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THE WHITE HOUSE  
PRESS CONFERENCE  
OF  
CHARLES GOODELL  
CHAIRMAN OF THE PRESIDENTIAL CLEMENCY BOARD

THE BRIEFING ROOM

2:45 P.M. EDT

MR. GOODELL: Ladies and gentlemen, the Presidential Clemency Board is holding its first meeting today here in the White House. All nine members are present. We have just been sworn in by the President of the United States and had a half hour or 40-minute session with him discussing our responsibilities, along with the Attorney General and the Secretary of Defense and Mr. Dewhurst, who is standing in for the Director of Selective Service, Mr. Pepitone, who is out of town today.

The President has assigned us a task of monumental proportions and complexities. He is well aware of that and conveyed that to us.

The Presidential Clemency Board carries essentially the responsibility of trying to equalize relative justice. The ideal goal with which we are charged is intrinsically impossible of attainment because we cannot undo the past. We cannot undo the past for those who went to Vietnam, who suffered, or perhaps did not come back.

We cannot undo the past for those who have been in prison who are presented to the Clemency Board.

Under the Proclamation of the President, the first priority for the Clemency Board is the consideration of those who were in prison at the time of his Proclamation. This numbers roughly 103 people in the civil system.

We have been through the Federal court system and we are still in the Federal prison system, in which 84 have been released. There is an 85th who apparently has refused release.

There are an additional 18 who have other convictions, and the Clemency Board is going to take a close look at those convictions. We are being briefed so that if they are closely-related offenses, we may take some action.

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We have not as yet received the briefing from the Defense Department, but I understand there are some 150 individuals who were in confinement at the time, and we will this afternoon concentrate on this group to determine how many are still in confinement.

It is imperative that if we are to succeed on the Clemency Board that we closely relate our activities to those of the Department of Justice, the Secretary of Defense, and the Selective Service Board.

We have a direct jurisdiction, which apparently includes in the civil system and the Federal court system 8700 people who have been convicted and sentenced, not all of whom went to prison.

And in the military we are dealing in a round number of 216,000 discharges that were related to absenteeism in the military. That includes dishonorable discharges, bad conduct discharges, and undesirable discharges.

The largest number, something like 108,000, are undesirable discharges.

We have a board which I think is very well qualified to address these difficult problems, varied background and experiences, but all unanimously committed to the President's purposes. We intend to work very closely with the other agencies and we intend to do our best to make this program work, alleviating the suffering of the past to the degree that it is in our power to do so, and healing the wounds of the country so that we can look forward and forget that past.

I will be glad to answer any of your questions.

Q Mr. Goodell, Mr. Jordan has already issued some veiled criticism of the Justice Department for what he feels is an inadequate plan to notify some approximately 109,000 draft evaders for whom no charges are pending about their rights and the fact that they can come back and that no action be taken against them.

The Justice Department says that they can just send letters to their last known address. How do you feel about this situation, and is that adequate, or are you going to urge some more effective methods even to the point of going into the draft evaders' area such as in Toronto and other places, to let them know that nobody is going to grab them?

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MR. GOODELL: We did question the Justice Department on this point this morning, Mr. Jordan and others. Incidentally, the meetings of the board are open to the press, and we will be resuming our meeting over in the Executive Office Building this afternoon when we finish here.

It is a difficult problem and it is perhaps easy to be quickly critical of the fact that you can't communicate with some 180,000 people. The media can be very helpful in this respect.

For instance, the Justice Department assured us this morning that those who return will not be entrapped, that those who are now underground or overseas may write to the U.S. Attorney or the Justice Department to inquire if they are subject to indictment or indicted.

Many of them do not know whether they are indicted or not. They will be informed if there is an investigation in progress or if there is an indictment pending.

It would appear from our briefing this morning that the large bulk of those who are in the draft resistance category are not under investigation or indictment.

I am informed that there have been a total of 19,271 indictments in this area. The Justice Department this morning estimated that those potentially eligible -- that means those who have indictments against them or ongoing investigations -- number approximately 15,500. That means that a very large number beyond that 15,500 are not subject to prosecution and, therefore, presumably would not, if they came back, have to undertake alternative service.

Included in that 15,500 are the 8,700 cases that have already been prosecuted and are eligible to apply to the Clemency Board. So that reduces the 15,500 to roughly 6,800 who are potentially indictable if they come back.

Now the process of informing these people that they can inquire of the Attorney General of the U.S. Attorney and find out if they are subject to indictments or indicted is very important. We were assured by the Department of Justice spokesman this morning, Mr. Bruce Fine, that any information that comes to the U.S. Attorney or the Department of Justice from such an inquiry will not be used to generate further charges, that individuals who are told that they are not under investigation or are under indictment will not then, when they come back, be subjected to new investigations and perhaps new indictments.

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The process of informing these individuals will be very difficult, and there are a large number. Originally, according to the testimony of the Department of Justice before Congress, there were 206,775 delinquent draft registrants. You can compare that with the 19,271 indicted.

Q What periods does that cover?

MR. GOODELL: That covers the 1964 to 1973 period.

Q What are the figures for those overseas?

MR. GOODELL: I don't have figures for the ones that are overseas.

Q Do I understand you right to say that the majority of American draft resisters who are now out of the country either aren't under indictment and aren't under investigation, and the majority of them therefore won't have to face alternative service when they come home?

MR. GOODELL: That is what we were informed by the Justice Department this morning.

Q And they can come home scot-free?

MR. GOODELL: That is correct. Let me say that I think you can be misled by the 206,000 figure. We have not gotten a breakdown on this yet. It may be that a large number of them have returned over this nine- or ten-year period and accepted induction into the service.

Selective Service, for instance, has informed me that they believe that about 80 percent of them were draft delinquents at one period, but came back a second or third time and ultimately accepted induction.

So we are not sure how many are still out there. The 206,000 is the outside figure of delinquent draft registrants.

Q This morning, sir, you were talking about some 190,000, I though. Now you got it down a moment ago to 180,000. Is that the approximate ballpark figure of this group that can come home that are not subject to indictments or alternate service?

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MR. GOODELL: If you take the 206,000 and subtract the 19,000, you come to the figures -- presumably 19,000 have been indicted -- you come to a figure roughly in the 187,000 area. Some of those are under investigation, apparently.

Q That is only 15,000?

MR. GOODELL: That is potentially a maximum figure of 6,800, as we understood the figure given to us today.

Q Those under investigation are 6,800?

MR. GOODELL: Those under investigation or pending indictments now. If you are talking of how many of this larger figure never went through the system, we don't know that yet. We have asked for them to give us a full breakdown.

Q If you add the 15,000 under investigation and the 19,000 who were indicted, you come up pretty close to 20 percent of those 200,000.

MR. GOODELL: The two figures are not addable. 19,207 were indicted. I am informed that over the nine- or ten-year period there is roughly a 15 percent conviction rate, so you drop the 19,000 who were indicted to a much smaller number who were actually convicted. And the figure that we are dealing with now who have been through the Federal system is 8,700.

Let me say to you these figures are broad estimates because the Justice Department has not been able to supply us with the breakdown and the details at this point, and we are also requesting the administrative office of the courts to give us their records on this subject.

Q What might be a reasonable figure of evaders or possible evaders at large either overseas or at home who might come home without facing any charges? What do you think would be a reasonable figure, what number?

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MR. GOODELL: We don't have the answer to that. We know from the Department of Justice testimony this morning that roughly 6800 are either under indictment or investigation at this point for draft-related crimes.

That is the figure, presumably, of those who would be susceptible to criminal prosecution if they came back and would be eligible, therefore, to go through the alternate service if they chose.

We just don't know how many out there have never been through the system and are not either under investigation or under indictment. There are a lot of categories, incidentally, in this thing. They may have come back through the service. It may be that the Justice Department decided that they didn't have enough evidence to convict, and I should in fairness point out that there has been reinterpretation of the law by the courts in this ten-year period so some of these total figures were eliminated because the court decisions no longer made them subject to indictment. These are just the big gross figures involved when I am talking about 206,000.

Q Mr. Goodell, in your experience so far with this problem -- and I know you haven't really had too much time to wrestle with it -- but are you satisfied with the amnesty provisions that the President has laid down, or would you prefer wider or narrower rules, and do you think that any legislation will be required for the best solution?

MR. GOODELL: I am satisfied. Let me say that I don't think anybody is completely satisfied. I think that was impossible of attainment. I think the President has come up with a fair program. It might be appropriate, since most of you know me by reputation and my position on the war, for me to state the philosophical framework in which I approached this problem.

I believe that every young man has an obligation to serve his country in the military, provided he is otherwise qualified. And the courts have held that it is constitutional to have peacetime conscription as well as wartime conscription. That obligation is an enduring one.

There were many people whom I respect who found it impossible to discharge that obligation by serving in the military during the Vietnam war, and I respect that.

The President is now offering them an opportunity to discharge their continuing obligation to the country in a completely peaceful, constructive way consistent with their conscience. I think that is fair.

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Q Mr. Goodell, was there any dissention among the members of the Clemency Board, anybody threatening to resign? There was some report out that two of them were.

MR. GOODELL: No, but the press hasn't gotten to them yet. None at all, and a very amicable session, but I should say in fairness to those who may disagree that we were largely being briefed and asking for information today. We have not gotten into the real hard policy questions, which we intend to get into as soon as we have completed the briefings.

Q Mr. Goodell, how often will your board meet, and what sort of staff do you have to work with?

MR. GOODELL: The board will meet as necessary. I think after today's session we will have a great deal of staff work to do to present additional material to the board. We will probably meet for a two-day consecutive meeting the week after next.

As far as the staffing is concerned, we will have a relatively small staff that is hired directly by the Presidential Clemency Board, probably a chief counsel and a deputy chief counsel, a public information officer and perhaps someone to head the staff and one or two special counsel.

The bulk of our staffing will be done through loans of personnel from the Justice Department and the Defense Department. We now have on board eight attorneys on loan from other agencies, and I have set two requirements for these attorneys on loan. One is that they be competent and the second is that they wholeheartedly agree with the President's program.

Incidentally, the staff, how large it may go is unpredictable at this point. The board appeared to agree with my initial statement this morning that we would prefer to expand the staff to a very large number and get the job over with as soon as possible rather than stay down at ten or 15 and go on for two years. So, we may go to 50 or 60 attorneys for a period of time to try to get over the hump.

Q Speaking to that, if I may follow up on that, how long do you expect to be in operation?

MR. GOODELL: We will, as a board, be in operation until 1976.

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Q How could you go on beyond that?

MR. GOODELL: If we go on beyond that, it will have to be because the President feels there is a continuing need. We will be in existence for that period of time, however, because the individuals eligible for clemency can appeal to our board any time before the end of 1976. Appeals to the Clemency Board are not limited by this January 31 timing for those who want to re-enter.

Q Mr. Goodell, do you feel in your own heart -- I understand now you are handling discharges, bad conduct, you mentioned the three categories. You are handling those that are related to desertions?

MR. GOODELL: Yes, absentee related.

Q Now, don't you feel it is unfair for there not to be a Clemency Board for the boys whose administrative discharges and bad conduct discharges were not related to desertion but who nevertheless are in a very bad way for the rest of their lives, can't get jobs and can't get veterans benefits?

MR. GOODELL: The board does not have that responsibility, and we are not going to undertake that responsibility immediately. We have a major job on our hands. There was discussion, however, today with the President about problems that may go beyond the ones that are now assigned to the Justice Department, Defense Department and the Clemency Board, and he indicated that he would want all of us to report to him on those situations for possible continuing action to extend the clemency. There certainly is not enough information in our hands at this point to make any recommendation along those lines.

Q In your discussion with the President on that, then you did include these other men who have become --

MR. GOODELL: There was discussion of those who are beyond the purview of the Executive Order and Proclamation that we are operating under today.

Q Is the board going to be able to set guidelines to assure that one U.S. Attorney in one part of the country doesn't mete out a stiffer sentence, as it were, than another U.S. Attorney in another part of the country? How are you going to handle that?

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MR. GOODELL: The Clemency Board has no official authority over that whatsoever. We did establish, I think, today a cooperative spirit with all of the agencies and the Clemency Board expressed its concern about the uniformity and evenness of this process of negotiating the length of an alternate sentence, and we will stay in continuing relationship with them but we have no official authority to review those cases and they could not appeal to us. That is in the jurisdiction of the Department of Justice.

Q Mr. Goodell, is this your full-time job until the board disbands, and will you be leaving your law firm?

MR. GOODELL: This is not my full-time job except for the last week and probably the next two or three weeks. It is a part-time job. It is a special Government employment on an advisory committee as such, and I intend to continue in the practice of law.

Q Mr. Goodell, could I ask this question now? Does the amnesty board have the authority to wipe the criminal record clean of a person who has been convicted of draft evasion and draft desertion, or whatever, in the civil courts and served his time -- I am sorry, in the civilian criminal courts?

MR. GOODELL: Let me preface that the amnesty board in and of itself has no power. We are an advisory committee and our power is to recommend that the President take action. The President does have that authority, yes. The Board has the charge from the President to make recommendations in those cases and he can, on the recommendations of the Board, give them a full pardon if he feels that is so indicated.

Q In the fact sheet we got, it was plain. you did indeed have the authority to grant or to recommend to the President that he grant changes in the types of discharge and to clear their record as far as military service was concerned. But it wasn't clear to me anyway that you could do this as far as their criminal record was concerned.

MR. GOODELL: We can.

Q How will you handle the problem of the possibility or the prospect of some kind of social stigma attached even to a clemency discharge?

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MR. GOODELL: Well, there has been concern expressed on that point in the board this morning. We did question the Justice Department some on the nature of a clemency discharge. We intend to question the Defense Department on that.

That is an unresolved point. There are those who say a clemency discharge is not going to be that much better than an undesirable or less than honorable discharge.

A great deal of that, of course, will depend upon the reaction of the public generally. If the public regards a clemency discharge as the President has indicated he does, as a completely neutral discharge, not implying any guilt or any wrong or any fault, then a clemency discharge would presumably be far superior to the other discharges that are given to these people under our jurisdiction.

Q Mr. Goodell, a young man who is in Sweden now and is listed as a draft evader is presumably -- or was until the declaration by the President -- is presumably being sought by the FBI as a draft evader. And in line with that, the Customs, the border people, were on the alert to hold him when he showed up at the border.

Can you give us an assurance that when this young man shows up now that he will not be detained and held for the FBI or does he still have to go through that routine?

MR. GOODELL: Is this an individual who wishes to return?

Q I am not talking about an individual case, I only use it as an example covering many.

MR. GOODELL: Your individual example you are talking about is an individual who wishes to return and engage in alternate service?

Q Yes.

MR. GOODELL: I can't give you that assurance because the Clemency Board has no jurisdiction over it, but we were given that assurance emphatically today by the Justice Department.

Q What do you see as the toughest problem facing the board?

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MR. GOODELL: The toughest problem that I think faces the Clemency Board is the large number of military charges and determining how we handle those 180,000 undesirable discharges.

You are all aware, I am sure, that there are multiple reasons why an individual is involved in continuing AWOL or desertion, and the board has to work out some way equitably to distinguish these cases.

We would hope that we can avoid in most cases having to have individual hearings or to break up into panels, but that has not been faced as yet by the Board.

Q Has this program been undermined by the complete pardon to the former President?

MR. GOODELL: I think it proceeds under the shadow of that pardon, inevitably. I don't think it is undermined, no, and I must state to you emphatically that I believe the two things are unrelated, and I am sure that the President did not relate them at all in developing his conclusion in either case.

Q How much will you be getting paid for this job?

MR. GOODELL: The board is paid at a GS-18 level per day that they are working, which I understand is about \$138 a day, and I think those who have expenses, they are paid a per diem of approximately \$25 a day.

Q Mr. Goodell, I believe you said about ten minutes ago that there were more guys overseas, a large number who could come back and would face no prosecution of any kind at all, or have any dealings with the Clemency Board. Did I understand you correctly, and what was that?

MR. GOODELL: Let me clarify that without mentioning any of the gross figures that I used in presenting that. According to the Justice Department testimony this morning, there are 6,800 individuals at large overseas or in this country who are either indicted or potentially indictable. They are under active investigation under circumstances where they feel they probably could convict them.

Q For what offenses, sir?

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MR. GOODELL: These are for draft resistance offenses as indicated in the Executive Order.

We do not know how many more there are out there who have not been through the process or who are not under investigation, or indicted. I gave you the gross figures so that you could get some idea. It is in between there somewhere. We hope to develop those figures very shortly from the Justice Department when we get the breakdowns of the cases themselves.

Q But you are talking about over 180,000?

MR. GOODELL: Let me put it the other way. 206,775 were delinquent draft resisters in this roughly 10-year period.

Q That means draft evaders?

MR. GOODELL: That means draft evaders. That includes a great many who may well have come back at a subsequent period and gone through the system. Selective Service has told me they believe about 80 percent of them have come back and gone through the system. We have not received figures to document that at this point. So the 206,000 is a very gross figure.

Q Can you give us your ball park figure for how many are in Canada, Sweden --

MR. GOODELL: I don't have one, I don't know.

Q Why doesn't the Justice Department just publish a list of the 6,800 names of the people it is looking for and everybody else and, you know, distribute those lists in every post office or every -- you know, send them to Canada, send them to Sweden, and if the guy's name is not on the list, he is free and clear?

MR. GOODELL: I don't know the answer to that. After we get the breakdown and the Board actually meets, that may be a decision of the Clemency Board to recommend such action to the Justice Department.

Let me emphasize the Clemency Board up to this time in terms of its responsibility, first of all has no direct jurisdiction and, secondly, we have not discussed what requests we should make and will make to the other agencies. It is quite conceivable that we would make such a request.

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Q Does the 206,000 include such young men who just failed to register for a couple of months after they were due?

MR. GOODELL: Presumably, it does. It is a classification that is described as delinquent draft registrants. They may have come in a few months later and registered and were subsequently inducted. We were told that a large number over a period of years at least did do this. As I say, we have no documentation of that as yet.

Q The President's son could be in this category?

MR. GOODELL: Yes, he could, I guess.

Q I would be the last to try to come up with another figure, but I know I am confused over this damned thing. You said that 206,000 are potentially, or could be labeled, evaders, but that possibly 80 percent of that figure has gone through the system. In other words, there are about 40,000 people that are actually evaders as such? Is that correct?

MR. GOODELL: You are correct up to that point. Let me emphasize that we have not been given the breakdown on these categories and how many there are in those categories because apparently they don't have them broken down at this point.

They also indicated that some, because of subsequent court decisions, were determined not to be delinquent anymore, that the change in the Selective Service law rendered some of them no longer delinquent and the Supreme Court's decision on conscientious objection rendered some of them no longer delinquent.

So, we just haven't gotten the breakdown. I think you are correct if the 80 percent figure is correct that you are talking about a gross of 40,000 and some others probably got washed out for good and legitimate reasons.

Q But of the 80 percent that have gone through the system, did they get normal discharges, honorable discharges and so forth?

MR. GOODELL: We don't know yet.

Q What does go through the system mean? What do those words mean?

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MR. GOODELL: Go through the system, apparently from the way it was used, was that they came back at some period and accepted induction into the service.

Q Therefore, they were not evaders anymore?

MR. GOODELL: They were no longer evaders.

Q You are talking some raw figures of some 206,000 people, a little bit over that, that you are not sure that you are going to process that many as evaders?

MR. GOODELL: We are sure in the Clemency Board that we are not processing anywhere near -- we are processing 8700. That is a fairly accurate figure of those who have been convicted by the Federal courts and sentenced and are, therefore, under the jurisdiction of the Clemency Board.

Q Those are military people now?

MR. GOODELL: No, those are draft resisters that went through the Federal court system.

Q How does that relate to the 6800?

MR. GOODELL: Well, 8700 have been through the system in the sense of going through the courts and being convicted and sentenced, and they are under the jurisdiction of the Clemency Board. Another 6800 apparently are indictable or have been indicted. That adds up, I believe, to 15,500, which is the figure Justice Department gave us as the total number they feel are potentially eligible for either clemency to the Clemency Board or alternate service through re-entry. Is that clear?

Q Yes.

Q But you still don't know how many Americans fled the country and remain outside the country to avoid military service in Vietnam?

MR. GOODELL: No.

Q You are suggesting, are you not, that at least thousands of evaders, or persons living overseas, exiled or underground here in the country, may not have to be in hiding or remain overseas and could return home without facing charges? Is that what you are saying, thousands at least?

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MR. GOODELL: I am saying that it is probably thousands based on the briefing that we received this morning, but we have not gotten the breakdown on this to be sure how many there would be.

Q If the list were published, like the gentleman asked before, are you also saying as well that names not on that list would not have charges preferred against them if they returned? I am talking about military desertion or evasion related charges. Are you saying that?

MR. GOODELL: Desertion is not included in that statement. The 6800, the 15,500 does not include desertion. That is in a different category. The resisters, the draft resisters, we were told if they are not on that list, whether it is a list or that is their estimate of the total number of 6800, either already indicted or under investigation, potentially indictable, that they can return and they would not be prosecuted. That is what we were told by the Justice Department this morning.

Q So, there are probably several thousand overseas or underground that could return to the United States?

MR. GOODELL: Yes, and they should write to the Attorney General or the U.S. Attorney, and ask if they are on the list.

Q Wouldn't the publication of the list eliminate the need to worry about whether the Justice Department was living up to --

MR. GOODELL: I think you ought to ask that question of the Justice Department; the Clemency Board will certainly evade it.

Q What about the deserters, military deserters as opposed to draft evaders. You are handling those also, aren't you?

MR. GOODELL: We handle them.

Q How many people are you talking about there?

MR. GOODELL: We have not had the briefing from the Defense Department yet. I can tell you what they gave me personally last week: 3500 dishonorable discharges, 33,000 bad conduct discharges and 180,000 undesirable discharges, totaling 216,500.

Now, those are for absence-related offenses. That also includes some number that we have not been told as yet who had additional charges against them.

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Q What about the deserter who is now sitting in Sweden or somewhere, has he had one of these things already done to him, or is he pending any kind of a discharge at the time they get their hands on him?

MR. GOODELL: For the most part, I don't believe the deserters have been discharged because when they are discharged the military no longer has jurisdiction over them.

Q Then how many deserters who do not have anything that would put them in one of these three figures?

MR. GOODELL: I don't know. How many are overseas? We have not been briefed on how many estimated deserters there are who have not been through the process at all. I read in the paper the other day I think the figure 12,500 but that is not official from anything that we received today.

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Q Mr. Goodell, these military deserters, when they come back, they will have to make their peace with the military courts, is that correct?

MR. GOODELL: When they come back they go to their service, the Army, Navy, Marine Corps, Air Force, or Coast Guard. The service makes only one -- well, really two basic decisions. One, are there other charges against them; and two, how long will their alternate service be.

There is an agreement signed, they are then given an undesirable discharge and referred to the Selective Service System. If they complete their alternate service satisfactorily, then they are eligible for a clemency discharge.

Q Senator, could I just get one thing straight. When this program was first announced, we were given a total figure of about 28,000, I think -- 15,500 in the draft resistance category, and 12,500 in the military desertion category.

Now is that the 12,500 that you were just talking about? Am I correct in presuming that this total rundown that you just gave us of the three categories has nothing to do with alternative service?

For those people, that is not an option for them; is that right? They are simply asking for an opportunity to present appeal of action taken against them and for you to act on that?

MR. GOODELL: That is correct. The figure of 28,000 would be basically correct if you are talking about those who are in the resistance category, both in the Federal courts and in the military. The deserters who are at large, roughly 12,500; the individuals who for draft resistance reasons are potentially indictable, convictable were 15,500.

But the 15,500 includes 8,700 who have been convicted. Those are now before the Clemency Board. They are not coming to the military or the U.S. Attorney for alternate service. They are coming to us for clemency.

So if you take your 28,000 figure, you are probably down to 19,300 or something of that nature who are now out there eligible for some kind of alternative service, either deserters or in the resistance category.

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Q I am sorry to pursue this further but the thing that I am confused about, when you use this large number of 206,000 or whatever, why would there be some people out there who have not come back through the system, as you put it, and who are not subject to some kind of investigation and prosecution in addition to this 6,800 figure that you are using? Why are we just talking about 6,800 people?

MR. GOODELL: That is what the Justice Department is talking about. They indicated there were some number of individuals who, for whatever reasons, were not indicted or where, after investigation, they felt there was not sufficient grounds to proceed, that they couldn't convict, and that could be in the category of those who did return and accept induction so the prosecutor said, "Go ahead. Serve your time now. We won't pursue it."

It could include those who were affected by the change in conscientious objector status. It could affect those whose status was changed by the change in the Selective Service law.

We have not had a breakdown on those yet. We don't know how many are in those categories. I am sorry. I can't answer how many there are.

Q Even in all these numbers, essentially you are still talking about the same total numbers?

MR. GOODELL: Exactly, but I am trying to give you a gross figure to give you an idea that we break down from there. We are trying to get the detailed breakdown of how many are actually in this category. I think it would be misleading to publish 206,000 as the potential number of people who are out there. It would be grossly misleading.

Q Senator, now that you have got that all cleared up, I wonder if you could give us your personal reaction to the Federal Judge's order freeing Lieutenant Calley?

MR. GOODELL: I have no reaction to that at this point. I haven't gone into it myself and it certainly isn't in our jurisdiction at this stage.

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I do have to get back to the board.

Q Could I just pursue that? Might not that have some effect on the thinking of the board as it approaches seeking justice?

MR. GOODELL: I have no idea whether it will or not.

THE PRESS: Thank you.

END (3:31 P.M. EDT)