTON, Oct. 29 — Charles Goodell, chairman of the Clemency Review Board, said today that lack of trust by deserters and draft evaders was the reason so few had applied for clemency.

He said that only 560 men had applied for clemency as of last week, out of 120,000 of last week, out of 120,000 men eligible, most of them servicemen with "absence re-

gram where they have nothing to lose and we've had very few applications, I would say the answer to that it's a communications problem and a problem of understanding and trust. It's going to take a while to demonstrate to them our fairness."

He appeared on the National Public Affairs Center for television program "Washington Straight Talk" on the Public Broadcast service.

SOME YEARS AGO, a young man whom we shall call John Fentress made a difficult decision. He has been given a pseudonym because, until now, he has escaped the attention of the criminal justice system. In 1970, Fentress tore up an official "Greeting" notice from his local draft board. Though he was not a pacifist, he strongly opposed the war in Vietnam. But his objection to this particular war, his draft board informed him, did not make him eligible for conscientious objector status.

He left home, prepared to flee to Canada and awaited a second notice—an indictment from the Justice Department. Weeks passed, but the dreaded indictment did not arrive. Cautiously, Fentress resumed a "normal" life: He returned home, found a job, applied for a driver's permit, paid taxes and even voted. Slowly he realized that, somehow, he had escaped prosecution. Through some fluke in the system, he was going to be left in peace.

In mid-September, Fentress began reliving his nightmare. President Ford's proclamation of earned clemency for Vietnam war resisters and deserters has confronted him with an even more difficult choice than the one he made four years ago. Now married and the father of one child, he can either sign up for the earned immunity program or gamble that his offense may continue to escape Justice Department scrutiny. He only has until Jan. 31 to sign up.

Fentress may not know it, but if he decides to discuss his offense and current options with his local prosecutor, he will be incriminating himself. Although the Justice Department may never even have heard of him before, once he identifies himself, he will become subject to prosecution unless he signs up for the earned amnesty program.

Mr. Ford's program has been criticized by pro-amnesty groups as punitive, but at least it offers those willing to serve 24 months in public service

is pending, who is not under investigation and whose identity may not even be known to the department, may be incriminating himself merely by going into the U.S. attorney's office to inquire about his legal standing.

Justice Department officials see this prosecutorial aspect of the program as a legal requirement on their part, a responsibility about which they have no discretion once a draft resister has been identified.

The Missing List

TWO WEEKS ago the American Civil Liberties Union and the United Church of Christ announced they had obtained from the Justice Department a complete list of the more than 5,400 men currently under indictment. They did not, however, United Press International reported, obtain the names of those currently under investigation. The distinction is crucial: If an individual's name is on the list, he is definitely in trouble; but failure to appear on that list does not necessarily mean he is safe. Any individual under investigation can eventually be indicted. After Jan. 31, the clemency option will no longer be open to him. The department has refused to provide a list of those under investigation.

During the Vietnam era, more than 200,000 young men were judged draft delinquent by the Selective Service System. More than 90 per cent of them were never indicted for violation of the law, but according to the ACLU, most were not informed of this fact by the government. The Justice Department saying it has no way of providing a list of the 180,000 cases that were reviewed for possible prosecution but rejected.

Civil libertarians are especially concerned about Section 10's impact on the young men who never registered for the draft, estimated in the thousands, and who may be, therefore, totally unknown either to the Selective Service System or the Justice Department. The first volunteer for Mr.

Taking Chances With Amnesty

By Judith Miller

The author is Washington correspondent for The Progressive magazine.

seeking guidance about the program from U.S. attorneys be given a Miranda warning—cautioned that what they say may be held against them and that they have the right to legal counsel before proceeding with their statement.

The department is sending letters to the last known addresses of men for whom indictments have been issued, advising them to seek legal counsel before deciding to opt for the program, since participation requires waiver of several Sixth Amendment rights. Such warning letters, of course, cannot be sent to those not currently under investigation.

Slanted View On Clemency Is Claimed

NEW YORK (AP) — A draft evader who returned from Canada over the weekend says many other Americans probably would come back if they weren't getting a slanted view of President Gerald R. Ford's clemency program.

John Quartaro, 31, entered a plea of innocent in U.S. Dist. Court on Monday to a 1970 indictment charging him with failing to report for induction. He was freed on his own recognizance for a later hearing.

Distorted View

The plea was entered after Quartaro conferred with Asst. U.S. Atty. Thomas Maher, first by telephone from Canada and

Amnesty plan: few takers after 2 months

By Guy Halverson
Staff correspondent of
The Christian Science Monitor

Washington

President Ford's much touted new amnesty program, criticized by anti-war draft counseling groups, is coming under renewed scrutiny by Pentagon and clemency officials.

At the least, say clemency officials, initial processing "bottlenecks" in the program are being eliminated. There

Pentagon smooths way, may extend deadline; Justice to cut pending draft-evader cases

processed and discharged for the clemency program out of the roughly 10,000 to 11,000 deserters who might qualify. There have been 4,835 inquiries about the program.

Out of some 6,200 eligible draft evaders, only 92 have come forth for processing, according to the Justice

another 200,000 persons who received discharges other than honorable, the board has had some 598 applications for review, as of this writing.

In a significant step, meanwhile, the Justice Department announced this week it is instructing all 92 U.S. attorneys to review the some 6,200

An amnesty reminder

MDIS STAR

NOV 25TH 1974

President Ford's offer of amnesty for Vietnam War draft evaders and deserters expires Jan. 31. The response, since announcement of the program Sept. 16, has not been overwhelming, and is a matter of concern for Charles Goodell, chairman of the president's clemency board, which was set up to review the cases of men convicted of violations of Selective Service and military laws. "I don't understand it," the former New York Republican senator and outspoken critic of the U.S. involvement in the war said last week. "Those people who are eligible under our program have nothing to lose by applying."

deserters listed by the Defense Department have taken advantage of the program. And only about 740 of the some 100,000 civilians and former military men who have already been convicted and punished have applied to the clemency board to have their slates wiped clean. In Minnesota, only two draft evaders have signed up for the amnesty program so far.

As Goodell said, "The main problem is that the program is still not understood." There also is the problem of those who feel they cannot admit wrongdoing without compromising their integrity. Some Americans still

Ford Grants War Pardons & Clemency to 18

Washington, Nov. 29 News Bureau) —President Ford formally granted full and unconditional pardons to eight Vietnam war resisters today and conditional clemency to 10 others in the first action under his "earned re-entry" program.

Acting on the recommendation of his Clemency Board, headed by former Sen. Charles E. Goode (R-N.Y.), Ford signed the necessary papers in a brief ceremony in the White House Oval Office.

"Of the 18 recommendations the board has made to me, I have reviewed each one and have

Takes Over An Airliner

Saskatoon, Sask., Nov. 29 (UPI)—A knife-wielding man forced a Canadian Pacific Air-

mately 116,000 men who fit into the categories of draft dodgers or deserters.

He said that the board had found that "the applicants are not the stereotyped ideological war resisters. For the most part, the draft violations which we



Elusive Clemency . 2/17/74

When President Ford announced his clemency program for draft resisters last September, he described his goal as a "national commitment to justice and mercy," an effort to "heal the scars of divisiveness." Though severely flawed in many of its details, the program at least held out hope that a sincere beginning might be made to return its disaffected sons to the nation's fold.

Such hopes have been disappointed by the manner in which amnesty has been implemented. True, President Ford last month granted full pardon with much fanfare to eight civilians convicted of draft resistance and gave conditional clemency to ten others pending completion of their alternate service. Yet the majority of those eligible for clemency confront so many legal and procedural ambiguities that they are apparently finding it wise to shun such an uncertain offer.

The Department of Justice had in a number of instances used the clemency program as a means of prosecuting draft violators who, had they not inquired about their rights, would have faced no penalties. United States Attorneys have been instructed, in disregard of the constitutional protection against self-incrimination, to use the clemency program to elicit admissions from men who were neither under investigation or under indictment. In the absence of an official list of those eligible for clemency, the program could readily become a drag-net for the prosecution.

The Defense Department's procedures are even more questionable. They provide inadequate provisions for representation by counsel before the military board that

Amnesty Program Feeling The Pinch of Job Squeeze

Associated Press

WASHINGTON, Dec. 19 —

Rapidly increasing unemployment is making it more difficult to find jobs for men who sign up for President Ford's amnesty program, Draft Director Byron V. Pepitone testified today.

The low-paying jobs which many in the program "are willing to take, in order to discharge their responsibilities, are becoming more attractive to other people who had higher-paying jobs at the time we established the program" in September, he said.

In testimony prepared for a

12/19/74
gious, social and charitable organizations."

He said 2310 deserters have been processed by the Defense Department and 1569 have reported to draft offices and enrolled in the alternate service program. This compares with 1954 processed and 1429 signed up a month ago.

Mr. Pepitone said 131 draft evaders referred to Selective Service by U. S. attorneys have signed up for the program, compared with 103 a month ago.

Also one of 10 men convicted of draft evasion or desertion and referred by the presidential clemency board has report-

Possible Break For Deserters

Some Vietnam-era military deserters may soon have their dishonorable discharges upgraded to honorable, making them eligible for veterans' benefits, according to former Sen. Charles Goodell of New York, chairman of the Presidential Clemency Board.

Goodell, speaking before a Senate subcommittee yesterday, said the board will ask President Ford to "upgrade immediately" the "unusual (cases) in which justice unambiguously demands immediate corrective action."

Goodell said the board would recommend the most dramatic discharge changes for those men who served honorably in the military, including tours in Vietnam, but received less-than-honorable discharges when they deserted the military for personal rather than political reasons.

IN THE NEXT two weeks the board will recommend to the President more than 100 pardons for convicted draft dodgers and deserters. Goodell said. On

Ford plan allows those accused or convicted of evasion or desertion to escape punishment by serving up to two years of alternate service.

"The program suffers from insufficient public awareness," Goodell said, "and from confusion among potential applicants."

Subcommittee chairman Sen. Edward M. Kennedy, D-Mass., argued that the conditional nature of the clemency program is keeping most of those eligible from participating. "It is very powerful deterrent," Kennedy said.

While hinting he would recommend to the President that the program's Jan. 31 deadline be extended, Goodell said he doubted there would be an extension. "I don't think the President would extend it even if I would recommend it," Goodell said.

IN A CHALLENGE to one part of the deserter program, four former U.S. servicemen now living in Canada asked

19, 1974

NO EXTENSION DUE ON DRAFT EVADERS

Senate Panel Told of Poor Response to Program

By ANTHONY RIPLEY

Special to The New York Times

WASHINGTON, Dec. 18—Despite poor response to the program, Charles E. Goodell, chairman of the Presidential Clemency Board, held out little hope today that President Ford might extend next month's deadline for pardon applications by draft evaders and deserters.

Mr. Goodell, appearing before a Senate subcommittee, was asked by Senator Edward M. Kennedy, Democrat of Massachusetts, why so few had applied under the clemency program announced Sept. 16.

He said that "overwhelmingly" the reason was "lack of understanding—they don't know they're eligible."

Mr. Goodell said his board

I would not count on an extension," he added.

Senator Kennedy is chairman of the Judiciary Committee's Subcommittee on Administrative Practices and Procedures.

He called two days of hearings to review the program, stating that only 2.5 per cent of an estimated total of 131,000 persons "potentially eligible" had been processed.

The program has assigned to the Department of Defense all military desertion and absence cases where the serviceman is still missing. Draft law violations are handled by the Justice Department and the clemency board reviews both civilians and military men who have been convicted and punished.

Mr. Goodell said today that the military program had been expanded to offer even honorable discharges in some cases to men who return to duty.

"For those who were in the military service, the program may offer not only a clemency discharge, but now a full pardon as in civilian cases, and an automatic review by the military discharge review boards that could lead to a discharge under honorable conditions," he said.

letter from Philip Alford of New Orleans, refusing his clemency, which had already been approved by President Ford.

Mr. Alford's letter called it a "single crumb of charity" and asked members of the board "to use their consciences and request that the President grant the people of Southeast Asia clemency from the destructive and oppressive presence of United States war machinery in their homeland."

John E. Schulz, editor in chief of The Military Law Reporter, urged strongly that the Justice Department take steps to notify all those draft registrants whose cases have been studied and dropped.

He estimated that there were 20,000 such men who were innocent but "consider themselves as criminals."

Many are needlessly living underground, he said, introducing Alan K. Merkle of Detroit to the committee and saying he had been told by the Selective Service system and the Department of Justice that he was a violator but had not been told for three years that he had been cleared.

Proposal to Protect States

Ford's Pardon Given Back by War Resister

By JOSEPH VOLZ

Washington, Dec. 18 (News Bureau)—One of the first 18 Vietnam war resisters conditionally pardoned by President Ford turned back the pardon today in a confrontation with former Sen. Charles E. Goodell (R-N.Y.), chairman of Ford's Clemency Board.

Philip Alford of New Orleans, who had served 10 months of three-year sentence for draft-dodging when he was furloughed from prison last September in preparation for the pardon, sent a friend to confront Goodell, who had emerged from testifying before a senate judiciary subcommittee.

Goodell had been trying to explain to the subcommittee why the applications of only 20% of the estimated 131,000 young men who might be eligible for clemency had been processed.

"Clemency" for Asians

In a letter handed to Goodell, Alford said that "a single crumb of charity is not enough to manipulate thousands and thousands of men's consciences." He said that Goodell and other Clemency Board members should "request that the President grant the people of Southeast Asia clemency from the destructive presence of

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AMNESTY 12-18

WASHINGTON (UPI) -- DESPITE THE POOR RESPONSE, PRESIDENT FORD PROBABLY WILL NOT EXTEND THE JAN. 31 DEADLINE ON HIS OFFER OF CLEMENCY TO VIETNAM WAR RESISTERS, ACCORDING TO CLEMENCY BOARD CHAIRMAN CHARLES GOODELL.

"I THINK THIS IS THE ONLY CLEMENCY PROGRAM YOU ARE GOING TO SEE IN THE NEAR FUTURE," GOODELL SAID WEDNESDAY, NOTING THE DEADLINE IS ONLY SIX WEEKS AWAY.

GOODELL TOLD A SENATE JUDICIARY SUBCOMMITTEE HIS PANEL WOULD MAKE 100 MORE CLEMENCY RECOMMENDATIONS TO FORD WITHIN TWO WEEKS, MOST OF THEM FOR MILITARY DESERTERS.

ONLY 800 OF THE 119,000 MEN WHO EVADED THE DRAFT, WENT AWOL OR DESERTED BETWEEN AUG. 4, 1964, AND MARCH 28, 1973, HAVE APPLIED FOR AMNESTY SINCE THE PROGRAM BEGAN SEPT. 18, GOODELL SAID. THE PROGRAM EXPIRES JAN. 31.

HOWEVER, GOODELL SAID, "I DON'T THINK THE PRESIDENT WOULD EXTEND IT EVEN IF I WOULD RECOMMEND IT."

GOODELL SAID HIS BOARD WAS PREPARING MORE THAN 8,000 LETTERS TO BE DELIVERED TO THE LAST KNOWN ADDRESSES OF SOME OF THE DRAFT EVADERS ELIGIBLE FOR THE PROGRAM. BUT HE ACKNOWLEDGED THERE WAS LITTLE CHANCE THEY COULD BE ACCEPTED INTO FORD'S "EARNED REENTRY" PROGRAM BEFORE THE DEADLINE.

"THE CLEMENCY BOARD IS NOT IN THE BUSINESS OF TRYING TO RECRUIT, SOLICIT OR PERSUADE," GOODELL ADDED.

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Amnesty 300

By JERRY T. BAULCH

Associated Press Writer

WASHINGTON 2APz — Rapidly increasing unemployment is making it more difficult to find jobs for men who sign up for President Ford's amnesty program, Draft Director Byron Vm Pepitone testified today. The low-paying jobs which many in the program "are willing to take, in order to discharge their responsibilities, are becoming more attractive to other people who had higher paying jobs at the time we established the program," in September, he said.

In testimony prepared for the Senate Judiciary subcommittee on administrative practice, Pepitone said:

"We merely have to work harder to find jobs which we thought would be available when we made our calculations in September. We have been able to establish a series of regional coordinations which we believe will make jobs available to our state directors."

The national unemployment rate is at 6.5 per cent and rising, according to government statistics.

Selective Service state directors have the task of assigning men to programs or approving jobs they get on their own.

Pepitone said help is coming from "national religious, social and charitable organizations."

He said 2,310 deserters have been processed by the Defense Department and 1,539 have reported to draft offices and enrolled in the alternate service program. This compares with 1,954 processed and 1,429 signed up a month ago.

Pepitone said 131 draft evaders referred to Selective Service by U.S. attorneys have signed up for the program, compared with 103 a month ago.

Also one of 10 men convicted of draft evasion or desertion and referred by the presidential clemency board has reported so far.

The draft chief noted that part of the lag is caused because men have 15 days to report and enroll after being processed.

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Draftee Clemency Program Is Assailed

By ANTHONY RIPLEY

Special to The New York Times

WASHINGTON, Dec. 21— President Ford said it was an "act of mercy" when he offered a clemency plan Sept. 16 to Vietnam era draft evaders and deserters.

This week Senator Edward M. Kennedy, Democrat of Massachusetts, held two days of hearings and reported that the quality of that mercy was strained.

"Even judging the program within the limitations imposed by President Ford," Mr. Kennedy said, "I find it difficult to understand why so many eligible individuals have not been notified, why so many discrepancies in the treatment of participants exist in the different programs, why the benefits for some are so limited and why a program conceived in a spirit of compassion and reconciliation may impose greater penalties on an individual than the normal military or judicial process.

Witnesses testified that only 3 per cent of those eligible had applied for clemency, with the

service to win a clemency discharge.

The military, he said, considers only previous conduct, medals, combat duty, wounds and the type of work done by the man after he deserted the service.

Henry Schwartzschild, director of the Project on Amnesty of the American Civil Liberties Union, said that such an approach was "punitive" and rewarded only the "super soldier."

The Justice Department takes into account such things as family pressure, mental capacity and lack of education when assigning alternative service to draft evaders.

Additional Considerations

The Presidential Clemency Board takes all the military and Justice Department guidelines into consideration and adds more. It also considers time already spent in prison, the depth and sincerity of ethical or religious belief and such things as the inability of a combat soldier to adjust to garrison life.

The A.C.L.U., representing

torney General William B. Saxbe had ordered that all cases be reviewed, but said he could not promise an entirely accurate list. Senator Kennedy pressed for a list by Jan. 20 that would be final and close the door on further prosecutions of draft evaders growing from the Vietnam war. But he got no firm promise from Mr. Maroney.

Criticism on Sentencing

The Justice Department was also criticized for imposing only the maximum 24-month sentence of alternative service in its New York City and San Francisco offices. Mr. Maroney said he would investigate it.

Senator Philip A. Hart, Democrat of Michigan, went over the Justice Department guidelines for assigning alternative service and commented:

"Hardship and ignorance seem to be the only way to get less than 24 months."

The Presidential Clemency Board has handled only 800 cases of an estimated 100,000 men thought to be eligible to appeal, or less than 1 per cent. This group includes 8,700 who have been through the courts and prison and an additional

Tough Job for Goodell May Strengthen His Future

By JAMES WIEGHART

Washington, Oct. 3—President Ford's appointment of former New York Sen. Charles Goodell to head the Presidential Clemency Board was itself an act of executive clemency in that Ford gave Goodell the opportunity to rehabilitate his image as an orthodox Republican.

Not that Goodell ever really strayed from the principles of Abe Lincoln's Grand Old Party. During his seven years in the House, Goodell established himself in the inner circle of new—and conservative—Republican leadership. He

and President Nixon—and they combined to purge him in 1970.

So now comes Ford, not one to forget a friend, and Goodell is on the comeback road at the still young political age of 48.

But Ford's act of kindness is not all that kind, considering the problems



Goodell and his nine-member Clemency Board face. It lacked the sweeping forgiveness of the pardon Ford gave Nixon, which excuses all crimes known and un-

as being too lenient and by the left as being repressive.

And the vast majority of middle Americans, who have not become polarized on the issue of how to bring the alienated young war resisters back into the country as a first step in healing the divisions created by the Vietnam war, are simply confused by the complex—and in many ways inequitable—clemency plan.

The confusion resulted partly from the fact that the public debate centered on amnesty, or forgiveness without punishment, while Ford's program was for clemency with reduced punishment in the form of alternative service in low-paying jobs for up to two years.

antiwar sentiment was exceptionally strong may not have to serve any alternative service, while those processed by hawkish U.S. attorneys might be required to empty bedpans for two years.

Undesirable Discharges

Then there is the unplugged loophole under which deserters who chose to accept undesirable discharges cannot be forced to perform the alternative-service punishment which would entitle them to a new, clemency discharge.

Although this is the most visible and controversial part of the clemency program, Goodell and his board have absolutely no power over it—except to

1/2/75
BUFFALO EVE

Ford Signs Pardons for 18 Evaders

VAIL, Colo., Jan. 2 (AP)—President Ford has signed 18 pardons and approved 29 clemency actions under his conditional amnesty program for convicted Vietnam draft resisters and deserters.

In a statement, he said he acted on the recommendation of the Presidential Clemency Board headed by former Sen. Charles Goodell (R., N. Y.).

The pardons went to 18 convicted draft evaders who never served in uniform. Nine were effective immediately and the other nine will take effect, Mr. Ford said, "conditional upon the recipients earning their way back into society by alter-

Clemency Board Asks Ford For Three-Month Extension

News Washington Bureau

WASHINGTON, Jan. 14 — Chairman Charles E. Goodell said today the Presidential Clemency Board has unanimously recommended that President Ford extend the clemency program it administers for at least three months beyond its Jan. 31 expiration date.

The board feels it needs more time to find individuals who wish to participate. Mr. Good-

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recommended, along with an eventual pardon. In all 65 cases, the President accepted the board's recommendations.

But despite appeals in the news media urging others to ask for clemency, the response thus far has been small, the Clemency Board chairman said.

The Clemency Board deals with draft resisters who remained in this country. The

MARY McGRORY

A Ford Decision on Unpopular Conditional Amnesty

By Mary McGrory
Star-News Staff Writer

Any day now, President Ford will have to decide whether to extend the January 31 deadline for applicants to his so-called "leniency," the punished and unpunished Vietnam deserters exiles and draft-resisters.

So far, his program, announced with much fanfare last August, just in advance of the Nixon pardon, has proved no more popular than the war which necessitated it. Of the 100,000 who applied, only 10,000 were accepted.

cutted or threatened the individuals who fled the draft, has no vigorous proponents and neither does the Defense Department.

IT IS THE involvement of the two agencies most vividly identified with the trauma of the Vietnam era which has proved the fatal flaw in what is universally held to be a jerry-built program snarled in red-tape and rife with inequities.

One new agency, such as the Clemency Board, to fit all might have convinced the outsiders of good will. One element is the

able. While they must sign a pledge to do alternative service, the provision is unenforceable, and the homecoming men are free to take their undesirable discharges and go.

Henry Schwarzschild of the American Civil Liberties Union, a bitter critic of the current amnesty policy, called the military set-up with its big loophole "an open invitation to lie."

Point of View

those who are in jeopardy so those who are not can come home free.

At recent Senate hearings on the "leniency" enterprise, Sen. Edward Kennedy, D-Mass., pointed out that the fugitive or exile was potentially better off before Ford decided to bind the country's wounds. Of late years, justice has successfully prosecuted only a third of its draft offenders and jailed a mere 10 percent. Leniency, Kennedy noted, guaranteed "a 100 percent conviction rate," since all who present themselves are subject to some form of

federal civil rights, others pardons conditional on performance of alternative service, generally in line with their remaining jail or stockade time.

THE ACLU is pressing Goodell to wring from the Pentagon automatic upgrading review of the new "clemency discharges," which the military class with "undesirable discharges." Goodell is locked in struggle with the Department of Defense, which is resisting the grant of good discharges so valuable on employment applications to

Expiring Amnesty Project Plans TV Plea to Eligibles

By ANTHONY RIPLEY

Special to The New York Times

1/7/75

WASHINGTON, Jan. 6 — With the response to President Ford's conditional amnesty program for Vietnam draft evaders and deserters remaining poor and with less than four weeks left to sign up, the Presidential Clemency Board announced today a national radio and television campaign to stir interest in the program.

The Clemency Board runs

ice time on radio and television. He said that he did not believe the President would extend the deadline.

"It would be a mistake for anyone to count on an extension", he said.

Mr. Goodell maintains that the major problems are ignorance of the program and a "general lack of trust in government."

Clemency Panel Planning TV Ads to Spur Response

By Stephen Isaacs

Washington Post Staff Writer

The presidential Clemency Review Board is undertaking a nationwide television and radio campaign to try to salvage its flagging program for Vietnam-era military violators.

As of yesterday morning, only 890 of the more than 90,000 Americans convicted of Selective Service offenses between 1964 and 1973 have asked the board for clemency.

Of the 6,200 Americans indicted or under investigation by the Justice Department for draft evasion, only 167 have turned themselves in.

Of the 13,000 military deserters, 2,627 have submitted to authorities at Indiana's Ft. Benjamin Harrison, and of those, 500 already were in military custody.

The clemency program expires Jan. 31.

Clemency Board Chairman



CHARLES E. GOODELL

... defends program

retired Marine commanding general in Vietnam, and Fa-

Clemency Board Planning TV Spots to Spur Response

CLEMENCY, From A1

Mrs. O'Connor's tape has gone to 71 radio stations in the nation that broadcast in Spanish, while the others have gone to 2,100 radio stations and 268 television stations in the largest 100 cities.

Each of the spots warns that applications must be made before the end of this month.

Says a portion of one of Father Hesburgh's commercials:

"You may recall that I spoke out for a long time against the Vietnam war. Now I'm also working with the President's Clemency Board.

"Most important to me as a priest and an educator, our program is conceived in the tradition of forgiveness. The best evidence of this is to read the decisions made thus far.

American Civil Liberties Union, advising draft and military violators to check their options before submitting applications to one of the three clemency apparatuses set up by the Ford administration in September.

"This is a bad program, badly designed," ACLU executive Henry Schwarzchild said from New York yesterday. "Its principal purpose is to indicate that war resisters were wrong. This program is a hype, and a useless one."

Goodell insisted yesterday that the program was not a failure.

"I wouldn't call this program a bust, by no means," he said. "Unfortunately, we are not reaching all those that we'd like to. But any program

is handling deserters and the Justice Department is handling evaders who have not been convicted.

At Justice, spokesman John Russell said that about 6,000 men have been indicted, and about 200 more are still under investigation.

Of the 167 who have turned themselves in, he said, all have signed up for alternative service, with 90 per cent of receiving 24 months' service and the rest somewhat less, ranging down to a year's.

Of the 6,200, said Russell, the Justice Department figures that around 4,000 are in Canada, another 1,000 are in other parts of the world and the rest are still at large in the United States.

1/7/75 * * * WSS
Clemency Board Chairman Charles
Goodell said President Ford granted 12 un-
conditional pardons and 35 requiring alter-
native service, accepting the board's recom-
mendations. The panel deals only with those
already convicted of draft dodging or deser-
tion. Goodell said TV and radio ads are
planned to promote the amnesty program.

Amnesty plan near deadline: no extension?

By Guy Halverson
Staff correspondent of
The Christian Science Monitor

Washington

Will the sudden upsurge of interest in President Ford's Vietnam amnesty plan in recent days be enough to win extra time for applicants to sign up?

Earlier this week, Clemency Board chairman Charles Goodell indicated that the program would not be extended beyond Jan. 31.

This surprised some officials connected with the program, who had expected an extension (which can only be ordered by Mr. Ford himself).

The Pentagon is reporting a flurry of applications since a Goodell press conference Jan. 6 and a spate of radio and television commercials that followed.

Even that, clemency officials concede, may not be enough. To date, only 3,694 individuals out of some 118,000 eligible under the total plan have applied.

Little likelihood?

The clemency-review program for individuals who have made application, it is noted here, does not expire until Dec. 31, 1976.

Privately, some White House officials think that there is little likelihood of an extension. In a press conference this week spokesman Ron Nessen said the President has made "no decision" to extend the program.

The Clemency Program

1/9/75
W. Post

TO JUDGE BY the numbers of participants, President Ford's Vietnam clemency program has failed. Since September, only 890 of 90,000 convicted draft offenders, 167 of 6,300 men sought for draft evasion, and 2,627 of 13,000 deserters have come forward to take an oath of allegiance and perform alternate civilian service in order to win clemency. To attract more draft offenders before the clemency program expires on Jan. 31, the President's Clemency Review Board, which handles their cases, has launched a nationwide media campaign to publicize the program and deadline. The Justice Department, which handles cases of men sought for draft evasion, and the Defense Department, which treats military deserters, are making no similar effort.

The media campaign is based on the premise that lack of awareness and information has kept men from seeking clemency. But the terms of the clemency, in the would-be participants' eyes, is surely a deeper explanation. For instance, for draft offenders to endure the rigors of alternate service for a pardon that does not erase the conviction, as only amnesty would have, hardly seems worth the trouble. For draft-evasion suspects to do alternate service in order to have charges dropped—when such charges are being only intermit-

the individuals to whom it was proposed, then it has nonetheless had other effects in the society at large. The program created at the time an impression of personal good faith on the part of President Ford, who was seen to be acting with mercy toward a group of citizens whom his predecessor had cast into darkness. And it has all but completely removed the amnesty issue from public and political debate.

We ask, however, if the matter should be left there. For we believe there are persuasive reasons, even if there are not the same powerful pressures, for Mr. Ford to turn his attention again to the matter of clemency. Suppose that last September Mr. Ford had predicted that his clemency offer would be accepted by one, two and 20 per cent, respectively, of those in the three categories of Vietnam violators. The offer would have been instantly denounced as a sham. Given the difficulties of designing a fair and effective program, rather than just making a magnanimous gesture, it is no reflection on either Mr. Ford's good faith or his drafting skill that the program he came up with was so unappealing to the individuals supposedly intended to benefit from it. But it would be a reflection on him now if he did not treat the experience of the last four months as an experiment—and an argument for draw-

Clemency Board Will Seek an Extension

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11/15/74
The Washington Star-News

WASHINGTON, Jan. 14 — Charles E. Goodell, chairman of the Presidential Clemency Board, said today that he would ask President Ford within the next few days to extend the life of the board beyond its Jan. 31 expiration date.

Mr. Goodell said that the other members of the board were unanimous in wanting its life extended but he said he did not think the President would agree with them.

The board chairman said that advisers to the President were telling Mr. Ford that he would avoid political controversy in the future by simply letting the whole leniency program end as scheduled.

The board is one of three parts of the leniency program that Mr. Ford set up last fall to provide an opportunity for

taken advantage of the program.

Most of those eligible for clemency under the board's jurisdiction are military men who were convicted of desertion. Many of them, Mr. Goodell said, are in the lower mental and income categories and may either not have heard of the program, do not understand it or do not know how to take advantage of it.

So far, the board has received only about 1,100 applications for clemency. But 250 of those have come in the last few days as the result of the publicity generated by a news conference last week and public service announcements broadcast by two members of the board.

The President has granted 65 pardons so far—20 of them outright pardons and the remainder conditioned on a brief period of public service work.

amnesty for not helping those who are eligible under the current program.

"I am not at all happy with liberal groups like the American Civil Liberties Union and some church groups," he said. "They want unconditional amnesty. They have confused the issues. They have refused to defend people—in effect saying, 'We won't defend you because we don't like the law.'"

The result, Mr. Goodell said, is that some men who might be eligible for the program are not getting advice on how to take part in it.

Wash Post 1/21/75
Clemency Board

To Publicize Plan

With only 11 days left of President Ford's clemency program, the Presidential Clemency Review Board announced yesterday its members will fan out across the nation to spread the word about the plan.

Board Chairman Charles E. Goodell said they will go to the big cities, with the largest television markets, to hold news conferences and make themselves available for interviews. Goodell said the decision was prompted by the upsurge in applica-

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CLEMENCY BOARD TO BROADEN DRIVE

Members Will Travel Over U.S. to Offer Advice

WASHINGTON, Jan. 20 (UPI) —The Presidential Clemency board, buoyed by the response to its broadcast campaign for applicants, said today that its members would travel across the country in the next two weeks trying to reach even more potential candidates for amnesty.

The board's chairman, Charles E. Goodell, said he had



CBS Refuses Amnesty 'Spots,' Citing Fairness Doctrine Claims

1/21/75

By LES BROWN

The Presidential Clemency Board in its drive on national radio and television to stir interest among Vietnam war draft evaders and military deserters in President Ford's conditional amnesty program, has met resistance at CBS, which has declined to carry the public-service spot announcements.

Network officials have explained that the spot announcements were rejected, for both radio and TV, because they provoked claims for time under the fairness doctrine by groups that consider the President's program controversial.

The Federal Communications Commission's fairness doctrine requires broadcasters to pre-

groups, among them the National Council for Universal and Unconditional Amnesty, which has requested reply time to the President's messages under the fairness doctrine.

The National Council of Churches and the American Civil Liberties Union had also prepared a television spot, featuring Burt Lancaster, which tells deserters that they have options other than those under the President's program and offers a phone number to call for advice.

CBS has also declined to carry this spot, although it had been cleared by the standards and practices department as noncontroversial.

NBC and ABC have been carrying both the White House announcements and that of the National Council of Churches

92 Beaman St
Boston 02108

Dear Senator ^W
Goodell

The 2 cardinal
virtues

over

Courage

Compassion,

Bless you, + don't
give up. - We

need men today

that have "Guts"

& their sense of honor

this war was brutal
& undeclared - They

are right, the war was wrong.



Sincerely
Your Admirer
Alice P. Shouffery

600

May you enjoy success and happiness through all the days and months of the new year ahead.
A good heart is better than all the heads in the world.

Senatorial Goodell

Four months' amnesty not enough

President Ford's clemency program for draft evaders and deserters expires Jan. 31, and there seems to be no great enthusiasm for its extension.

Expiration presumably means that the harsh strictures of military and civilian justice will be reapplied. They are unlikely to be, in practice. Only the most vindictive among us want the Federal lockups filled with pacifist martyrs.

The other, and more likely, alternative is "benign neglect" of the situation by the prosecutors of Justice Department and Pentagon. This would leave exiles and fugitives in the limbo they have elected to occupy.

Such a course seems unsatisfactory. It requires the authorities to ignore the law. And it gives the deserters and draft evaders some superficially plausible grounds for arguing that they are oppressed.

The Ford program has been characterized as a failure. Hard-

DAVID B. WILSON

are unrepentant, or find their present circumstances preferable to entanglement with the government, or simply do not know or care.

And no act of the Federal government is likely to reconcile those who still believe military service to be a duty and obligation and those who regard it as offensive to conscience.

Clemency never could have and never can heal completely the division on this philosophical issue or on the more visceral matter of the war, itself. But that does not mean that clemency was either unfair or unwise.

As a public policy, it offered a way by which those who had chosen to desert or to defy the law could clarify their status and resolve, at some cost to them, their difficulties with the government. It is a policy more forgiving than

for the view that the Resistance both prolonged hostilities and rendered disengagement more difficult.

The fact is that the Ford program avoided martyrdoms and organizations and dealt, exceptionally well, with the political realities.

No government can publicly countenance desertion from the military or evasion of conscription and expect to have people willing to pay their taxes or refrain from mutual predation or serve in the armed forces.

If the clemency program expires on schedule, the stage will be set for renewal of acrimonious and divisive debate in Congress and the media on the question of unconditional amnesty. It is hard to see how such an argument could contribute to the "healing" of the wounds still festering from the war.

Four months of clemency seems somehow less than adequate in the

Plot 1/20/1975

ot

FIFTEEN CENTS



Religious Leaders

Cheers!

Renew Appeals

For Full Amnesty

~~By Jim Castelli~~

WASHINGTON (NC) — The president of the Conference of Major Superiors of Men (CMSM) and Bishop Francis Mugavero of Brooklyn have issued separate calls for an unconditional amnesty for Vietnam war resisters to replace the Ford administration's clemency program, scheduled to end Jan. 31.

Divine Word Father Joseph Francis, CMSM president, called the clemency program a "failure" and

mere 163 of 6,300 known draft evaders whose cases have not been previously settled have reported to the Justice Department. Only 2,627 of 12,500 eligible unconvicted deserters have chosen to report to the Department of Defense.

"Most significantly, of the more than 500,000 Americans who received less than honorable discharges during the Vietnam war era, only 100,000 were declared eligible to apply to the President's Clemency Review Board and of these only 890 have actually applied," he said.

Half of Participants Not Working

U.S. Amnesty Job Program Faltering

By Jay Mathews

Washington Post Staff Writer

More than half of the draft evaders and deserters who have signed up for President Ford's amnesty program have yet to find alternative service jobs and in the Washington area 25 per cent apparently have dropped out of the program, selective service officials said yesterday.

The president's program to free draft evaders and deserters of criminal charges in exchange for alternative

service obligation even though they are not doing work, said Selective Service director Byron V. Pepitone.

Of the 114 deserters and seven draft evaders who have enrolled in the alternative service program in Maryland, Virginia and the District, 72 individuals have yet to find jobs and 30 appear to have left the program.

Nearly half of the 35 former deserters who have applied for alternative service jobs in Maryland have refused to look for work, refused to report to work found for them or quit work to which they were assigned, said Col.

held jobs for any length of time. He said he thought it unrealistic "to expect these people to turn themselves into fine upstanding citizens and take a low-paying job for two years."

Nationwide, Pepitone said, about 200 of the 2,250 deserters so far enrolled in the "earned amnesty" program "have demonstrated a high noncooperative attitude with respect to employment.

With one week to go before the Jan. 31 deadline for applying for the amnesty program, 3,579 former deserters have passed through the Defense Department's processing center at Ft.

Most Draft Evaders and Deserters in Canada Reject Ford's Amnesty Plan

By WILLIAM BORDERS

Special to The New York Times

TORONTO, Jan. 25—As President Ford's conditional amnesty program nears its scheduled expiration, most of the draft evaders and deserters that it was intended to coax back from Canada are still here, with no plans to return.

"It's a punitive program," said a 25-year-old draft dodger named Charles Stimac, expressing the view that has prevailed among the young American exiles here since the program was

—they are generally reluctant to pull up stakes for a period of alternative service in the United States.

"Does President Ford really expect me to sell my house, take my son out of school and kiss my job good-bye to go to work in a hospital somewhere in the states?" asked an Army deserter who is now a food company executive in Vancouver.

Like many of the deserters and draft dodgers (terms they use themselves, with no sense of opprobrium), the Vancouver-

could visit his parents in the United States without fear of arrest. But in any case he plans to continue to live in Canada.

No one knows how many young American exiles there are in Canada, because the Ottawa Government views their military status at home as irrelevant and keeps no records that would tell. But well-informed estimates range from 7,000 to 10,000.

In Washington, spokesmen for the agencies handling the three categories of delinquents—fugitive deserters, fugitive

report a sharp upsurge in the number of participants in the amnesty program as the Jan. 31 deadline approaches.

But they point out that a large percentage of the people whom the three-part program was aimed at were already in the United States when it began.

A Defense Department spokesman said that of the 3,300 deserters who had been processed under the "earned re-entry" program by this week, 204 had come from Canada.

Spokesmen for the Presiden-

for the Justice Department, which had processed 265 draft evaders, both said that they had no breakdown on how many had come from Canada. But there were indications in Canada that the numbers were small.

According to the National Council of Churches of the United States, 6,000 people have telephoned the information offices of the amnesty program that were established in four Canadian cities last September.

"The overwhelming majority

according to Donald Marks, who has been manning the phones in Winnipeg.

Mr. Marks, who like most of the people involved in the telephone counseling strongly opposes the earned re-entry idea reported, however, that in some cases the existence of the program had led to the resolution of a man's problem without participating in it.

For example, there are men in Canada who discovered just this winter that they had never been indicted, or that charges pending against them

EG

WEDNESDAY, JANUARY 29, 1975

What Went Wrong With Amnesty?

By RICHARD J. LEVINE

WASHINGTON—President Ford's conditional amnesty program has flopped and now the experts are trying to figure out why.

The program began last September with Mr. Ford hoping it would "bind up the nation's wounds" after the Vietnam war. But the program has failed to meet its two main goals: It has neither dampened the debate over the morality of the war nor reached the vast majority of Vietnam-era draft dodgers and deserters.

The American Civil Liberties Union says it failed "not only statistically, but so morally and humanly." The Associa-

3,400 have applied to the board, which is empowered to make recommendations of clemency to the President on a case-by-case basis.

Those convicted of draft evasion may receive a presidential pardon. For ex-servicemen, the board may recommend that a clemency discharge be substituted for their punitive or undesirable discharge. In most cases, alternate service is required.

In the view of Mr. Goodell, a long-time critic of the Vietnam war, "lack of knowl-

think that a legal loophole in the program may be a bigger factor.

Pentagon officials have conceded publicly that if a deserter decides after receiving his undesirable discharge not to perform the alternate service, there is little the government can do about it—other than to deny him a clemency discharge. As a result, a deserter can pick up an undesirable discharge—not a highly sought trophy but better than continued fugitive status—simply by spending 24 hours at Ft. Benjamin Harrison.

As the midnight Friday

The Justice Department's Efforts

Amnesty Deadline Extended to March 1

By ANTHONY RIPLEY

Special to The New York Times

WASHINGTON, Jan. 30 —

President Ford today extended until March 1 the deadline for Vietnam-era draft evaders and military deserters to apply for clemency.

In a statement issued by the White House, Mr. Ford said that he had reviewed the program, and "I believe that many of those who could benefit from it are only now learning of its application to their cases."

He said that there was a "significant increase in the number of applications and inquiries over the last few

ated by the publicity campaign and the old Jan. 31 deadline for applications, participation in the program has increased from 3 per cent to 6 per cent.

Charles E. Goodell, chairman of the board, said that all members "were pleased by the extension."

"I think it is a reasonable response to our request," he added.

Mr. Goodell has long maintained that the poor acceptance of the program was attributable to ignorance on the part of those who might benefit from it. He said that the nationwide media campaign by the Clem-

The board had recommended an extension of the program. The Justice Department and the Defense Department, which handle separate parts of the program, declined to say what recommendations they had made to the President.

However, sources at the White House said that they had

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Who's who in 'kitchen cabinet' 1/30/75

By Godfrey Sperling Jr.

Staff correspondent of
The Christian Science Monitor

Washington

Members of President Ford's "kitchen cabinet" have ready access to him, and he listens carefully, often taking notes and ordering his staff to investigate their recommendations.

Yet some members of the "cabinet" are unsure just how effective their advice is.

This is the mixed picture that emerges from conversations with several members of the "cabinet," which is made up of some longtime friends of Mr. Ford from his days in Congress. Some are still in Congress; others have left.

The President is pictured as accessible, affable, interested, courteous. Sources are guarded in their comments, and generally avoid discussing specific issues.

On at least one occasion, however — the timing of the pardon for former

Adviser to presidents Bryce Harlow also has special-access status. The President talks to Mr. Harlow on occasion. But Mr. Harlow, unlike the others in this group, makes a point of not initiating these get-togethers with Mr. Ford.

Several others also enjoy this "special friend" privilege, including Rep. Albert H. Quie of Minnesota and Elford A. Cederburg, of Michigan, minority House leader John J. Rhodes of Arizona, and Rep. John B. Anderson of Illinois. Among these last-named individuals, some use this opportunity for talking to the President more than others. Mr. Quie says he only talks to Mr. Ford about agriculture matters.

William G. Whyte, vice-president of U.S. Steel, is also said to be a part of this coterie of informal presidential advisers. This cannot be confirmed. But it is on the record that Ron Nessen, White House press secretary, said flatly that the President was not



By R. Norman Matheny, staff photographer

Goodell—in inner circle

fluence. . . . Once in a while I advise on specific issues, but we don't go into details. My advice is usually along the lines of how to set up the adminis-

Ford Extends Clemency Plan Until March 1

By Lou Cannon

Washington Post Staff Writer

President Ford yesterday gave Vietnam war draft evaders and deserters another month to avail themselves of the administration's clemency program.

"I believe that many of those who could benefit from it are only now learning of its application to their cases," the President said in a statement.

The program, which was scheduled to expire at midnight tonight, was prolonged until March 1 by the President's proclamation. White House press secretary Ron Nessen said he did not expect any further extension.

Aided by a public service advertising campaign on radio and television, the number of applicants seeking to take advantage of the program has increased sharply during the

No one in the administration was willing to forecast what the eventual number of applications might be under the extension of the clemency program. But a spokesman at the presidential Clemency Review Board, headed by former New York Sen. Charles E. Goodell, said that applications were now coming in at the rate of 300 a day.

President Ford took two other actions yesterday, one of them designed to further trim the size of a federal budget, which now has a deficit approaching \$35 billion, and the other aimed at stimulating the recession-dampened economy.

In an effort to put more money into the hands of consumers the President ordered the Veterans Administration to speed up dividend pay-

CSM

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Friday, January 31, 1975



EDITED BY BERTRAM B. JOHAN

Ford clemency program extended to March 1

Washington

Thousands of Vietnam war draft evaders and deserters will have one additional month to take advantage of President Ford's conditional clemency program.

Mr. Ford, reporting heightened interest in his program, announced Thursday he is extending it to March 1. In the absence of action by the President, the program would have died at midnight Friday.

Although only about 7,400 out of an

* * *

The conditional amnesty program for draft evaders and deserters was extended one month to March 1. The White House cited heightened interest in the plan, which is being promoted through ads. As of Tuesday, however, only 7,400 of the estimated 137,000 men eligible for the program had signed up.

WSJ

1/31/76

Charles Goodell Acting Coy About Outlook for Cabinet Post Under Ford

© Washington Star-News

WASHINGTON — Ask Charles Goodell if he is going to be the next attorney general and you get a categorical "no." Neither President General R. Ford nor

get some other cabinet post or other government position and you get a wide, beatific smile that grows broader during at least 30 seconds of science.

Goodell, 48, an attorney

Clemency Board, and is a partner in the Washington law firm of Hydeman, Mason and Goodell.

As congressman from 1959 to 1968, Goodell was a flamboyant supporter of civil rights; he

funds for the Equal Employment Opportunity Commission; He developed American participation in the war in Vietnam as early as 1967.

But when people remember

Michigan, unhorsed Rep. Charles A. Halleck, R-Ind., as House minority leader in 1965 and gave the job to Gerald Ford.

Shortly afterward, Ford reciprocated by creating the

attention in 1968, when he was appointed by then New York Gov. Nelson A. Rockefeller to fill the Senate seat left vacant by the assassination of Robert Kennedy. In 1969, he introduced

earned him the undying hatred of the Nixon administration. "They were very hard people," Goodell says mildly. "If you weren't 100 per cent with them, you were their enemy."

As the enemy, Goodell was

leased and his polemics did the job. "They were vindictive," says Goodell, "in drying up his sources of campaign money, and James L. Buckley, the Conservative won the Senate seat."