

The original documents are located in Box 8, folder “News Clippings (3)” of the Charles E. Goodell Papers at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Charles Goodell donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

Vietnam Clemency

2/4/75

NO DOUBT THE recent spate of publicity about President Ford's Vietnam clemency program has helped bring it to the notice of a number of the 100,000 convicted draft offenders, the 4,400 men sought for draft evasion, and the 13,000 military deserters who might otherwise have failed to get the word. And to reap more of the potential benefit of that publicity, it makes sense that Mr. Ford has just extended the program's lifetime by a month, to March 1.

To regard details of publicity and deadline as the only aspects of the program requiring attention, however, is to mistake the true nature of the problem which, by his clemency offer, Mr. Ford presumably in-

But until now only about four per cent of the convicted draft offenders, the largest category, have applied for clemency. In the two other categories, men sought for draft evasion and military deserters, the respective percentages stand at eight and 33.

In brief, the substance of the Ford clemency offer is faulty. It has been tested in the "marketplace" and found wanting. Overall, the program simply does not make it sufficiently worth a Vietnam resister's while to take advantage of it. One apparent flaw is that draft offenders, who have already paid a substantial penalty, may be asked to do a term of alternate service to receive a presidential pardon that still leaves the original conviction on their records. A second flaw is th-

N.Y. L.J.

2/6/71

Business-Financial Notes

By Thomas W. Hart

Draft Law Material Available on Microfilm

The general rejection of President Ford's offer of qualified clemency has left the legal status of more than 100,000 Vietnam war resisters still clouded by uncertainty.

Many of those charged with desertion from the armed forces, with failure to register with Selective Service, or with refusal to appear for induction have already indicated their resolve to seek redress from the courts. They are likely to be joined by thousands of others whose cases are pending.

Lawyers on all sides of the

back-file and current periodicals, government documents, newspapers and doctoral dissertations, as well as more than 110,000 out-of-print books of which it reproduces single xerographic copies on demand.

Information may be obtained from Xerox University Microfilms, 300 North Zeeb Road, Ann Arbor, Mich. 48106.

BLUMBERG, SINGER, ROSS, GOTTESMAN & GORDON
245 PARK AVENUE
NEW YORK, N.Y. 10017



Charles E. Goodell, Esq.

1225 19th Street, N.W.

Washington, D.C. 20036

... reports re-
... within the
... at a briefing
... at Hollywood,
... use press sec-
... sen was asked
... ility that Rich-
... eplace Kissin-
... no validity to
... Nessen said.]
... eaking to re-
... was sworn in
... etary of State
... , dismissed a
... d by the Chi-
... that he be-
... would resign
... nd that Rich-
... would replace
... s quoted Brit-
... ho had inter-
... on on Monday
... new ambassa-
... gave himself a
... of ...
... even ...
... old ...
... his ...

The former Attorney General leaves for London this weekend.

WP-212615

Clemency Plan Extension Sought

United Press International

President Ford has been asked to extend for another 30 days his Vietnam war clemency Program, which will expire Saturday, White House sources said yesterday.

Charles Goodell, Chairman of the President's Clemency Board, met with Mr. Ford at the White House Monday to request a second extension of the deadline for war resisters and deserters to apply to the board, the sources said.

Mr. Ford made no commitment, a spokesman said.

The program originally was scheduled to expire at

Jobs Scarce For Clemency Participants

2/26/75 W.P.
Associated Press

High unemployment is complicating the task of finding jobs for participants in President Ford's clemency program, Selective Service Director Byron V. Pepitone has said in releasing the latest figures on the program.

Of the 4,036 men who have reported to Selective Service officers for alternate service, 850 are employed in public service jobs. Most of the others are in the 30-day period allowed for job hunting, Pepitone said in an interview.

However, Pepitone said another 108 have dropped out of the program for various reasons. He cited the case of a truck driver in Mi-

a209

u lbylczzcqyyv WX

BULLETIN

Ford-Clemency

WASHINGTON AP - President Ford announced "a final extension," Friday on his clemency program for Vietnam era draft evaders and deserters until March 31.

cz1246ped Feb. 28

a210

u lbylvzczc WX

URGENT

Ford-Clemency ADD

WASHINGTON Ford-Clemency a209 add: March 31.

The President told Clemency Board Chairman Charles Goodell that "there will be no further extensions" of the program, which was put into effect last September to provide clemency for thousands of young men who were involved in draft dodging or desertion.

In a White House statement, Ford said that "based on a further review of the progress of this program, I believe that many of those who have already been punished are only now learning they are eligible."

MORE

cz1250ped Feb. 28

a211

u lbylvv WX

URGENT

FORD-Clemency ADD

WASHINGTON Ford-Clemency a210 add: eligible."

"This is confirmed by the large number of applications - already exceeding 10,000 - which continue to be filed with the Presidential Clemency Board," Ford said.

The clemency extension allows for applications to be filed until March 31 by draft evaders and military absentees "who have charges still pending against them and for those who already have been punished for such offenses," the President said.

Goodell scheduled a news conference for later in the day to spell out further details of the extension.

MORE

cz1252ped Feb. 28



212

u lbylvbyl WX

URGENT

Ford-Clemency ADD

WASHINGTON Ford-Clemency 211 add: extension.

There are three separate facets of the program, administered separately by the Clemency Board, Pentagon and Justice Department.

The Presidential Clemency Board said Friday it has received about 11,000 applications from the 120,000 eligible draft evaders and deserters who have been punished.

The Pentagon said 4,856 of the 12,500 eligible unpunished deserters have signed up for its program. And the Justice Department said 501 of the 6,500 eligible unconvicted draft dodgers have signed up for its program.

A month ago, when the first extension began, the Clemency Board had signed up 6,962, the Pentagon 4,584 and the Justice Department 351.

The board has sent recommendations to Ford on only 69 of the 11,000 applications, with 24 drawing outright pardons and 45 drawing pardons conditional on a specified number of months in public service jobs.

The board has held few meetings lately, with its members touring the nation to try to make sure as many of those eligible as possible know about the program.

By FRANCES LEWINE

Associated Press Writer

cz1256ped Feb. 28

4204

U A

AMNESTY 2-28

URGENT

2ND DAY LD A131

BY DAVID E. ANDERSON

WASHINGTON (UPI) -- PRESIDENT FORD GAVE A ONE-MONTH "FINAL" EXTENSION OF HIS CLEMENCY PROGRAM FOR VIETNAM MILITARY DESERTERS AND DRAFT EVADERS. HE SAID APPLICATIONS HAD PASSED 10,000 AND EXTENDED THE DEADLINE TO MARCH 31.

"I BELIEVE THAT MANY OF THOSE WHO HAVE ALREADY BEEN PUNISHED ARE ONLY NOW LEARNING THEY ARE ELIGIBLE" FOR CLEMENCY, THE PRESIDENT SAID IN A STATEMENT ON THE DAY BEFORE HIS PROGRAM WAS SCHEDULED TO EXPIRE..

FORD, WHO EARLIER EXTENDED THE PROGRAM ON JAN. 30 TO MARCH 1, SAID THIS WOULD BE THE "FINAL EXTENSION."

HE SAID A FRESH REVIEW OF THE PROGRAM'S PROGRESS LED HIM TO THE CONCLUSION SOME ELIGIBLE DESERTERS WERE ONLY NOW LEARNING THEY COULD APPLY.

"THIS IS CONFIRMED BY THE LARGE NUMBER OF APPLICATIONS -- ALREADY EXCEEDING 10,000 -- WHICH CONTINUE TO BE FILED WITH THE PRESIDENTIAL CLEMENCY BOARD," HE SAID.

STAFF MEMBERS OF THE PRESIDENTIAL CLEMENCY BOARD SAID THEY WERE TOLD THIS WAS "THE FINAL, FINAL, ABSOLUTE, ABSOLUTE EXTENSION" OF THE PROGRAM.

SEN. PHILIP HART, D-MICH., SAID EARLIER IN THE DAY HE PLANNED TO OFFER LEGISLATION GIVING UNIVERSAL AND UNCONDITIONAL AMNESTY TO THE DRAFT EVADERS AND DESERTERS.

PICKUP 7TH PGH A131: HART SAID

UPI 02-28 01:08 PED

R A

AMNESTY 2-28

NIGHT LD

BY DAVID E. ANDERSON

WASHINGTON (UPI) -- PRESIDENT FORD, CITING A LARGE INCREASE IN APPLICATIONS TO HIS EARNED RE-ENTRY PROGRAM FOR VIETNAM DRAFT RESISTERS AND MILITARY DESERTERS, FRIDAY ORDERED A FINAL EXTENSION OF THE CONTROVERSIAL PROGRAM TO MARCH 31.

"I BELIEVE THAT MANY OF THOSE WHO HAVE ALREADY BEEN PUNISHED ARE ONLY NOW LEARNING THEY ARE ELIGIBLE," FORD SAID IN A STATEMENT.

CRITICS OF THE PROGRAM, HOWEVER, BRUSHED ASIDE FORD'S EXTENSION. SEN. PHILIP HART, D-MICH., ANNOUNCED HE WOULD INTRODUCE A UNIVERSAL AND UNCONDITIONAL AMNESTY BILL IN THE SENATE THAT WOULD ELIMINATE SOME OF THE MOST CRITICIZED ELEMENTS OF FORD'S PROGRAM -- THE REQUIREMENT FOR ALTERNATE SERVICE AND THE LACK OF ACCESS TO VETERANS BENEFITS FOR THOSE WITH LESS THAN HONORABLE MILITARY DISCHARGES.

AT THE SAME TIME, A GROUP OF DRAFT RESISTERS, ALL OF WHOM SERVED TIME IN FEDERAL PRISONS FOR THEIR OPPOSITION TO THE WAR, ANNOUNCED THEY WOULD HOLD A MASS RALLY IN FRONT OF THE WHITE HOUSE SATURDAY AND SAID A NUMBER OF THEM WOULD COMMIT CIVIL DISOBEDIENCE IN OPPOSITION TO THE FORD PROGRAM AND THE WAR IN INDOCHINA.

CHARLES GOODELL, CHAIRMAN OF THE PRESIDENTIAL CLEMENCY BOARD WHICH DEALS WITH THOSE ALREADY CONVICTED OF DRAFT VIOLATIONS OR AWOL OFFENSES, SAID THE BOARD WAS "VERY, VERY PLEASED" WITH THE EXTENSION.

"THERE WILL BE NO FURTHER EXTENSION, NOR DO I ANTICIPATE ASKING FOR ANY," HE SAID.

FORD'S EARNED RE-ENTRY PROGRAM, FIRST ANNOUNCED LAST SEPT. 16 AND ORIGINALLY DUE TO EXPIRE JAN. 31, IS DIVIDED INTO THREE PARTS: THE CLEMENCY BOARD, WHICH HANDLES THOSE ALREADY CONVICTED OF OFFENSES, AND WHICH HAS A POTENTIAL CLIENTEL OF ABOUT 120,000 YOUNG MEN; DRAFT RESISTERS WHO HAVE NOT YET BEEN INDICTED, WHICH INCLUDES ABOUT 4,400; AND DESERTERS WHO HAVE NOT YET BEEN CONVICTED, WHICH THE MILITARY ESTIMATES AT BETWEEN 10,000 AND 11,000.

GOODELL SAID HIS BOARD HAD REQUESTED THE EXTENSION BECAUSE IN THE EARLY MONTHS OF THE PROGRAM MANY POTENTIAL CLIENTS DID NOT UNDERSTAND THEY WERE ELIGIBLE.

BUT HE SAID SINCE JAN. 6, WHEN THE BOARD BEGAN AN EXTENSIVE PUBLIC SERVICE INFORMATION CAMPAIGN, APPLICATIONS HAD INCREASED "OVER TEN-FOLD" TO MORE THAN 10,000, WITH MORE THAN HALF COMING IN FEBRUARY.

SO FAR, HE SAID, THE BOARD HAS ACTED ON "ABOUT 250 CASES" AND OF THOSE, 65 HAD BEEN ACTED ON BY FORD. ABOUT 11 PER CENT OF THE DRAFT RESISTERS AND 42 PER CENT OF THE MILITARY DESERTERS HAVE APPLIED TO THE OTHER TWO PARTS OF THE PROGRAM.

HART, IN ANNOUNCING HIS LEGISLATIVE INTENTION, SAID FORD SHOULD BE COMMENDED "FOR TAKING THE FIRST STEP" ON THE AMNESTY ISSUE, BUT HE SAID THE PROGRAM "HAS NOT BEEN FULLY SUCCESSFUL."

UPI 02-28 03:27 PED

all wire stories as of 2/28 4:45pm

Washington
Post
3/1/75



Associated Press

Charles Goodell: "There will be no further extension . . . of the clemency program."

Clemency Program Extended As Critics Mount Opposition

By David E. Adderson
United Press International

President Ford, citing a large increase in applications for his earned re-entry program for Vietnam draft resisters and military deserters,

White House today and said a number of them would commit civil disobedience in opposition to the Ford program and the war in Indochina.

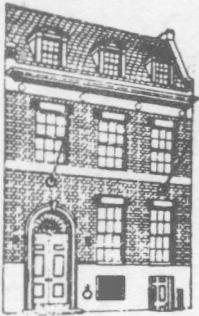
Charles Goodell, chairman

clients did not understand they were eligible.

But he said that since Jan. 6, when the board began an extensive public service information campaign, applications had increased "over ten fold"

Metropolitan Republican Club

122 EAST 83rd STREET ■ NEW YORK, N.Y. 10028 ■ BU 8-8606



April 9, 1975

President
MARIA E. REDO

Chairman,
Executive Committee
LESTER S. KASPER

Treasurer
STODDARD D. PLATT

Secretary
PEGGY MARONEY

Vice-Presidents
MARY BAMBERY
CHRYSTAL W. HEGARTY
GINA HOLMES
THEODORE KRULWICH
CECILE LAGER
LISA RADOYEVICH
CARMEN LUCAS STEELE
ARTHUR STEIN
LILLIAN K. TORMEY
MARK WILLNER

Statistician
JOHN G. STEELE

Parliamentarian
STUART C. SLOANE

Republican Organization,
66th Assembly District
District Leaders
LAURENCE C. LEEDS, JR.
ALICE S. POWERS

State Committee
ROY M. GOODMAN
CARMEN LUCAS STEELE

Secretary
DARBY M. GAUDIA

Treasurer
ALBERT F. GORDON

Chairman,
Law Committee
JACQUES L. DEBROT

Hon. Charles E. Goodell
1225 Nineteenth Street, N.W.
Washington, D.C. 20036

Dear Senator Goodell,

Thought you might be pleased to know that your talk at the Metropolitan Republican Club made the New York Post.

I was so pleased to have had you - do plan to talk again with us.

Sincerely,

A handwritten signature in cursive script that reads "Maria E. Redo".

Maria E. Redo
President

enc.



24 Post
Goodell: 4/21/75

Goodell: Clemency Rush Is On

By WILLIAM T. SLATTERY

An expected last-minute flood of applications for presidential pardons from war resisters will necessitate expansion of the Clemency Board handling the cases, according to former Sen. Charles Goodell.

Goodell, chairman of the presidential board, said that more than 15,000 applications for clemency are pending and that several thousand more are expected to be filed before the March 31 deadline.

He said, "I will ask the President to expand the board, and then we will break the board down into three-man panels to hear individual cases."

Goodell estimated that several months will be needed to process all applications.

The dramatic increase in the number of requests for pardons in the first three months of the year stems from a more widespread un-

3/21/75
3/26/75

Clemency Program Nears End

United Press International

One week is left of President Ford's twice-extended amnesty program. Applicants flock to his clemency board in large numbers, but they have virtually stopped going to the military and the Justice Department.

Eligibles have until Monday night, March 31, to apply. Mr. Ford has twice added a month's extension to his original Jan. 31 deadline. The last time he said it was the final extension. Officials said Monday they do not expect Charles Goodell, the clemency board's chairman, to seek another one.

There are three different segments to Mr. Ford's program. Each has had a different track record.

CLEMENCY PLAN WILL END MONDAY

Goodell Says He Expected
Better Results, but Terms
Program a Success

By **NANCY HICKS**

Special to The New York Times

WASHINGTON, March 27—

The final extension of President Ford's clemency program for draft evaders and war resisters will end at midnight Monday. Only a fraction of those eligible to participate have applied so far.

After months of confusion about the program and its three components, the President in January extended the period in which applications would be accepted. Most applicants have come forward since then, according to Charles E. Goodell, chairman of the Clemency Board.

The board handles applica-

Saturday, November 30, 1974

BUFFALO EVENING NEWS

As 8 Resisters Get Pardons, Goodell Hopes More Will Seek Clemency

From News Wire Services

WASHINGTON, Nov. 30 — Chairman Charles E. Goodell of the Presidential Clemency Board hopes that many more draft resisters and others will seek executive clemency once they understand how it works.

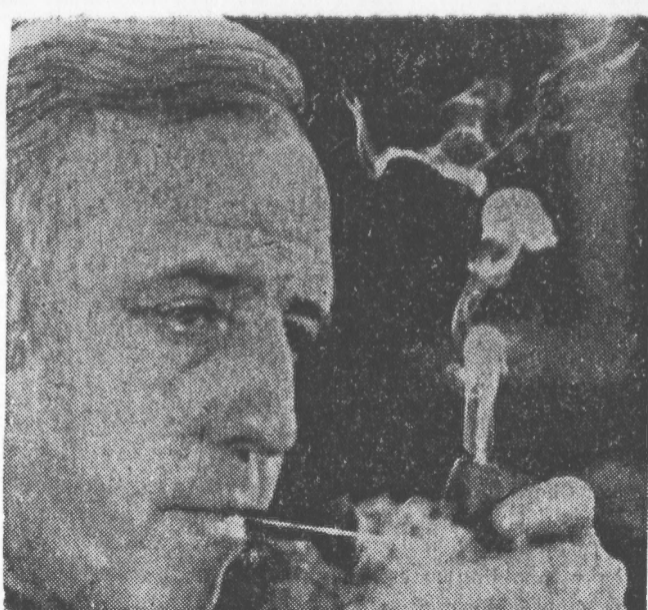
not end the unfinished business of clemency, but the task of formal forgiveness is under way," Mr. Ford said in a Cabinet Room ceremony at which he signed the pardon decrees. "I hope it marks the beginning of personal forgiveness in the

to privacy." Citing the same reason, Mr. Goodell said the men's home addresses would not be disclosed.

The 18 men whose cases were decided Friday were among 85 civilians in prison on Sept. 16 for draft violations. All were

mendations could be on Mr. Ford's desk by Christmas.

Mr. Goodell estimates that 8700 civilian resisters and more than 100,000 military-convicted personnel are eligible for clemency. To date, 770 persons,



Goodell Urges Hill to Extend Vietnam Clemency Program

3/28/75 - Washington Post

By John P. MacKenzie
Washington Post Staff Writer

Congress should extend the Vietnam clemency program beyond its imminent deadline, chairman Charles Goodell said yesterday.

At a news conference called to underscore the fact that the deadline for applications is firmly set at midnight Monday, Goodell said he favored congressional approval of a program that would last a year or two longer.

Goodell emphasized that he

able success," with the Defense Department's program for accused deserters drawing 4,600 applicants and the Justice Department's plan for draft law violators attracting 578.

But Goodell said he expected a higher turnout for the clemency board program, since it involves pardons for individuals who already have been punished for draft evasion or desertion and thus have "nothing to lose" by applying. The Justice and Defense pro-

lays the start of the term of alternate service. He said the rule seemed unfair in view of the scarcity of jobs.

Goodell said he opposed on principle the idea of oaths of allegiance for those enrolling in the clemency program. The clemency board does not require one, he noted, adding that he did not see the necessity for it in the Justice or Pentagon programs either. He said he doubted that many potential applicants had been deterred by the allegiance oath alone.

3/28/75

CLEMENCY PLAN WILL END MONDAY!

Goodell Says He Expected
Better Results, but Terms
Program a Success

By **NANCY HICKS**

Special to The New York Times

WASHINGTON, March 27—

The final extension of President Ford's clemency program for draft evaders and war resisters will end at midnight Monday. Only a fraction of those eligible to participate have applied so far.

After months of confusion about the program and its three components, the President in January extended the period in which applications would be accepted. Most applicants have come forward since then, according to Charles E. Goodell, chairman of the Clemency Board.

The board handles applica-

For Further Amnesty

3/31/75

By Gaylord Nelson

WASHINGTON—The time has come for Congress to take further steps to heal the deep wounds inflicted on our nation by the Vietnam war. Specifically, Congress should support and extend the President's amnesty program—which ends at midnight tonight—for the thousands of young men who evaded the draft or deserted the military during the conflict.

The need for Congressional action is clear. Last September, President Ford took the constructive step of establishing a program to provide amnesty for thousands of young men who, for one reason or another, felt the need to refuse the draft or desert the military during the war. In creating that program, the President recognized, as we all should, that the interests of society were served best when its system of justice reflected a good measure of understanding and mercy.

Already there is enough experience under the President's program to demonstrate that point. One representative case considered by the Clemency Board created by the President; for example, involved an individual who had served valiantly with the Army in Vietnam

the reasons that may account for the unwillingness or inability of eligible individuals to apply. But we do know that the spirit of reconciliation will be undermined if the opportunity for those individuals to receive mercy is withdrawn.

Congress, however, should not expect the President alone to continue to bear the burdens of the amnesty program. Congress, after all, repeatedly voted billions of dollars of public funds for the war. Congress thus assumed some responsibility for the conduct of American policies in Vietnam. Congress should now accept some responsibility for ending the divisiveness that the war created.

A bill has been introduced to continue the amnesty program, with certain modifications, including the following:

- The Clemency Board would have jurisdiction over all cases of draft evasion and military desertion during the war. The President's program is now operated by four separate departments, with the result that different agencies are applying different criteria to people in similar situations.

- Any individual who returns from a foreign country would be allowed to return there if any offer of clemency was rejected. An individual should not

Goodell: Restore Clemency

4/11/75
N.Y. Post

By JOHN S. LANG

N. Y. Post Correspondent

WASHINGTON—Clemency Board chief Charles Goodell plans to ask Congress to restore the clemency program for Vietnam war deserters and draft evaders who want to seek pardons and alternate service.

Because of an upsurge of appeals in the last two months, Goodell says he is convinced that many of those eligible for clemency did not get word of President Ford's program in time.

When the deadline passed at midnight last night, only 18,000 had filed appeals out of an estimated 123,000 potentially eligible.

Goodell, who is scheduled to testify on the program be-

4/21/73
W. Post

Clemency Applications Put at 25,000

United Press International

Officials of the three phases of President Ford's "earned re-entry" program yesterday estimated applications for conditional clemency might reach the 25,000 mark.

But they said precise figures, following a final flurry of applications before they were cut off by the Monday midnight deadline, would not

April 16, 1975

Dear Fred:

Thanks for your thoughtfulness in sending me the clipping from the Mexico City NEWS. You couldn't get away from me even in Mexico?

I hope you had a wonderful Mexican vacation. I look forward to seeing you again soon.

With warm regard, I am

Sincerely,

Charles E. Goodell

Mr. Frederick Palmer
Chemical Bank
135 Main Street
Nyack, New York 10960



CHEMICALBANK
Hudson Valley, N.A.

135 Main Street, Nyack, N.Y. 10960, Tel. (914) 358-3900

Frederick Palmer
Chairman of the Board

March 27, 1975

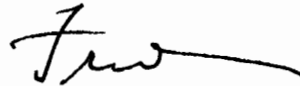
Honorable Charles Goodell
Hydeman, Mason & Goodell
1225 19th Street N.W.
Suite 601
Washington, D.C. 20036

Dear Charlie:

I had expected to give you the enclosed clipping this morning but was told you elected to take a holiday in Bermuda rather than to attend the Director's Meeting of Presidential Life Corporation. We just returned home from a month in Mexico where we became avid readers of THE NEWS, Mexico City, in which we were delighted to come across your handsome picture in the March 1st issue. •

I trust all goes well with you and that we will have the pleasure of seeing you one of these days.

Cordially,



FP:pgt
Enc.

Ford Extends Viet Clemency Program

WASHINGTON (AP) — President Ford extended his Vietnam war clemency program for an extra month Friday for the second time, calling it "a final extension."

Chairman Charles E. Goodell of the Presidential

Clemency Board, who had recommended both extensions, told a news conference, "There will be no further extensions, nor do I anticipate asking for any."

Goodell noted that applications to the board may be made by phone or mail to

the Presidential Clemency Board at the White House. Phone contacts may be made by calling 202-456-2110.

Applications for the military program apply to Ft. Benjamin Harrison, Ind., telephone 317-542-3417. Applications for the Justice Department may contact any local U.S. attorney.

He said that for "anybody who applies after midnight March 31 it will be a sad April Fool's Day."

Ford launched the

tension, but had to settle for one month. He said Friday he still would like six months.

The extension applies not only to the board, which processes only draft evaders and deserters who have been punished, but to the programs handled by the military and the Justice Department. The military processes deserters who have not been punished and the department processes draft evaders who have not

program many already only not eligible.

He said by the l plication tinue to Preside Board."

Goode about 1 eligible siderati This co





New York Post
James A. 5/2/75
Wechsler

FORGOTTEN AMERICANS

In all the Vietnamese rescue operations being sponsored by the Administration during these post-war hours, there has been a deadly silence about a large group of Americans to whom the doors of our society remain coldly shut.

They are the thousands of youths still living in exile, hiding out in our own country or languishing in prison because, to put it bluntly, the Ford clemency program was essentially a tragic failure.

Even while the hastily-conceived, badly-planned salvage program for fleeing Vietnamese is heralded as proof of our humaneness, young Americans whose consciences made them "premature" opponents of a senseless war are unmentioned, unnoticed, largely unremembered except by families and friends.

* * *

Certainly the effort to save Vietnamese whose association with the American military operation left them vulnerable to early reprisal can hardly be a matter of debate. It may be days or weeks before we learn how many of those evacuated were actually political targets and how many were less worthy figures who bought their way out in the chaotic scramble.

But there is no mystery about the identity of many of the fugitive Americans to whom no hand is being extended. Administration apologists will say crisply that "they had their chance" and rejected it. The trouble is that the terms of the Ford clemency were loaded against those whose resistance was most clearly motivated by deep, au-

Unconditional Amnesty Idea Tugs at Ford

BY J. F. terHORST

WASHINGTON—Thinking the unthinkable is an exercise for which Presidents rarely seem to find time. Yet President Ford pondered an unthinkable thought for his Administration the other day—unconditional amnesty for the young Americans who fled the country rather than serve in Vietnam.

He waded only briefly, then moved on to the myriad of more pressing matters on his agenda. But the thought remains in the back of Ford's mind, where he has thrust it for now. It will not go away.

The scene was a staff meeting in Ford's office last week. Assistants were pleased with public reaction to his earlier news conference, especially because Ford looked so "presidential." But a question had come up.

ously with the Vietnamese who fled their country than with America's own sons.

The room fell silent while the President reflected, but it was obvious from the impatient stirrings of key aides, including staff chief Donald Rumsfeld and counselor Robert Hartmann, that unconditional amnesty was an issue fraught with explosive politics.

A senior staffer punctured the silence with a scornful quip. Perhaps, he suggested, the draft evaders could be welcomed home and given Medals of Honor by the President.

Ford sighed and asked Rumsfeld to get on with the rest of the day's schedule.

The amnesty question, nonetheless, is getting more gingery every day, and not only for Ford. The Presidential Clemency Board, expanded from 9 to 18 members by executive order, began a three-day session even though

have been forced out of work by hardliners who contend that such jobs should go to honorably discharged Vietnam veterans.

Despite his rejection of the idea the other day, the concept of unconditional amnesty continues to tug at Ford.

Determined to cut federal spending, he is keenly aware of the millions of dollars being spent on his limited amnesty program and its uneven results.

Now that the war is over, his lawyer's instincts tell him also that equity is not served by demanding more from the young Americans who fled Vietnam service than from the Vietnamese who fled to save their lives—some of whom reportedly evaded military duty in their own land.

As a father of three sons of draft age who

Senator
For your information
Nia



Andrew
Davis 5/15/75

JAN 15

Amnesty Group Wages Drive To Free Queens War Resister

By PAUL L. MONTGOMERY

Groups seeking unconditional amnesty for war resisters are mounting a campaign in behalf of a 32-year-old Queens man who is one of a handful of Americans still in jail for refusing to serve in Vietnam.

The draft resister, Andrew Davis, has been in the Federal House of Detention on West Street since April 10. He had returned to the United States from Canada to take advantage of President Ford's clemency program, but missed the March 31 deadline. Since he had fled the country after conviction on a draft charge in 1969, he was arrested as a fugitive and is being held without bail.

124,400 Men Eligible

According to Administration figures, there were 124,400 men eligible for the clemency program between the time it was announced last Sept. 16 and the March 31 deadline. Of

get clemency if they agreed to a year of two of "alternate service" in public-service jobs.

About 600 men were freed from jails or military stockades under the program, and many fugitives turned themselves in. It is believed that the only war resisters remaining in jail are Mr. Davis and a few others, perhaps three or four, who refused the clemency program.

Mr. Davis said that pressing business in Toronto prevented him from returning to the United States until after the March 31 deadline but that someone in the United States consulate in Toronto had told him he would still be eligible for clemency if he reported late. Assistant United States Attorney Thomas Maher of the Eastern District of New York said Mr. Davis did not make that argument when he surrendered on April 10.

Haze, Heat
Partly cloudy with a chance of thunderstorms later today, high in upper-80s. Low tonight in the 60s. Details B-4.

The Washington Star

CAPITOL
SPECIAL

FRIDAY, MAY 23, 1975

Copyright © 1975, RALD P. FORD LIBRARY
The Evening Star Newspaper Co.

Phone (202) 484-5000

CIRCULATION 484-3000

CLASSIFIED 484-6000

15

Mary McGrory: But What About Case No. 32?

By Mary McGrory
Washington Star Staff Writer

Richard Nixon got his unconditional pardon from President Ford one month to the day after he left office.

or May 5, depending on who you talk to. But he has not signed it, or any of the cases the Clemency Board has sent over to him. These number either 301 or 889 — again depending on

Point of View

undergone open-heart surgery. Last July, a doctor at St. Thomas Hospital

and required to report twice monthly to his probation officer. What he and his mother hoped to do was to rent or sell their house and use the money to go west for the further cardiac sur-

board panel on Feb. 8 he was advised confidentially by a board staff lawyer that he should be "optimistic."

Late in February, he called again, and was told the full Board was going

The Washington Star

JOEL ALBRITTON, *Publisher*

JAMES G. BELLOWS, *Editor*

SIDNEY EPSTEIN, *Managing Editor*

TUESDAY, MAY 27, 1975

Presidential Pardon Delay

Although there is some confusion about how many hundreds of recommendations for pardon have been sent to the White House by the Clemency Board, it is perfectly clear that the President is taking an uncommonly long time getting at them.

An article in the *Star* on Friday by Mary McGrory detailed the hardship that a long wait for presidential action worked on one applicant and his family (Case No. 32, involving David Granger of Murray, Ky.). We won't rehash the story here but the facts more than made the case that there has been an unconscionable delay in processing Granger's application.

President Ford established the Clemency Board, headed by former Senator Charles Goodell, to hear applications for pardons from young men who were convicted of evading the draft or deserting the military rather than serve in the Vietnam War. There was considerable

various categories of applications so that a review could be made.

It is not exactly clear why the White House bothered to set up the Clemency Board if it intends to make its own review of individual cases. In any event, it doesn't make much sense for the White House to wait until a huge stack of applications accumulates; certainly each application should stand on its own merits and should not have to lie around for months to be processed.

There is a disturbing theory that Ford hasn't signed any pardons the past five months because of his growing problems with the right wing of his party. The right-wing element, which has adamantly opposed extension of amnesty or clemency to Vietnam draft evaders or deserters, has become increasingly critical of Ford's presidency and has threatened to oppose his nomination in 1976.

We hope to design not to offend the right wing

Star 5/27/75
Mary McGrory

The Pardoner Still Unkind On Amnesty

By Mary McGrory
Washington Star Staff Writer

The Presidential Clemency Board, which was set up to judge those men who have already been punished for fleeing the draft or the military, has disposed of exactly 65 cases of the 19,000 it has taken on.

The American Civil Liberties Union, the program's most vigorous organized critic, has calculated that at its present rate, the board will finish its task in the year 2,150.

But that's the way it's going to go with Gerald Ford in the White House. Amnesty has always been a bad word to the pardoner of Richard Nixon. None dares mention it in the presence of the hard-nosed "victor" of Mayaguez.

The Clemency Board has passed on 900 cases. The files of 835 have been gathering dust on the desk of presidential counsel, Philip A. Buchen, since Dec. 31, when the President signed the last of the 65.

THE APPLICANTS have apparently not "suffered enough" — the standard applied in granting unconditional amnesty to Gerald Ford's predecessor as commander-in-chief

in applications, generated by a massive public-relations campaign, means that more young Americans will be given an added official opportunity to "twist slowly, slowly in the wind" while Gerald Ford ponders the precise moment he can safely pick up his pen again.

IT SHOULD BE pointed out, however, that the President is being equally niggardly with those who fought the war. Moving with uncommon alacrity, he declared, as Saigon was falling, that the GI education bill would be ended as of June 30.

Vietnam veterans have few friends. The unpopularity of the war has rubbed off on them. A few congressmen, mindful that the GI Bill made them what they are today, have tried to extend or at least equalize the benefits of the Vietnam GI bill, so far with little success.

The veterans are either ambivalent or ashamed about having got caught in the great national mistake, and have failed to organize a lobby. They can't afford to, for one, since so many of them were poor and uneducated. They are not a force Congress or presidential budget-cutters must reckon with.

Amnesty has even fewer advocates. Sen. Philip Hart, D-Mich. and Rep. Bella Abzug, D-N.Y. have both introduced bills for near-unconditional amnesty. But since Mayaguez proved the box-office appeal of the Green Bay Packers approach to international affairs, little hope is at-

LEGLESS CLEMENCY BOARD MEMBER

Gen. Puller's Son Aids War Resisters

BY RUDY ABRAMSON

Times Staff Writer

WASHINGTON—Before he joined the Marine Corps, won the gold bars of a second lieutenant and lost both of his legs to a land mine outside Da Nang, Lewis Puller Jr. had never questioned the rightfulness of the U.S. war in Vietnam.

"It never occurred to me to doubt," he said. "it seemed to me that our country had never been wrong in the past."

decision, or theirs, he does not seem to be anymore.

When Puller received his 1-A draft classification in 1967, the war was

beginning to tear the country apart, and thousands of his contemporaries were refusing to go.

But going was natural for Puller.

He is the only son of the late Lt. Gen. Lewis B. (Chesty) Puller, the only marine ever to win five Navy Crosses for gallantry, a warrior who served the corps 37 years, 27 of them overseas or at sea.

The son had never planned a military career. No matter what he did in uniform, he knew that he would always be known as Chesty Puller's

FEATURE INDEX

ASTROLOGY. Part 2, Page 3.

BOOK REVIEW. View, Page 5.

BRIDGE. View, Page 2.

CLASSIFIED. Part 5, Pages 1-16.

COMICS. View, Page 15.

CROSSWORD. Part 5, Page 16.



837-9486

ROBERT C. LILIENTHAL
COMMITTEEMAN
UNIVERSITY, DISTRICT 49

**ERIE
COUNTY
REPUBLICAN
COMMITTEE**

•
**575 Ellicott Sq. Bldg.
Buffalo, N.Y. 14203
856-8700**

Draft Cases Hung Up

6/30/75

By TERENCE P. McELROY

Today, more than two years after the U.S. military withdrawal from Southeast Asia, some 24 months since the last American was drafted and nearly 90 days since the expiration date of the clemency program, an even 100 area draft evaders are still under indictment.

Tagged on job applications, loan applications, work records and the like as facing criminal charges, many of these young men are facing indictments which date back to 1972.

And the prospect that the cases will be resolved quickly is not good.

Court records indicate that the last selective service case to go to trial in the Western Dist. of New York was in January 1973 in Rochester. The last draft evasion case tried in Buffalo was in December 1971.

Numerous Selective Service cases have been resolved through guilty pleas, U.S. Atty. Richard J. Arcara reports. Yet he concedes that an evader who wishes to absolve himself of wrongdoing is forced to wait.

"Look, we've been ready to try these cases for a long time," the prosecutor said.

Ready in 6 Months

The defendant's right to a speedy trial merely requires that the government be ready to proceed within six months

of the date of the indictment, Arcara said. And that requirement has been satisfied, he maintained.

What has delayed the prosecution of these cases is the burgeoning caseload in the district.

Literally thousands of cases, both criminal and civil, are pending in the courts. And it would be unrealistic to believe that all can be tried by the three federal judges assigned to the district. For this reason, scores of civil cases are settled out of court, and prosecutors engage in the business of "plea bargaining" allowing a defendant to plead guilty to a lesser offense.

Unfortunately, a charge of draft evasion presents little opportunity to negotiate a deal.

Unlike accepting a guilty plea to a charge of petit larceny when the actual offense was grand larceny, there is no room for compromise on a draft evasion charge.

Reason for Delays

So unless a defendant pleads guilty to the Selective Service indictment, he must be tried, and the widespread refusal to do so has forced the cases on the court.

Federal Judge John T. Curtin, chief judge in the district and therefore responsible for assign-

'Gas' Spill Contained

A rupture in an eight-inch line caused a 15,000-gallon gasoline spill at the Sun Oil Co. refinery, 3755 River Rd., Town of Tonawanda, Sunday.

"The spill was all contained and none of it got into the Niagara River," a company spokesman said on Sunday afternoon.

"We are in the process of pumping it back and are pretty sure we will reclaim most of it."

Town police said the spill occurred at about 3:15 a.m. when the line, between a tanker on the

river and the refinery's tanks, ruptured near River Rd. and the gasoline flowed into a gully.

Gully Contains Gas

The gully, officials said, contained the gas and it did not seep into the river or across the road. Fire companies were sent to the scene to lay a covering of foam over the gas as a precaution, and police said River Rd. was closed for a short time about 4 p.m. to facilitate the fire fighters' efforts.

*Charlie,
Will continue to
keep you posted!
Bob*

Act Now
Limit
Time
Only

Panel Denies Call For Total Amnesty

By DON HIRST

By a Times Staff Writer

WASHINGTON — Reports that the head of the Presidential Clemency Board has been urging President Ford to grant "general and total amnesty" for Vietnam-era deserters and draft evaders are "totally wrong," board officials say.

The charge was raised in a telegram sent to Ford by John J. Stang, National Commander in

grettable" and "a travesty," it also said that such a move should include everyone who had deserted or evaded the draft during the Korean war and those who received bad discharges or civil convictions during "other wars."

"Let it be said that in the future a man can choose his war," the were said. "Then try to defend this glorious nation!"

\$,mm"
Goodell says the charge is

MARY McGRORY: How Much Suffering Is Enough for Andrew Davis?

The Clemency Board held its first public hearing last week. The case of Andrew Davis, a 32-year-old black social worker from Queens who was convicted for draft refusal in 1968, was good for them and bad for them.

Davis' plight — he had been misinformed by an American official in Canada, turned himself in after the deadline and was promptly jailed —

Under the television lights, his lawyer, animated, bearded, 66-year-old Conrad Lynn (author of *How to Avoid the Draft*) reviewed the facts. Davis refused induction on "political, economic and sociological grounds." He had been drafted by an all-white board in a 90 percent black neighborhood. He had no quarrel with the Vietnamese.

like an invitation to come home:

"You are eligible for diversion to an alternate service program. Should you agree to undertake acceptable alternative service as an acknowledgment of your allegiance to the U.S., this office will refrain from prosecution.

"We suggest," the letter went on — and this conveys the true flavor of

since he was a convicted evader, he could go back when he wanted.

He finished his caseload, and on April 10 — just ten days after the deadline had expired — he went home to Queens. After talking with his mother, he presented himself to the U.S. attorney's office in Brooklyn. They didn't know about any telephone call to the consulate. They put

mally applied to the board. As a prisoner, he could not. But the board gathered itself up, appealed to the Justice Department, took temporary jurisdiction and got Davis a furlough from prison.

He was nattily dressed in a stitched brown suit and platforms. He answered the board members' questions articulately, gravely. Louise

vened the hearing, and while everybody present looked at the floor, she spoke.

Rosalie Stewart, barely audible, said she did not feel her son was a criminal. She felt he had "suffered enough." She had "suffered enough," too, she thought. She used that resonant phrase from the Nixon pardon announcement four times. It embar-



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

CEG
(copy to
RT)

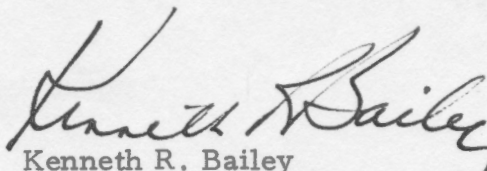
elt

8 August 1975

MEMORANDUM FOR Mr. Charles E. Goodell
Chairman, Presidential
Clemency Board
The White House

THRU: Captain Leland S. Kollmorgen, USN
Military Assistant to the President

The attached clippings represent a time period of over a month. It would appear that it may be time to discontinue forwarding them. Please advise.


Kenneth R. Bailey
Colonel, USA
Military Assistant

Attachment



League's Head Calls for Total Amnesty

By PAUL DELANEY.

Special to The New York Times

ATLANTA, July 27—Vernon E. Jordan Jr., executive director of the National Urban League and a member of the Presidential clemency board, broke with the Ford Administration today and urged total amnesty for Vietnam veterans.

Mr. Jordan's position was disclosed in remarks he had prepared for delivery tonight in his keynote speech at the 65th annual convention of the league.

The nine-member board was established by President Ford last September to review the cases of those already convicted or punished for military desertion or draft evasion.

Mr. Jordan said that he had been troubled by the amnesty

also unveiled the Urban League's proposal for a new national welfare program. He called for a credit income tax, which is a version of the negative income tax. He described the tax as "a pro-work, pro-family, pro-dignity proposal for a humane, responsible society."

Under the proposal, all persons would receive a basic annual grant, or tax credit. Persons above a certain income would lose the grant through taxation, and those below a designated income would keep all or part of the grant.

"Families who are above the poverty level but below the level at which the grant is taxed away would benefit because a portion of their grant

comes would get the income assistance they need, but for which they do not qualify under the present system.

"No means tests, no work requirements, no coercive local regulations or other stigmatizing elements would be part of the system. Payments are automatic, through the tax system, and would be a matter of right." The present system, he said, takes more from the pockets of moderate income working people than it does from the rich.

Mr. Jordan also criticized the statistics released by the Department of Labor on unemployment had found a jobless rate of 15 per cent rather than the 9 per cent reported by the Government, with 3 million blacks and 12 million whites

EDITORIALS

LOUISVILLE COURIER-JOURNAL

18 July 1975 (23)

Isn't it time for a new look at amnesty?

A PRESIDENT busy wooing GOP conservatives who might entertain Reaganesque fancies about preventing his nomination can hardly be expected to suggest now that Vietnam war resisters and deserters be offered the same compassion he showed his predecessor. But his conditional amnesty program, which expired three months ago, didn't work. So Congress, which could use a display of leadership for a change, should revive an issue too important to ignore.

Senators Gaylord Nelson and Jacob Javits this month asked President Ford to reopen the conditional amnesty program and filed a bill to renew it. Now, in an article in *The Washington Star*, former Congressman Brooks Hays of Arkansas (also a former head of the Southern Baptist Convention), proposes nothing less than a general amnesty. Recalling the parable

PHILADELPHIA INQUIRER 23 July 1975

Is this new cruiser necessary?

President Ford has reportedly overruled senior officials in the Pentagon as well as his own budget office in his request for a nuclear-powered cruiser. That is, of course, his right, but the request is nevertheless questionable on a number of grounds.

It is questionable on the matter of need. Does the Navy, which already has a fleet of nuclear-powered submarines, need this nuclear-powered surface vessel? If so, for what kind of missions? Would the Navy, now seeking to add 100 ships to the 500-vessel fleet, be better off with a larger number of less expensive vessels?

The request is questionable on the matter of cost. Mr. Ford has asked for only \$60 million to be added to the \$25 billion military procurement bill now in Senate-House conference committee, but that is only the downpayment on a vessel estimated to cost \$1.2 billion.

been lobbying for the ship, has his way, this country will eventually build a fleet of 18 to 24 of them. Simple multiplication, without considering the usual cost overruns, brings a total of \$21.6 billion to \$28.8 billion. Does the "fiscal discipline" Mr. Ford has been calling for apply only to the civilian side of the budget?

The request, which was not made until late June, is also questionable on grounds of procedure. Sen. Edmund S. Muskie, chairman of the Senate Budget Committee, says the President is encouraging a departure from the "sound budgetary practice" envisaged by the 1974 budget act — that is, that programs be requested far enough in advance to give Congress time to scrutinize them with care.

Congress should take the time now. We say the request is questionable, but we do not pretend to have all the answers. These are for Congress to obtain, and to do before committing

Procurement - Amnesty

WASHINGTON STAR
20 July 1975



MARY McGRORY: How Much Suffering Is Enough for Andrew Davis?

The Clemency Board held its first public hearing last week. The case of Andrew Davis, a 32-year-old black social worker from Queens who was convicted for draft refusal in 1968, was good for them and bad for them.

Davis' plight — he had been misinformed by an American official in Canada, turned himself in after the

Under the television lights, his lawyer, animated, bearded, 66-year-old Conrad Lynn (author of *How to Avoid the Draft*) reviewed the facts. Davis refused induction on "political, economic and sociological grounds." He had been drafted by an all-white board in a 90 percent black neighborhood. He had no quarrel with the

like an invitation to come home:

"You are eligible for diversion to an alternate service program. Should you agree to undertake acceptable alternative service as an acknowledgment of your allegiance to the U.S., this office will refrain from prosecution.

"We suggest," the letter went on

WASHINGTON STAR 6 JULY 1975

Now's the time for a general amnesty— 'forgiving and forgetting'

By Brooks Hays

Now that the disappointing results of President Ford's "amnesty" plan are known, it is apparent that the problem remains with us. The President's plan, produced by his sincere concern for the thousands of expatriates, was not in reality an amnesty, and if there is to be progress in restoring the resisters to their homeland, amnesty in the historic sense must be granted.

In the light of the failure of the Executive plan, Congress becomes the forum for

A general amnesty, not a case-by-case analysis, is what is needed to restore the conscientious objectors to their families and homeland. Congress and the President should be willing to make possible full opportunity for restoration to normal life in the United States, with provision for voluntary, but not mandatory, alternative service.

To be blind to the elements of conscience in this situation would be contrary to American traditions. At the threshold of the soul the powers of government should pause. It is apparent that the resisters' consciences were not dull and insensitive, since their moral position highlighted the

the resisters might be given an opportunity, for an unprescribed period, to render national public service in agencies such as the Peace Corps, but not as a condition for their return. A special procedure, under the supervision of an appropriate federal agency, should be established for this type of voluntary alternative service. The distinction between the President's program and this plan is that the first is mandatory and the latter would be voluntary.

Such a policy would preserve the government's legal and moral position in dealing with constituents and the problems of war and peace. It also would grant to the "men of conscience" on the issue of Vietnam an opportunity to prove that they acted not in fear or weakness, but with a willingness to "pay the price of disobedi-

PHILADELPHIA
INQUIRER

6 JULY 1975 (7)

Amnesty Bill Inches Forward

By DAVID HESS

Inquirer Washington Bureau

WASHINGTON — An amnesty bill that would clean the slates of about 120,000 draft evaders, AWOLS, deserters and servicemen who shunned combat on moral grounds is inching its way through a House subcommittee.

Sponsored by Reps. Robert Kastenmeier (D., Wis.), John F. Seiberling (D., Ohio) and about 16 other liberal Democrats, the bill would grant a general amnesty to all eligible persons whose violations occurred between Jan. 1, 1961 and May 1, 1975 — the Vietnam era.

Kastenmeier's Subcommittee on Courts, Civil Liberties and the Administration of Justice is drafting a final version of the bill and should report it to the full Judiciary Committee by the end of July, a committee spokesman said.

While it is expected to squeeze through the subcommittee, one House staffer said, its chances of surviving even the full committee are rather dim at this point:

Nevertheless, the bill's sponsors

ARMY MAGAZINE

JULY 1975(10)

Clemency Program Draws Back Half Of Army Eligibles

More than half of the Army deserters eligible for clemency returned by the 31 March deadline, according to Department of the Army.

Army returnees totaled 4,263, or 54 percent of those listed as deserters. The Marine Corps had the highest percentage of returnees, 987, or 65 percent, while the Navy had 205 returnees (33 percent) and the Air Force, 46 (30 percent).

About ten percent of those returning to the Army came from outside of the United States. Most, 330, had been in Canada, while 41 came from Sweden, 23 from Mexico, 17 from Germany and 60 from other places.

Fifty-nine percent cited personal,

AIR FORCE TIMES
25 June 1975

Clemency Board Nearing Wrap-Up

By a Times Staff Writer

WASHINGTON — The Presidential Clemency Board expects to wrap up its review of more than 18,000 applications for clemency from convicted draft evaders and deserters by Sept.

15, clearing the way for President Ford to dispose of the cases.

The board, an 18-member advisory group, has been meeting six days a week in split panels to handle the thousands of applications from Vietnam-era deserters and draft dodgers.

To date the President has acted on only 145 cases.

The board recommends either (1) unconditional pardon or (2) pardon in exchange for a period of alternate-duty service performed by the applicant

N Y TIMES
22 June 1975

Clemency Program Lags After 9 Months of Work

By JAMES T. WOOTEN
Special to The New York Times

WASHINGTON, June 20—When President Ford offered conditional clemency last September to convicted draft resisters and military absentees of the Vietnam War era, he called it “a national commitment to justice and mercy” for the estimated total of 120,000

young Americans who were eligible.

Nine months later, the President has acted on 165 applications, and as of this week, 11 men were working at “alternate service” jobs required as a condition of his pardon.

While these figures apply to only one of three components in the clemency apparatus, they help reflect the program’s over-all lack of appeal to those who resisted conscription or

The Tiller family, two of whose sons fled the Vietnam draft and still live in Canada, moved from Dante, Va.,

to Levittown, N.Y., to escape son, not shown in photo, chose

Open to Discussion

Will We Ever Solve the Amnesty Problem?

by George Michaelson

WASHINGTON, D.C.

Sometime next month the Presidential Clemency Board expects to complete its remaining batch of Vietnam amnesty cases, and close up shop.

"All in all, the President's program allowing for 'earned reentry' has been a mixed success," says Charles E. Goodell, the former New York Senator who heads the board. "Only 23,000 applied, but I personally feel we have gone some distance towards easing the discord in this country caused by the Vietnam war."

Goodell may be right, but the fact remains that of the 124,000 men covered by President Ford's program, more than 100,000 have yet to ask for clemency. And the question now being

raised, in Congress and elsewhere, is what should be done about it.

Should these men be told, "Too bad, it's too late"? Should the program of conditional, earned reentry (which calls for, among other things, up to 24 months of alternate, civilian service to the country) be reopened? Or, is a blanket, unconditional amnesty the answer?

Won't compromise

To one mother, at least, the answer is painfully clear. Says Mrs. Virginia Jones, whose son is one of several thousand fugitives who are still in Canada: "I just can't accept that my son has to go on living in exile. He's been away for five years, and God knows, he's paid his price for refusing the draft. He should

be allowed now, with the Vietnam freely. International a

To optional aency, fArgues of the erans ocommiought tcan me we let bunch makingdied, an



Charles E. Goodell
Clemency p

50% of Applicants Pardoned Thus Far By Clemency Board

2/13
WASHINGTON, Aug. 12 (AP) —The Presidential Clemency Board said today that it had granted about 6,000 unconditional pardons to persons who received punitive military discharges or were convicted of desertion or draft evasion in the Vietnam war era.

The figure represents about half of the 12,000 cases the board has acted on to date. A backlog of more than 4,000 cases remains to be processed, a task that the board chairman, Charles E. Goodell, said he expected to be completed when the board expires by law on Sept. 15.

Those who did not receive pardons were granted pardons conditioned on work in public service jobs ranging from three to 12 months, Mr. Goodell said. A few were required to work more than a year, he added.

The board turned down about 700 persons for any degree of clemency.

About 21,000 persons applied to the board, but the number was reduced to between 15,000 and 16,000 because many were found to be ineligible. These included some who committed offenses in World War I and

Clemency Program Success For Applicants, Goodell Says

Courier-Express Washington Bureau

WASHINGTON — Charles E. Goodell, chairman of the Presidential Clemency Board, described the clemency program as "extremely successful" for the nearly 16,000 people who took advantage of it.

But the failure of another 100,000 eligible persons to apply for the program was a major disappointment to him, he said.

To Resume Law Practice

In an interview with The Courier-Express, the former New York State senator said he will return to private law practice when the board expires on Sept. 16.

"I plan to go back to practicing law fulltime," he said. "I



Charles E. Goodell

alternative service requirement."

The bulk of the cases his panel handled were undesirable discharges. If the person is back home, married and has a job, he probably decided not to bother with the clemency board, Goodell added.

Overall, he said about 16,000 persons applied to the board, and about 12,000 cases have been acted on so far. Of these, 6,000 were granted unconditional pardons.

By comparison, the Defense Dept. clemency program attracted about half of its 12,000 eligibles. These were all fugitives, who deserted and knew the military was looking

mixed reactions

"It's unfortunate that there

Mary McGrory

U.S. Agencies Snooping At Clemency Files

As of yesterday, a Marine in mufti has been posted at a table barring access to the confidential files of the records room of the Presidential Clemency Board.

It's too late, according to some of the people who work there.

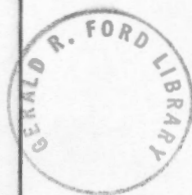
Despite a presidential promise, written into federal regulations and instructions to the staff, that applicants will have full privacy and protection from other agencies, representatives of the FBI, the Defense Intelligence Agency and the Office of Naval Intelligence, have inspected the records — "looking," as one source put it, "for fugitives and new addresses."

Applicants who went AWOL after March 28, the deadline for clemency, are obviously vulnerable.

The attorneys and legal interns who have informed the press of the practice insist on anonymity. Some receive government aid for law school, some are still presenting cases of Vietnam deserters and draft

The Washington Star
August 19, 1975
(page A-3)

(page A-3)



They Escape Punishment and Assigned Jobs

Two-Thirds Are Out of Clemency Plan

By Jerry T. Baulch

Associated Press

Two-thirds of the deserters who joined President Ford's clemency job program have dropped out, been kicked out, or been processed out by the military without reporting for jobs and will escape punishment without completing their assigned work.

Of 4,503 deserters who joined the program, 2,035 have dropped out or been kicked out, the Selective Service says. About 1,000 men processed out by the military never reported for jobs, the Defense Department says.

The deserters are no longer under military control because they were given discharges, and this will enable them to escape punishment for desertion without completing the work they were assigned under the program.

About 7,000 deserters never tried to get into the program

and denied pardons to about 700.

Only 130 men processed by the board have reported for jobs because most of the 6,000 so designated are awaiting concurrence by the President or are within the 30-day deadline for reporting. Seven have completed their job assignments.

Board Chairman Charles E. Goodell said "it is too early to tell" how many who signed with the board intend to perform jobs, although all agreed to do so when they applied.

The Justice Department portion of the program has a low dropout rate—19 of 722. Those who don't complete their jobs can be prosecuted for draft evasion. Some of the dropouts have fled the country to avoid prosecution.

So far, 52 persons in the De-

partment of Defense portion of the program and 10 under the Department of Justice portion have completed job assignments. The work periods average 20 months.

The Selective Service, in giving examples of men who have benefitted from the program, said it could not give names in order to protect individual privacy. Most are wounded, decorated Vietnam veterans.

One is a former Marine in a southern state who started the program as a jailer's assistant and fit in so well he was sent to school on his own time and is now a sheriff's deputy.

Another veteran served as a food service worker in a state hospital in the West. His supervisor wrote the Selective Service that he wanted more employees like him.

One soldier who served in Vietnam is working as a "jack of all trades" in a rest home. "He enjoys his work and plans to remain on the job after his service is finished," a Selective Service report said. "This man has only a seventh-grade education and has had trouble getting and keeping jobs."

A man in New York State, a wounded veteran, works with mentally retarded children "and is considering taking further training so as to be better equipped to help his wards even more," the report said.

Another Army veteran is working in an East Coast city as a rodent and insect control inspector for the health department. His supervisor hopes to keep him after his term is up, the Selective Service said.

The Washington Star
August 26, 1975
(page A-3)

Mary McGrory

Convict Clemency Plan: No Justice, No Mercy

By Mary McGrory
Washington Star Staff Writer

You may remember the "body count," that infamous concept which dominated the fighting of the Vietnam War. It has figured also in the so-called Clemency Program which President Ford devised to provide "not just justice, but mercy" for those who fled it.

The program which he announced on the eve of the Nixon pardon, with the hope of mollifying the left without inflaming the right, was, three months after its inception, well on its way to becoming his greatest fiasco since the "WIN" campaign.

The most the Clemency Board attracted of its potential clientele was 18 percent. In the beginning, it was boycotted. In an attempt to up the numbers and give the affair some semblance of plausibility, Clemency





OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

CT

ce

27 August 1975

MEMORANDUM FOR Mr. Charles E. Goodell
Chairman, Presidential
Clemency Board
The White House

THRU: Captain Leland S. Kollmorgen, USN
Military Assistant to the President

The attached is forwarded per your request.

Kenneth R. Bailey
Colonel, USA
Military Assistant

Attachment



WASHINGTON POST (POTOMAC) 10 AUGUST 1975

Open to Discussion

Will We Ever Solve the Amnesty Problem?

by George Michaelson

WASHINGTON, D.C.

Sometime next month the Presidential Clemency Board expects to complete its remaining batch of Vietnam amnesty cases, and close up shop.

"All in all, the President's program allowing for 'earned reentry' has been a mixed success," says Charles E. Goodell, the former New York Senator who heads the board. "Only 23,000 applied, but I personally feel we have gone some distance towards easing the discord in this country caused by the Vietnam war."

Goodell may be right, but the fact remains that of the 124,000 men covered by President Ford's program, more than 100,000 have yet to ask for clemency. And the question now being raised in Congress and elsewhere is

making an utter mockery of those who died, and everything they stood for."

It was in an effort to strike some balance between these two positions, that President Ford last September instituted his clemency program—designed, in his words, to "reject amnesty, and reject revenge."

The plan, administered by a specially appointed Presidential Clemency Board, as well as the Justice and Defense Departments, was aimed at providing clemency for draft evaders (13,000), and deserters still officially at large (10,000); most of these men were either living abroad, principally in Canada, or underground in the U.S.

Plan outline

It also included 101,000 veterans who had already been released from the

ditional" amnesty program as a punishment, and they were not to be eligible for it. Says John Colhouer, who has lived in Toronto: "If the Vietnam war were over, the U.S. had no business punishing us. Why should we have to come back like criminals for doing wrong, and wind up in a menial job?"

Thus, when the deadline for amnesty applications passed on March 1, fewer than 23,000 of those eligible had actually applied. For those who did apply, 90 percent who were asked to return to service, most have refused. Many jobs offered them. (The government has been reluctant to accept men who, in effect, had been rejected by the program.)

With this the scorecard stands a year after President Ford's proposal for "binding our wounds," the question is: do we go from here? Is this the only way of bringing these men back into the American fold now an unconditional amnesty the government declares?

A knotty question, to say the least. Opponents of such a program argue that we never have had amnesty after any of our wars. Should there be one now? The answer amnesty advocates say is: the Civil War, never had more division in the country than now. Resisters: and only

Many Escaping Work Obligation After Amnesty

By Jerry T. Baulch

Associated Press

Two-thirds of the deserters who joined President Ford's clemency job program have dropped out, been kicked out, or processed out by the military without reporting for jobs, and will escape punishment without completing their assigned work.

Almost half of the 4,503 deserters who joined the program, or 2,035 men, have either dropped out or been kicked out, the Selective Service says. The Defense Department says an additional 1,000 men processed out by the military never reported for jobs at all.

The 2,035 dropouts and kick-outs and the 1,000 no-shows are no longer under military control because they were given discharges, and this will enable them to escape punishment for desertion without completing the work they were assigned under the program.

An additional 7,000 deserters never tried to get into the program. These constitute many of those who fled the country and still could be punished if apprehended.

SELECTIVE Service officials, in response to Associated Press inquiries, said the 2,035 "more certain"

gram, 2,879 have taken jobs.

Unpunished deserters were handled by the Defense Department; unpunished draft evaders by the Justice Department. Both of these parts of the program have been completed. But men convicted of draft evasion or being punished for desertion are handled by the Presidential Clemency Board, and its part of the program is still unfinished.

OF ALL THREE parts of the program, the Clemency Board has had the most applicants — 21,000 in all. It has until Sept. 15 to complete its work. So far it has found nearly 6,000 applicants ineligible, recommended outright pardons for about 6,000 others, recommended pardons conditioned on work period for about 6,000 more, and denied pardons to about 700.

Only 130 processed by the board have reported for jobs, because most of the 6,000 so designated by the board are still awaiting concurrence by the President or are still within the 30-day deadline for reporting after Ford acts. Seven have completed their job assignments.

Board Chairman Charles E. Goodell says "it is too early to tell" how many who signed up with the board intend to perform

Los Angeles Times

HARRISON GRAY OTIS, 1882-1917
HARRY CHANDLER, 1917-1944
NORMAN CHANDLER, 1944-1960



OTIS CHANDLER, Publisher

ROBERT D. NELSON
Executive Vice President and General Manager

WILLIAM F. THOMAS
Executive Vice President and Editor

CHARLES C. CHASE, Vice President—Production
ROBERT L. FLANNES, Vice President and Assistant to the Publisher
ROBERT C. LOBDELL, Vice President and General Counsel
VANCE L. STICKELL, Vice President—Sales

JAMES BASSETT, Associate Editor
ANTHONY DAY, Editor of the Editorial Pages
ROBERT J. DONOVAN, Associate Editor
FRANK P. HAVEN, Managing Editor
JEAN SHARLEY TAYLOR, Associate Editor

6—Part II

THURSDAY MORNING, AUGUST 14, 1975

No Deadline for Mercy

President Ford has gone along with all the recommendations of his Vietnam clemency board, and he almost certainly will approve its latest proposal that he grant unconditional pardons to 6,000 draft evaders and deserters who already have paid the penalty for their wartime offenses.

But we believe he should do much more than that: He should extend the life of the clemency

scientific-objector status did not require religious grounds, but the ruling came too late for those who already had paid the price for refusing military service.

This week, in urging the President to grant the unconditional pardons, clemency board Chairman Charles E. Goodell said, "We have succeeded in closing the chapter on Vietnam."

66% of deserters fail to finish clemency jobs

Washington (AP)—Two-thirds of the deserters who joined President Ford's clemency job program have dropped out, been kicked out, or processed out by the military without reporting for jobs and will escape punishment without completing their assigned work.

Of the 4,503 deserters who joined the program, 2,035 have either dropped out or been kicked out, the Selective Service says. Another 1,000 men processed out by the military never reported for jobs at all, the Department of Defense says.

The 2,035 dropouts and kick-outs and the 1,000 who failed to show up are no longer under military control because they

er tried to get into the program. These constitute many of those who fled the country and still could be punished if apprehended.

According to Selective Service officials, the 2,035 "were terminated for nonperformance, for lack of co-operation and because they chose not to fulfill their agreements in many cases." Some with families dropped out because they couldn't make a go of it on the low pay.

"Even though we didn't get the numbers we anticipated, President Ford has attained more of his initial goal than lots of people give him credit for," says the draft director, Byron V. Pepitone.

In addition to unpunished de-

Only 130 processed by the board have reported for jobs, because most of the 6,000 so designated by the board are still awaiting concurrence by the President or are still within the 30-day deadline for reporting after President Ford acts. Seven have completed their job assignments.

The Clemency Board chairman, Charles E. Goodell, says "it is too early to tell" how many who signed up with the board intend to perform jobs, although all agreed to do so when they applied.

The Justice Department portion of the program for draft dodgers has a low dropout rate, only 19 of the 722 who signed up. Those who do not complete

BALTIMORE SUN
24 August 1975

One is a former Marine in a Southern state who started the program as a jailer's assistant and fit in so well he was sent to school on his own time and is now a sheriff's deputy.

Another Vietnam veteran worked his term as a food service employee in a state hospital in the West. His supervisor wrote the Selective Service that he wanted more employees like him.

A soldier who served in Vietnam is working as a "jack of all trades" in a rest home for the aged. "He enjoys his work and plans to remain on the job after his service is finished," a Selective Service report said. "This man has only a seventh grade education and has had trouble

Mary McGrory

Convict Clemency Plan: No Justice, No Mercy

By Mary McGrory
Washington Star Staff Writer

You may remember the "body count," that infamous concept which dominated the fighting of the Vietnam War. It has figured also in the so-called Clemency Program which President Ford devised to provide "not just justice, but mercy" for those who fled it.

The program which he announced on the eve of the Nixon pardon, with the hope of mollifying the left without inflaming the right, was, three months after its inception, well on its way to becoming his greatest fiasco since the "WIN" campaign.

The most the Clemency Board attracted of its potential clientele was 18 percent. In the beginning, it was boycotted. In an attempt to up the

The response from the prisoners was instant and gratifying. Some 4,000 applications rolled in, greatly increasing the Clemency Board's rolls. Attica alone sent in 50. Prisoners have little to do and apparently a chance at some light at the end of the tunnel appealed.

The Clemency Board which received only general information about the civilian offense began to act on the applications in the same handled what came to be known as the "jail-mail" just like the other applications. Then it dawned on them that they might embarrass the President if they recommended to him the pardon of people who were later revealed to be murderers, rapists or perpetrators of other serious crimes.

AFTER A LONG and bitter dispute which polarized the Board Members

Point of View

and embroiled attorneys and summer legal interns, they decided on a policy of no clemency for those convicted of heinous offenses.

Vernon Jordan, executive director of the National Urban League, took vehement opposition. It was his contention that the Clemency Board was taking unto itself the powers of a Su-

WASHINGTON STAR
26 August 1975

PRESENTLY, the board is sending over to the White House what Goodell calls "a number" of favorable recommendations for felons who engaged in nonviolent criminal activity — crimes against property, not persons, as Goodell defines it. The felons' recommendations go over in separate packets from those of non-felons so the President's counsel can scrutinize them for any embarrassment content.

"Many of these rejected applicants have as good or better cases for clemency than those who are not now in prison but who have been granted a pardon," says one attorney. "Many blacks experienced overt racial discrimination which contributed to their AWOLs. They have received decorations, and they had strong aggravating personal reasons for their military offenses, but they get the consideration."

One board member, Joan Vinson, questioned the use of a clemency discharge for a man already in prison while the debate was going on. Actu-

74 Aug 1975

Many Fugitives Refusing Clemency

By GRACE BASSETT
News American Bureau

WASHINGTON — About 100,000 men and women convicted of crimes growing out of their opposition to the Vietnamese war never bothered to apply for clemency.

Nor has President Ford's somewhat confusing offer of forgiveness tempted uncounted thousands more war opponents to return from Canada, Mexico, South America or Europe, countries they chose to live in rather than to fight in Asia.

These evaders either deserted the military or took

"Others were content with their new lives," Goodell added.

Whatever their reasons, "those who left made a conscious choice," Goodell said. "I don't think there's going to be any further amnesty or clemency extended to them. Their residences in Canada or Sweden are permanent."

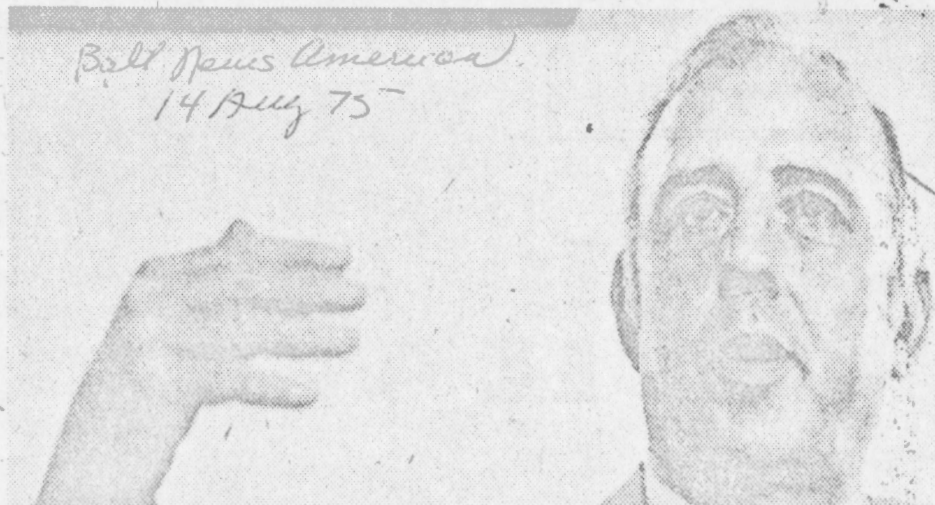
The dissolution of the board, at least, will "close that chapter" of the Vietnamese struggle, according to Goodell.

Those will be hard words for mothers, such as Virginia Jones, whose son is still in Canada.

been punished whereas the exiles fled; rather than defend themselves against almost certain punishment prior to 1970.

Varying explanations are offered here for President Ford's stern refusal to offer amnesty to expatriates.

Politically, the President seemed on firm ground. Polls indicate most Americans agree, in general, with Cooper Holt, executive director of the Washington office of the Veterans of Foreign Wars, who says:



*Balt News American
14 Aug 75*

Pro-Amnesty

going on?

BARRETT: Correct.

LEE: How soon after your father's death did you learn that it was from a drug?

BARRETT: My mother told me -- well my mother didn't tell me till a week after he died, and when she told me she told me then that it was from LSD.

LEE: The hospital says it couldn't happen again because of all the safeguards and the informed consent contract these days.

BARRETT: The safeguard has to be with the person who's getting the treatment, that's the ultimate safeguard is that he say: Hey, wait a minute, I didn't know I was supposed to get something now, what is that.

LEE: And your father was never given that chance?

BARRETT: Oh no, he wasn't even -- it just wasn't the fashion I guess.

Clemency Board

SERAFIN: Charles GOODELL, head of the administration's amnesty program for draft dodgers and deserters, says the program has not reached many of those for whom it was devised. Details from Moriah McLaughlin.

MORIAH McLAUGHLIN: GOODELL says that more men did not take advantage of the overall clemency program because there was such terrible confusion about it. He says when the program runs out in September that will be it, even for those uncounted numbers who have left the country.

CHARLES GOODELL: Well those who remained in exile I think understood the program and they made a conscious choice. I don't think there is going to be any further amnesty or clemency extended to them, and I respect the fact that they decided they wanted to stay where they were, but the President has done everything that could possibly be expected of him.

McLAUGHLIN: As of today the figures stack up like this. Under the clemency board program available to men convicted and or already punished: over 100,000 eligible, 16,000 applied, 50 percent have received outright pardons, 44 percent have received alternative service, and only about six percent received no clemency. Many of those who could have qualified under this program didn't bother because they had already started new lives after having served the sentence.

Under the Defense Department program available to men who deserted the

6,000 unconditional pardons issued by clemency board

Washington (AP)—The Presidential Clemency Board said yesterday it has granted about 6,000 unconditional pardons to persons who received punitive military discharges or were convicted of desertion or draft dodging in the Vietnam war era.

The figure represents about half of the 12,000 cases the board has acted on to date. A backlog of more than 4,000 cases remains to be processed, a task that the board chairman, Charles E. Goodell, said he expects to be completed when the board expires by law September 15.

Those who did not receive full pardons were granted pardons conditioned on work in public service jobs ranging from 3 to 12 months, Mr. Goodell said. A few were required to work more than a year, he added.

The board turned down about 700 persons for any degree of clemency.

About 21,000 persons applied to the board, but the number was reduced to between 15,000 and 16,000 because many were found to be ineligible. These included some who committed offenses in World War I and World War II.

Another 100,000 persons eligible for clemency did not apply to the board because of confusion about the program or lack of motivation, Mr. Goodell said.

The board does not consider cases involving unconvicted draft dodgers or deserters, or persons who fled the country to avoid prosecution.

"As distinct from the Justice and Defense Department programs, all of our applicants had already been punished for their offenses," said Mr. Goodell.

He described as "surprisingly revealing" the characteristics of the 12,000 cases acted on.

"Roughly 25 per cent of our military cases are individuals

who served valiantly in Vietnam and subsequently got into trouble when they came home," Mr. Goodell said.

"About 66 per cent of our civilian applicants evidenced substantial conscientious objection to the war but were unable to obtain proper C. O. status and they have been recommended for outright pardons."

These were in large part men who applied for "C. O." status before the Supreme Court ruled in 1970 that such an application need not have a religious basis, he said.

Mr. Goodell said the board recommended outright pardons for those who objected to war in general and to Vietnam specifically.

In answer to questions, the former New York Republican senator said he would like to see the program continued. But he doubted President Ford would ask Congress to extend it.

Asked how many men

sought a pardon with no intention of performing the assigned work, Mr. Goodell said it was too early to tell.

Of the estimated 5,000 persons who were assigned to perform public service work in return for clemency, only 288 persons have been referred by the clemency board to the Selective Service System for processing, a Selective Service spokesman said.

The remaining cases are awaiting action by Mr. Ford, who must give final approval to all clemency board recommendations.

Of the 5,551 unconvicted deserters processed by the military, 1,359 are at work, 879 have been referred to jobs, 167 had their jobs interrupted, 73 were given new jobs, 60 postponed the work, 51 completed their terms and 1,918 dropped out, the Pentagon said. More than 1,000 others did not report for jobs, it added.

Of the 723 convicted draft dodgers processed by the Justice Department, 458 are at work, 179 have been referred to jobs, 29 had their jobs interrupted, 15 were referred to new jobs, 19 postponed, 9 completed the work and 14 dropped out, a spokesman said.

13 Aug 1975

CHRISTIAN SCIENCE MONITOR 13 AUGUST 1975

How Ford Viet clemency worked and some questions that remain

By Guy Halverson
Staff correspondent of
The Christian Science Monitor

Washington

With the expiration of President Ford's post-Vietnam Clemency Review Board Sept. 15, two questions are being asked here:

- How fairly did the board, which grew from a staff of some 45 to more than 600, including a jump from 5 to 18 board members, handle the processing of the nearly 21,000 individuals who sought clemency.

- What steps, if any, eventually will be taken by President Ford or his successor to deal with the thousands of individuals who fled to Canada, Sweden, and other nations because of the Vietnam war, or who are living "underground" lives in the United States?

To date, the clemency board has received some 21,000 applications, of which between 15,000 and 16,000 are eligible for board action. Another 100,000 were eligible but did not apply

persons currently under indictment or investigation for draft evasion.

Of the 10,000 drafters, whose cases are handled by the Defense Department, some 5,505 to date have been processed, according to Pentagon sources.

The Clemency Review Board, which was given congressional funding for one year deals only with individuals who already have been punished for some offense.

Charles E. Goodell, chairman of the clemency board, said there was no possibility the amnesty program would be extended beyond Sept. 15 — a result that he attributed to congressional divisiveness over the whole issue.

Some critics of the clemency program have countered that Mr. Ford, seeking to placate right-wing grumbles about the amnesty program before the 1976 presidential election, would prefer to let the board expire this year.

According to Mr. Goodell, roughly 50 per-

Deserters and Outreach Program

NEWMAN: Two and a half years have gone by since the cease-fire in South Vietnam and the final American withdrawal from that country. But it's estimated that more than 100,000 young Americans, deserters and draft evaders, are still either in hiding at home or living across the border in Canada or somewhere else abroad. Now most of these men, probably 95 percent of them, are not being sought by any legal authority. Only 4,400 Americans still face indictments for draft violations or desertion, according to a list provided by the Justice Department last January. With me now is Tim MALONEY who heads a program called "Outreach" for the National Council of Churches. This is intended to let Vietnam war resisters know whether they still face charges or whether they're hiding needlessly. And it's all intended to advise them of their rights.

Mr. MALONEY, why does the National Council of Churches feel so strongly about this matter?

TIM MALONEY: Well really there were so many victims of the war and, you know, the various denominations -- there's 33 that the NCC represents-- have taken stands to say, you know, that the veterans should be helped, the war resisters should be helped, all the victims of the war need some relief and need some assistance.

NEWMAN: You regard draft evaders or deserters as victims of the war?

MALONEY: Very much so. You know I think there were a whole series of victims and you know the war just tore the country apart. And I think it's time that -- you know we're working to help people on an individual basis and what's really required obviously is a just-amnesty not a so-called clemency program that flopped.

League's Head Calls for Total Amnesty

By PAUL DELANEY

Special to The New York Times

ATLANTA, July 27—Vernon E. Jordan Jr., executive director of the National Urban League and a member of the Presidential clemency board, broke with the Ford Administration today and urged total amnesty for Vietnam veterans.

Mr. Jordan's position was disclosed in remarks he had prepared for delivery tonight in his keynote speech at the 65th annual convention of the league.

The nine-member board was established by President Ford last September to review the cases of those already convicted or punished for military desertion or draft evasion.

Mr. Jordan said that he had been troubled by the amnesty position of the Administration

also unveiled the Urban League's proposal for a new national welfare program. He called for a credit income tax, which is a version of the negative income tax. He described the tax as "a pro-work, pro-family, pro-dignity proposal for a humane, responsible society."

Under the proposal, all persons would receive a basic annual grant, or tax credit. Persons above a certain income would lose the grant through taxation, and those below a designated income would keep all or part of the grant.

"Families who are above the poverty level but below the level at which the grant is taxed away would benefit because a portion of their grant would remain in their hands."

comes would get the income assistance they need, but for which they do not qualify under the present system.

"No means tests, no work requirements, no coercive local regulations or other stigmatizing elements would be part of the system. Payments are automatic, through the tax system, and would be a matter of right." The present system, he said, takes more from the pockets of moderate income working people than it does from the rich."

Mr. Jordan also criticized the statistics released by the Department of Labor on unemployment had found a jobless rate of 15 per cent rather than the 9 per cent reported by the Government, with 3 million blacks and 12 million whites out of work rather than the

FOR DEPARTMENT OF DEFENSE

PROGRAM Empathy

STATION WWDC Radio

DATE August 7, 1975 8:00 PM

CITY Washington, D.C.

SUBJECT An Interview With Tim Maloney

FRED FISKE: Tim Maloney is outreach coordinator for the National Council of Churches Special Ministries of the Vietnam Generation Project. That's quite a title, it's a mouthful.

TIM MALONEY: It really is a mouthful, right.

FISKE: You can't get that on a calling card, can you?

MALONEY: No. In fact, I don't have any calling cards.

FISKE: What does it mean?

MALONEY: Well, what it means is that the National Council of Churches, which represents 33 major denominations in this country, five years ago set up an office for the Vietnam generation, an office to help veterans, an office to help men who evaded the draft, who went AWOL from the military, an office, really, to help all the victims of this tragic war that we had in Vietnam.

And more recently, last August, when we learned that the President was about to proclaim some form of clemency or amnesty, we decided that we ought to set up a program, an information program to provide the facts on the President's program so that people could make their decision based on full knowledge.

FISKE: Of course, the government was trying to disseminate that information the best they could, and not many people took advantage of the opportunity for amnesty. Now, if the government couldn't get the word across to them, what makes you think that you can?

MALONEY: Well, we really didn't think there was much

Personal - Amnesty

Aug. 1975

opportunity in his program and we didn't feel it was an amnesty. In fact, it was a very punitive program. And it wasn't because people didn't know about his program. In fact, the more information we told people about his program, the more people said no to it.

And so what we did, aside from telling people about his program, the punitive terms of his program, what they could expect upon returning to the United States or emerging from underground; what they could expect, just in a nutshell, was to be treated to punishment. Amnesty comes from the word amnesia; it's a forgetting, it's not hit someone over the head, have them do 19 to 24 months of alternate service, that sort of thing -- we may wish to go into that further.

But at any rate, his program certainly didn't meet the objectives that he himself set out, the objectives of healing some wounds and avoiding further recriminations and of trying to clear the slate.

FISKE: Well, what are you doing aside from informing the people about the program?

MALONEY: Well, his program ended March 31st. I personally don't believe it should have ever begun. I think that we would have seen something better had it not been put on the boards last September.

What we do is we provide people with options. While the program was underway, we helped people clear their draft charges or get discharges without participating in his program. In other words, people were saying no to his program, and so we were saying, "Okay, that's fine. We'll help you without all this punitive service, with all this -- you know, without all those strings attached to it, we'll help you get a discharge."

For example, in Canada 330 men participated in his program, and yet we helped over 600 men get discharges in Canada. We've had over 5000 contact our offices, and more than half of those men no longer face charges for the draft.

What aids us in this whole program of helping people get their draft charges dismissed [unintelligible] someone who didn't make it into the military, like myself, who ripped up my induction notice, is that Senator Ted Kennedy supplied our office, the National Council of Churches in New York, with a very final list of those men who are wanted for draft evasion. That list has 4,400 names on it. And yet during the Vietnam era, 192,000 men evaded the draft.

FISKE: What's special about these 4000, that the 188 other thousand are not subject to prosecution and that these 4000 are?

MALONEY: As one U.S. attorney told me, "It's sort of the luck of the draw." What happened during this period of years is that when a man refused induction into the military, his case was referred to the Department of Justice for prosecution, and generally, the U.S. attorney literally threw up his arms in disgust with the local draft boards, because local draft boards, as we all are aware, were made up primarily of volunteers, the Selective Service law was very complex, and the net result was that they could not properly administer the law, and sometimes they even misused the draft law, misused it in a punitive way and negated men's procedural rights to such an extent that men who evaded the draft, when their cases were referred, the U.S. attorneys saw that the case did not have prosecutive merit, so he either had to drop the charge or the charges have been dropped over the years.

The 4,400 that are left on there primarily are left on there because either a U.S. attorney did not have the inclination or the desire to really thoroughly review it, you know, spend time reading the file to see what errors would be in it, or he simply did not have the ability. And some U.S. -- for example, Senator Kennedy asked each U.S. attorney, through the Justice Department, to make a review of all the outstanding draft cases; 1800 charges have been dropped just since November. And yet we know that in 15 of the 90-some judicial districts in this country, 15 of the judicial districts never even took the dust off the files, and these were mainly in the South.

And so, the list with 4,400 names on it has people on it who have the exact circumstances as mine. In other words, their charges should have been dropped. And what we've done to help get those names off that list is that we have set up and funded two offices, one in New York and one in Los Angeles, with lawyers who specialize in draft law, and they have approximately a 75% success rate in getting charges dismissed. And that doesn't even mean a man has to appear in court. We get the charges dismissed while a man remains in exile or remains underground in the United States.

FISKE: Where did you go? You were a draft evader. Did you leave the country?

MALONEY: Yes. In fact, Winnipeg is still my hope. I've lived there for the past seven years now.

FISKE: Have you sought Canadian citizenship?

MALONEY: I haven't. I seriously considered taking out Canadian citizenship. In fact, most of the men who are in Canada, that's their home now. I mean they crossed sort of a border of no return. It was a difficult decision. There wasn't room within the law in the United States to dissent. In other words, a person

oftentimes would feel he was a conscientious objector, and oftentimes draft boards would pride themselves on never giving out that status, and so there wasn't any room for him here, and so he had to make that difficult decision of crossing that border, feeling that he could never return. And so he started to put his roots down in Canada. And now that they've been there five, six, seven years -- and I've just spent three months traveling across Canada and I've worked with war resisters, helping them for the past six years in Canada. I've found that really that's home to them and that they really only want to be able to visit back in the U.S.

The snag with Canadian citizenship is that even though a man's draft charges have been dropped, such as mine, in January, the Department of Justice sent a telegram to all U.S. attorneys, telling them, in effect, that, "Well, of those 1800 men you just had to drop charges on because you didn't really have a case against them, if you know that they've taken out Canadian citizenship, forward their names over to the Immigration Department so that we can bar them from the country," based on an old 1944 law they'd just taken the dust off of which says, in effect, "Any man who leaves the United States to avoid military training or service and subsequently becomes a foreign national, or a Canadian citizen, can be permanently barred."

And so -- even Senator Kennedy feels this is illegal, the way they're applying this law. And what it means in practice is that I wouldn't be sitting here talking if I had Canadian citizenship. In fact, just within the last three weeks I tried crossing -- I did cross at Detroit through the tunnel from Windsor, and after they put my name through the computer, because they thought they had a live draft evader they could arrest and they found out they didn't, then they took me to another building to interrogate me about my citizenship. And we also know that within the last two weeks we've received 20 phone calls from parents, or sons who've talked to their parents, that the FBI is now making their regular house calls and this time asking the parents about their sons' citizenship.

FISKE: Why did they put your name through the computer? I mean there are thousands and thousands of people who cross the Canadian border every week. They don't put all their names through the computer. Why'd they put yours through?

MALONEY: They put mine through because I drive -- when I drive across, I'm driving a car with Manitoba license plates, and they usually ask, "What country are you a citizen of?" And when I say, "I'm a citizen of the United States," and they see the Manitoba license plates, they automatically look at me and assume that "Hey, he might be one of these draft evaders." That's when they become suspicious. Though, you know, chances are if you travel back and forth yourself between Canada and the United States, you would be subjected to a computer check. You might not

even be aware that it's happening, because oftentimes they put the entire passenger list of a plane through the computer. It's a very quick process...

FISKE: I've driven across the Canadian border several times, and it's been just a cursory inspection. A fellow will say, you know, "Where are you from?" and "How long are you going to stay?" Or, you know, "How long have you been out?" And that's about all. You know, it's a matter of a few seconds.

MALONEY: Right. Well, there's usually never any trouble on the Canadian side. It's on the U.S. side where the computers are, and they can put your license plate -- just while you're standing in line, you know, in the matter of a minute or two, they can run your license plate number through and literally have your whole background and your whole history. And this is what makes it extremely difficult for men, who even if their charges are dropped and they have Canadian citizenship, from reentering the United States.

FISKE: So, most of them are anxious to come back and see their parents.

MALONEY: This is really why we've had 5000 phone calls, is the parents now are aging. You know, the draft evaders and deserters or whatever we want to call them aren't kids anymore. They're hitting 30. And the parents are also aging, and sometimes there's illness in the family, sometimes it's just they want to be -- go to their kid sister's wedding or show off their -- you know, some have married Canadians. They want to show off their kids, and their parents can't travel to Canada because of disability. And so they really want to be able to cross over the border.

They really don't want to live here, because, you know...

FISKE: You say they really don't want to live here. I can't help but feeling that there must be a substantial number who would like to return home and live here.

MALONEY: No, that's -- really, that's not the case. At least that's not what they verbalize, you know, that's not what they tell me. And I think it's understandable because we're looking at a group of men now that have lived in another country, you know, five, six, seven years. They have had and continue to have, even after the clemency program -- it probably heightened their bitter feelings toward this country, because now, you know, all Americans are saying, or basically they're saying, the war was wrong; it was a tragedy. And yet there's no amnesty. There's been 37 amnesties in American history. There's no amensty. And, you know, we have these immigration laws, and in every which way they're being kept out of the United States. And so they're bitter.

And they're bitter toward this country.

They have good jobs, by and large, in Canada. They have, you know, a Canadian wife or they have a mortgage on the home. They're just, you know -- these are people that are, for all practical purposes, are making it. And their friends now are in Canada.

Really, all they have in the United States are family and a few relatives. And if they came back, another thing that they would trouble with is employment here in the United States. For example, even if someone participated in the President's clemency program, I understand that the state of Arizona four weeks ago passed legislation stating that no man, even though he has a clemency discharge -- and this was the great reward: after you served your 19 to 24 months of alternate service, you had a clemency discharge, which for life would mark you as one of those -- they passed a law saying a man with a clemency discharge or even a presidential pardon shall never have a state job in Arizona. And so there is still a great deal of bitterness amongst Americans.

I'm sure that we may have a few callers tonight that will say that I, you know, should be on a boat to China or should be shot or hung. At least I've had that reaction before. You know, this whole war evoked many emotional feelings. There were men that fought and served and died and were maimed, and, you know, it's tragic. I have the greatest amount of sympathy, and I think there should be a great amount of relief given on the part of the government toward them in terms of veterans' benefits, in programs to help the men that did serve. But I also think there should be relief in terms of those who said no to participating. And to date, we've seen no substantive program that will help.

The clemency program, I think even in part by the President's own admission, was a failure.

FISKE: Give me just a moment here, Tim.

*

*

*

FISKE: At our Empathy microphones, Tim Maloney, who is outreach coordinator for the National Council of Churches Special Ministry for the Vietnam Generation Project.

Now, what is your main purpose now? To let people know that you can be of help to them?

MALONEY: Yes. My purpose is -- well, first, I started out in Canada and I wanted to let the men who are in exile that there were services available for them not only to clarify their

legal status, but to -- you know, to find out that they're not wanted, because the majority aren't. That's the situation for the majority, they're just plainly not wanted, they're not on the wanted list. But also to help those with charges to get their charges dismissed.

FISKE: We can't really describe them as being in exile, can we?

MALONEY: Well, they're still in exile because they think they're wanted. You know, people who went across that border or who went underground in this country, for that matter, and there's lots right here.

FISKE: More than in Canada.

MALONEY: Yes, yes. And, you know, just assume they're wanted because they didn't report for induction, and plus all the men that deserted, the men who went AWOL. They still are wanted.

We're trying to help those men get their charges dismissed and get discharges. And so, what I'm doing in my travels -- and, really, I just tried a couple U.S. cities on an experimental basis, and the response was overwhelming in terms of people phoning the National Council of Churches in New York to say, "Hey, am I on the wanted list?" or, "What can you do about getting my charges...."

FISKE: You've got it computerized?

MALONEY: No, it's all by hand. We've got a list and it's broken down by states. And somebody -- you know, oftentimes the man himself, if he's underground in the U.S., you know, he's very reluctant to phone, for good reasons. You know, he's probably gotten a crooked neck looking over his shoulder to see if the FBI is behind him. And so a friend will phone or a relative will phone and they'll say, "Is John Smith on the list?" It only takes a minute or two, and we look on the list, and if we can't find the name on the list, we say, "No, the name is not on the list. Before emerging from the underground, however, please check with the U.S. attorney and with -- you know, to see if there's any outstanding investigations, indictments, and make sure there is not an arrest warrant, and see if you can get a copy of the dismissal of the indictment." In other words, we give them the procedures so that they're home free.

FISKE: What you do -- in case you find that, for example, some of these people are wanted and there's a warrant for them, you advise them not to come?

MALONEY: Well, certainly we advise them to lie low.

FISKE: What's your legal position, doing that?

MALONEY: Well, we're probably on the fine line of...

FISKE: You're probably in violation of the law.

MALONEY: Well, the National Council of Churches is a pretty big organization, and so if the Department of Justice wants to take it on, it will be a lot more difficult than taking on one poor draft evader they've run through the coals.

But what we do, for example, if someone is wanted, even if it's through a third party, we send out a simple power of attorney form. We don't even need their address. You know, it could be a friend, and he gets it to them, and the evader or the man who went AWOL puts his John Henry on this power of attorney form, and that lets our lawyers, either our draft lawyers or our military lawyers, get a copy of his file, and to go through his file to find what procedural errors the draft board made in the induction process, so we can the charges dismissed, or, in the case of the military, to find out if the military, you know, like lived up to its service contract: if he was erroneously inducted; if he applied for a conscientious objector status, was he treated properly? And then we advise him what options he has with respect to getting a discharge.

And so, throughout this whole works, we've just helped, you know, thousands of people, and it's been a very successful program, and it's unfortunate that it ends at the end of December. The funding, the church funding -- there's not that much there.

FISKE: How many people have you dealt with?

MALONEY: Over 5000, which is a pretty hefty...

FISKE: A lot of these fellows are gun-shy, right? I mean they're reluctant to come forward even though you assure them that you can be of help to them?

MALONEY: That is true, and, you know, it's still understandable, because wow -- you know, I talked to a man, for example, a black draft evader who spent nine years, since 1966 to the present time, living with an assumed name in the black community, frightened on a daily basis, having trouble with employment and whatnot. He phoned our office in New York and found out that he was not on the wanted list. You know, he...

FISKE: And the chances are overwhelming that this is it. I mean what's the proportion of 4000 as against 188,000?

MALONEY: Right. So the chances are a person is not on that wanted list. And, you know, they won't even take -- and I don't blame them. If someone told me after I was living in exile or living underground -- I made one simple phone call and they said,

"Hey, you know, you're not wanted," I wouldn't believe it. And so that's why we tell them how to get the written proof.

FISKE: After you refused induction, did you leave the country immediately?

MALONEY: In fact, I left before I received my orders to report for soldiering.

FISKE: You're from Wisconsin.

MALONEY: From Wisconsin, and I was just completing my undergraduate work in 1968.

FISKE: In what?

MALONEY: It was in psychology at that time. And they were doing away with graduate school deferments. You know, I never even wanted to go to college to start with. In fact, I came to Washington, D.C. when I was 18 and worked for a while here until they gave me my first order to report for a physical in '64. So then I quickly went -- I quickly went to college. And it was in 1968 that they were doing away with graduate school deferments, and I thought, "Well, I'll go to one of these physicals. I'll see if I can beat it." I've got a little tremor, and I know if I take some No-doz and lots of coffee and don't sleep too well that I'll probably have a good chance. I got to the end of the line; they were stamping everybody approved, and I said, "What about my shakes?" And three doctors examined me, and they couldn't make up their minds whether they wanted me or not. One said no, one said yes, one said he didn't know. So they said, "You'll have to come back for another physical."

And so they said that would be in a week or two, and time passed that summer of '68, and they never called me back. And so finally, I was just at the point of utter disgust with the whole Selective Service system; I saw how corrupt or sloppy or whatever -- you know, each draft board varied in terms of its kind of responsibility, in terms of how it followed the law. But in my case, my draft board never gave out conscientious objector status, even though I'm not a conscientious objector.

But I did say to them, I said, "Look, I'll be in the military, but let me be a social worker. You know, let me finish my graduate school in social work so that I can be a social worker."

They said, "No. We want to draft you," you know, "now. We don't want to give you a deferment."

So at that point I just left. I went to Winnipeg and enrolled in graduate school there and completed that. But while I was in graduate school, that same -- just in December of '68 was

when they gave me my notice to say, "Hey, come back for a physical." But this time they were going to confine me because they were aware that people were popping pills and things to, you know, whatever conditions that might get them out of the military.

So, I said no to the physical, and subsequently I was punitively inducted. They speeded up the induction. And as a result, I no longer could reenter the U.S. And finally in April of 1970, I got a letter, very surprisingly, that my charges were dropped.

FISKE: Did they say why?

MALONEY: They never said why. They just said, "At our meeting last night, we dropped the charges of failing to report for a physical and failing to report for induction." And, you know, I didn't even believe it for about four months. Finally, I, you know, with a great amount of fear, crossed the border to visit my folks in Wisconsin.

FISKE: And if you didn't believe it, you can understand why so many don't.

MALONEY: That's for sure. And so, that's the problem we've got, is trying to get the message across.

FISKE: Since you've referred to the tremor that you have, I noticed it when you came in. What is it due to?

MALONEY: It's hereditary. You know, it's a neurological tremor.

FISKE: I would, you know, would have thought that that would have excused you from military service.

MALONEY: Well, back in 1968, they were taking people with things worse than a slight case of the shakes, you know. At the end of this line where people were going through, they were just stamping people. It was like a machine the way they were stamping people approved for military service. And, you know, I'm sure there were lots of people who ended up being drafted who shouldn't have been for physical reasons.

FISKE: I want to pause here....

*

*

*

CALLER: ...This is a nice little topic that I've answered some questions to before. Back in September of last year I was in the Veterans Administration Hospital here in Washington having my knee joint taken out as a result of a service-connected disability. I was asked the question as to whether I thought draft

dodgers that had evicted the country, that had gone to country, should be allowed back into the country, into the States. And my answer to that question was "Yes, but they should not receive any type of judicial punishment of any kind, but they should be obligated still to their country, from what they ran out on, a minimum of two years of military service."

Now, as the President was putting it at that time, back in September of last year, he was saying, "Well, if they give two years of service to the government." Now, that could be in the laundry, working in the laundry section at a hospital, a government hospital. I don't classify that as being service. What I had answered to was two years of military service, not the Peace Corps, not the Coast Guard, but a branch of the service, such as the Army, Navy, Marines or Air Force. And I still hold that true. I still hold that very true in my own heart.

And I'd like to find out what your guest feels about that.

MALONEY: Well, I feel that men would say no to that, and I'm sure the military as well would say no. The military really doesn't want a bunch of 30-year-olds who were disgruntled with the militarism, the war and whatnot in it. I'm sure that if you contacted people in the military, they would say, "No. We don't want them back in here." They just flatly would say no.

CALLER: No, I wouldn't -- let me say this: I would not -- if I was in a combat situation, I would not want a man beside me that had run out once before already. I wouldn't put him in a combat situation at all. I wouldn't jeopardize the lives of all the other men there.

But what I would do is put him in a position and put him in a duty in the States for those two years of service that he would be obligated to perform.

MALONEY: I guess what I'm saying, sir, is that this alternate service or military service for the country, whatever you want to call it, is a punitive measure. It is...

CALLER: I wouldn't call it an alternate service. I would consider it an obligated service.

MALONEY: Okay. Then, if it's an obligated service, it still makes for a punitive program. And I'm just saying that the men would say categorically, as they did to President Ford's program, for the most part, no.

CALLER: You would call it a punitive program.

MALONEY: Well, what would you call it if you're obligated to perform a service?

CALLER: Do you call the draft a punitive service or a punitive program? Because the draft, not the lottery, but a draft existed for quite a number of years.

MALONEY: And the draft was so sloppy and so misused, that that's why only 4000...

CALLER: That doesn't answer my question. Would you classify that as a punitive program?

MALONEY: I would say it's an unnecessary one.

CALLER: That still doesn't answer my question. My question was: Would you call that a punitive program? I don't care whether it was performed properly or not. I want to know if it was, in your eyes, a punitive program.

MALONEY: For me it was punitive.

CALLER: That's unreal.

MALONEY: It's not unreal. I'm just saying...

CALLER: I was not drafted. I enlisted on my own -- under my own volition.

MALONEY: Maybe you misunderstood. I said it was punitive for me, in the sense that I was willing to serve in the military, but, you know, I wanted to serve in a way that I could help others. I wanted to serve as a social worker. There was no room within the draft system to allow me to that. So, in effect...

CALLER: As a social worker so that you wouldn't be under a situation of combat, right?

MALONEY: Well, I didn't feel like killing people, sir, not in a war that for me was...

CALLER: Oh, listen. I didn't feel like killing people either.

MALONEY: What did you do?

CALLER: I was in Vietnam for five-and-a-half months and I got my right leg messed up

MALONEY: You have my deepest sympathy for that.

CALLER: But that still -- okay, there was a speaker on before, that Dr. [unintelligible] from China speaking about China. I didn't know exactly how to interpret what he was saying. I didn't know whether to interpret that as, "Hey, you know, our

country is that much greater because of" -- or, "I understand the greatness of our country because I'm hearing more about how the Communistic setup works," how their regime works, let's say. I didn't know whether to think that or to think that it was half propaganda.

But at any rate, the situation that we're in as far as freedom is concerned is only protected. It's not a privilege. It's not a privilege in any way. It's something that has to be earned and something that has to be kept by fighting for it.

MALONEY: I'm sure, sir, if Vietnam was a just war, was a war that seriously threatened this country, you'd have seen many of the men not resist, but go to the fore to sign up, just as we did in the Second World War.

CALLER: Indirectly, it did affect this country. It was indirectly...

MALONEY: Yeah, it sure really affected it. It tore the country right apart.

CALLER: ...a threat to this country because if every little country, such as South Vietnam, is overtaken by the Communist regime, again, it's going to be that much harder for the United States and every other free country to maintain their continuity of freedom, that much harder, because there's going to be that much more threat against them.

Now, the way they fought the war, I didn't agree with, I didn't agree with at all, the way they fought it. The reason I do go along with, I do understand, and I do condone, completely condone -- it's a matter of freedom. It's a matter of freedom for the South Vietnamese. It's a matter of freedom for every free person in the world right now, and it's a matter of keeping that freedom. It's something that is not just given to you on a silver platter, saying "Here, it's yours. Keep it. You know, if you want to give it away, you know, so what." I don't feel that it's that way.

When I want to get up on Sunday morning and I want to go to church, I don't want it to be a direct order. I don't want it to be a situation where I have to wait for a command. When I want to go to the grocery store and buy two gallons of milk instead of one, I want it to be a right of freedom. I don't want it to be having to go to a magistrate of some kind and ask him for the permission to do such. I don't want it to be that way.

And I am lame now, or so I'm told. I have a fused right leg. My right knee is stiff. But if it were the situation where I had to fight for my freedom today, or ten years from now or twenty years from now, you better believe I'd do it. You had

better believe I'd do it, because that's something that I earned, I and my forefathers earned, and I am appreciating it.

FISKE: Okay. Do you want to say anything else, Tim?

MALONEY: I'd fight for my freedom, too. I just didn't feel that Vietnam was the place.

FISKE: Okay. Listen, thank you very much... .