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PROCLAMATION \_\_\_\_\_

Announcing a Program for the Return of  
Vietnam Era Draft Evaders and Military Deserters

A PROCLAMATION

The United States withdrew the last of its forces from the Republic of Vietnam on March 28, 1973.

Over a year after the last American combatant had left Vietnam, the status of thousands of our countrymen -- convicted, charged, investigated or still sought for violations of the Military Selective Service Act or of the Uniform Code of Military Justice -- remains unresolved. In exile abroad or in hiding closer to home, they are adrift from those they love and from the roots which can give significance and purpose to their lives.

In furtherance of our national commitment to justice and mercy these young Americans should have a second chance to contribute a share to the rebuilding of peace among ourselves and with all nations. They must be allowed the opportunity to earn return to their country, their communities, and their families, upon their agreement to a period of alternate service in the National Service together with an indication of their allegiance to the country and its constitution.

In the period of its involvement in armed hostilities in Southeast Asia, the United States suffered incalculable losses. Many thousands died in combat; thousands more were wounded; others are still listed as missing in action.

All Americans agree that desertion in time of war is a major, serious offense; failure to respond to the country's call for duty is likewise unacceptable. Reconciliation among our people does not require that these acts be condoned. Yet, reconciliation calls for an act of mercy to find the nation's wounds and to heal the scars of divisiveness.



*Asymmetry*  
*70's tech to*  
*handle deserters*  
*after promoting deserting*  
*incalculable*  
*the evader can*  
*one held to account*  
*Proclamation's current*  
*drop dues must*  
*give emphasis to*  
*MIA families &*  
*veterans etc*

Now therefore, I, Gerald R. Ford, President of the United States, as Commander in Chief and pursuant to the pardon power and the power faithfully to execute the laws conferred upon me by Article II, Sections 2 and 3 of the Constitution, do hereby proclaim a program to commence October 1, 1974 to afford reconciliation to Vietnam era draft evaders and military deserters upon the following terms and conditions:

1. Draft Evaders - An individual citizen who allegedly unlawfully failed to register, to report for preinduction or induction examination, to report for induction itself, or to report for or complete alternate service during the period from August 4, 1964 to March 28, 1973 and who has not been adjudged guilty in a trial for such offense, will be relieved of prosecution and punishment for such offense if he (1) reports to a United States Attorney within the period October 1, 1974 to January 31, 1975, (2) executes an agreement acknowledging his allegiance to the United States and pledging to fulfill a period of alternate service under the auspices of the Director of the Selective Service System, and (3) satisfactorily completes such service. The alternate service shall promote the national health, safety, or interest.

Draft evaders chose not to accept the responsibility of military service when their nation called. Thus, no draft evader will be given the privilege of discharging his obligation to complete a period of alternate service by service in the Armed Forces.

The period of service shall be twenty-four months, but shall be reduced by mitigating circumstances as determined by the Attorney General.

2. Military Deserters - Members of the military who have been administratively classified as deserters by reason of unauthorized absence and whose absence commenced during the period from August 4, 1964 to March 28, 1973 will be relieved of prosecution and punishment under Articles 85, 86 and 87 of the Uniform Code of Military Justice and for offenses directly related thereto if within the period October 1, 1974 to January 31, 1975 they execute an agreement with the Secretary of the Military Department from which they are absent acknowledging their allegiance to the United States and pledging to fulfill a period of alternate service under the auspices of the Director of the Selective Service System for a period of twenty-four months, but shall be

reduced for mitigating circumstances as determined by the Secretary of the Military Department. The alternate service shall promote the national health, safety, or interest. However, if any such individual has additional outstanding charges pending against him under the Uniform Code of Military Justice, he will be eligible to participate in this program only after a final disposition of the additional charges has been reached in accordance with law.

All such deserters who elect to seek relief through this program will receive an undesirable discharge from military service. Thereafter, upon satisfactory completion of a period of alternate service prescribed by the Military Department, the individual will be entitled to receive, in lieu of his undesirable discharge, a clemency discharge in recognition of his fulfillment of the requirements of the program.

3. Presidential Clemency Board. Many individuals at present stand convicted of draft evasion or have received punitive or undesirable discharges from a Military Service for having violated Articles 85, 86, or 87 of the Uniform Code of Military Justice. By Executive Order, I have this date established a Presidential Clemency Board which will review the records of individuals in this category who apply, and recommend to the President that clemency be granted in appropriate cases. Where appropriate, the Board may recommend that clemency be conditioned upon completion of a period of alternate service.

4. Alternate Service - In prescribing the length of alternate service in individual cases, the Attorney General, the Military Department, and the Clemency Board shall take into account such honorable service as an individual may have rendered prior to his absence, penalties already paid under the laws and such other mitigating factors as may be appropriate to assure equity between those who served their country when called and those who will serve under this program.

In witness hereof, I have hereunto set my hand this \_\_\_\_\_ day of September in the year of our Lord Nineteen Hundred Seventy-Four, and of the independence of the United States of America the 199th.

## Executive Order

### Delegation of Certain Functions Vested in the President to the Director of the Selective Service System to Effectuate the President's Pardon Power

By virtue of the authority vested in me as President of the United States under Article II, Section 2 of the Constitution and under Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

Section 1. The Director of the Selective Service System is designated and empowered without the approval, ratification or other action of the President, to establish, implement, and administer the program of alternate service authorized in the President's Proclamation \_\_\_\_.

Section 2. Departments and agencies in the Executive branch shall, upon the request of the Director of the Selective Service System, cooperate and assist in the implementation or administration of the Director's duties under this Order.

Gerald R. Ford

September 9, 1974

## FACT SHEET

The President has today issued a Proclamation and Executive Orders establishing a program of clemency for draft evaders and military deserters to commence October 1, 1974. This program has been formulated to permit these individuals to return to American society without risking criminal prosecution or incarceration if they acknowledge their allegiance to the United States and pledge to serve a period of alternate civilian service.

The program is designed to conciliate divergent elements of American society which were polarized by the protracted period of conscription necessary to sustain United States activities in Vietnam. Thus, only those who were delinquent with respect to required military service between the date of the Tonkin Gulf Resolution (August 4, 1964) and the date of withdrawal of United States forces from Vietnam (March 28, 1973) will be eligible. Further, only the offenses of draft evasion and prolonged unauthorized absence from military service (referred to hereinafter as desertion) are covered by the program.

Essential features of the program are outlined below.

1. Number of Draft Evaders. There are approximately 15,500 draft evaders potentially eligible. Of these some 8,700 have been convicted of draft evasion. Approximately 4,350 are under indictment at the present time, of which some 4,060 are listed as fugitives. An estimated 3,000 of these are in Canada. A further 2,250 individuals are under investigation with no pending indictments. It is estimated that approximately 130 persons are still serving prison sentences for draft evasion.

2. Number of Military Deserters. Desertion, for the purposes of this program, refers to the status of those members of the armed forces who absented themselves from military service without authorization for thirty days or more. During the Vietnam era it is estimated that there were some 500,000 incidents of desertion as so defined. Of this 500,000 a number were charged with offenses other than desertion at the time they absented themselves. These other offenses are not within the purview of the clemency program for deserters. Approximately 12,500 of the deserters are

still at large of whom about 1,500 are in Canada. Some 660 deserters are at present serving sentences to confinement or are awaiting trial under the Uniform Code of Military Justice.

3. Military Absentees and Convicted Evaders. Those already convicted of draft evasion or who were discharged from the military service with a punitive or undesirable discharge because of a military absentee offense during the Vietnam era may apply for clemency to a five member Clemency Board, established by Executive Order. The Board will review their records and recommend clemency on a case-by-case basis to the President. In the absence of exacerbating circumstances, the Clemency Board would be expected to recommend clemency. When appropriate, the Board could recommend clemency conditioned upon some alternate service.

The Clemency Board could also recommend to the President that a clemency discharge be substituted for a punitive or undesirable discharge in the case of a military absentee.

4. Unconvicted Evader. Draft evaders will report to the U. S. Attorney for the district in which they allegedly committed their offense.

Draft evaders participating in this program will be required to make a written agreement with the U. S. Attorney to perform alternate service, under the auspices of the Director of the Selective Service System. The agreement will include an acknowledgement that the alternate service indicates allegiance to the United States.

The duration of alternate service will be from 6 to 24 months, as determined by the U. S. Attorney. For example, extreme family hardship might justify a short term.

The Director of the Selective Service System will have the responsibility to find alternate service jobs for those who report. The Director may issue a certificate of satisfactory completion at the end of the alternate service to the individual and U. S. Attorney, who will either move to dismiss the indictment if one is outstanding, or drop possible charges in cases where an indictment has not been returned.

If the draft evader fails to perform the agreed term of alternate service, the U. S. Attorney will be free to, and in normal circumstances will, resume prosecution of the case as provided in the terms of the agreement.

Aliens who fled the country to evade the draft will be ineligible to participate in the program.

5. Unconvicted Military Absentees. Military absentees who have no other pending charges may elect to participate in the program. Those who make such an election will be required to execute a reaffirmation of allegiance and pledge to perform a period of alternate civilian service. Those against whom other charges under the Uniform Code of Military Justice are pending will not be eligible to participate in the program until these other charges are disposed of in accordance with law. Participants in the program will be separated with an undesirable discharge. Although these discharges will not be coded on their face in any manner, the Veterans Administration will be advised that the recipients were discharged for willful and persistent unauthorized absence. They will thus not be eligible for any benefits provided by the Veterans Administration.

The length of required alternate civilian service will be determined by the parent Services for each individual on a case-by-case basis. The length of service will be from 6 to 24 months. After being discharged each individual will be referred to the Director of the Selective Service System for assignment to prescribed work. Upon certification that this work has been satisfactorily completed, the individual may submit the certification to his former Service. The Service will then issue a special new type of discharge--a Clemency Discharge--which will be substituted for the previously awarded undesirable discharge. However, the new Clemency Discharge will not constitute entitlement to Veterans Administration benefits.

6. Alternate Civilian Service. Determining factors in selecting suitable alternate service jobs will be:

1. National Health, Safety or Interest.
2. Noninterference with the competitive labor market. The applicant cannot be assigned to a job for which there are more numerous qualified applicants than jobs available.

3. Compensation. The compensation will provide a standard of living to the registrant reasonably comparable to the standard of living the same man would enjoy had he gone into the military service.

4. Skill and talent utilization. An applicant may utilize his special skills.

5. Job location. An applicant will normally work outside his community of residence.

7. No Grace Period. It is not contemplated that there will be a grace period for those outside the country to return and negotiate for clemency with the option of again fleeing the jurisdiction.

UNCONVICTED DRAFT EVADER AND MILITARY ABSENTEE

DRAFT EVADER

MILITARY ABSENTEE

Report To U. S. Attorney Where  
Offense Was Committed

Report as Prescribed By The  
Military Department Concerned

Agree With U. S. Attorney To  
Perform 6 to 24 Months Alternate  
Service

Agree With The Concerned  
Military Department To Perform  
6 to 24 Months Alternate Service

Perform Alternate Service  
Under The Auspices Of The  
Director Of Selective Service

Upon Request, Military Depart-  
ment Forgoes Prosecution, and  
Issues Undesirable Discharge

Director of Selective Service  
Issues Certificate of Satis-  
factory Completion of Alter-  
nate Service

Perform Alternate Service  
Under The Auspices Of The  
Director Of Selective  
Service

Receipt Of A Certificate Of  
Satisfactory Completion Of  
Alternate Service By A United  
States Attorney

Director Of Selective Service  
Issues Certificate Of Satis-  
factory Completion Of Alter-  
nate Service

Dismissal Of Indictment Or  
Dropping Of Charges

Receipt Of A Certificate Of  
Satisfactory Completion Of  
Alternate Service By The  
Concerned Military Department

Clemency Discharge Substituted  
For Undesirable Discharge

CONVICTED DRAFT EVADER AND MILITARY ABSENTEE

DRAFT EVADER

MILITARY ABSENTEE

Apply To Clemency Board

Apply To Clemency Board

Clemency Board May Recommend  
Clemency To The President

Clemency Board May Recommend  
Clemency To The President, In  
The Form Of Substituting A  
Clemency Discharge For A  
Punitive Or Undesirable  
Discharge

President May Grant Clemency

President May Grant Clemency,  
In The Form of Substituting  
A Clemency Discharge For  
A Punitive Or Undesirable  
Discharge

EDITORIAL REACTION TO RECENT EVENTS

September 12, 1974

THE PARDON OF RICHARD NIXON

Southern Papers

The Alexandria (Va.) Gazette -- "President Ford indeed shown he has the fortitude and strength necessary to see this nation back to good health. Instead of decrying his actions we applaud them."

The Miami Herald -- "We are filled with a sense of outrage at the timing of the pardon and its rationale. Mr. Nixon has not been convicted of anything, yet Mr. Ford would 'seal the book' in order to 'ensure domestic tranquility.' We believe that Congress should reopen the case and lay all the facts on the record. What remains is a giant question mark beside the administration of Gerald Ford which seemed so credible, so openhanded, so right after so many wrongs."

The Charlotte Observer -- "It raises the question, only one month after Mr. Ford's assumption of the presidency, of whether this will be another administration that easily lies to the public."

The Richmond News Leader -- "This is no time for moral absolutism. Rather, one of amnesty. Richard Nixon will go to his grave an unhappy man. President Ford acted in the high, ennobling tradition of mercy. He deserves great praise. And Mr. Nixon now deserves to be left alone."

Eastern Papers

Newsday -- "It seems a mockery indeed to speak of equal justice when Mr. Nixon is set unconditionally free just five days after John Dean was shut away behind bars. President Ford spoke of averting 'ugly passions,' polarization of opinion and challenges to the 'credibility of our free institutions of government' that might be unleashed were Nixon's prosecution dragged out. Yet Mr. Ford's decision to pardon his predecessor seems to have produced all three effects at once."

The Portland (Maine) Press Herald -- "President Ford has erred greatly. The President has not tempered justice with mercy. He may have obstructed justice not merely in its application to Richard Nixon but to others as well. Neither Nixon nor the people have been well served by this action."

The Boston Herald American -- The President's pardon "was the act of a deeply compassionate man. We commend him despite the controversy and criticism which he knew were inevitable."

#### Midwest Papers

The Minneapolis Tribune -- "In the absence of some more complete explanation, many Americans must conclude that Mr. Ford has espoused a double standard of justice. There may have been compelling reasons for Mr. Ford to short-circuit the judicial process. He owes the country some further explanation. Without it, his action may have precisely the opposite effect."

The Youngstown (O.) Vindicator -- "President Ford surely knew what granting the pardon this early would cost him. The explanation must lie in facts that have not been disclosed. The tranquility has been torn apart by this early pardon. We hope we can get the reason before too long."

The Chicago Sun-Times -- "While President Ford acted upon the dictates of his own conscience, he may seriously have misread the will of the public, which has a vested interest in full answers to questions about Mr. Nixon's involvement in Watergate. We are not advocating that Nixon be hounded, or that Mr. Ford be damned for his compassion. But the record has to be legible. Mr. Ford himself should want all doubt about his action expunged."

#### ADMINISTRATION

##### Newspaper Editorials

Chicago Sun-Times' David Murray said a billion dollars, conservatively, is the "aggregate fortune" of the Rockefeller family and may be the largest stumbling block to Nelson Rockefeller's confirmation hopes. Murray reported that staff members of the Joint Committee on Internal Revenue Taxation said there is "no way" to put all of the Rockefeller wealth together, although Rockefeller himself is supplying all they are asking for. "Nothing like this has ever been tried before", said Murray.

Chicago Sun-Times said Kenneth Rush and John Sherman Cooper are qualified for their diplomatic posts and prompt Hill approval is in order. Unfortunately, said the Sun-Times, this does not extend to George Bush and Shirley Temple Black. The Nixon Administration had a "notorious record" in "sullyng and politicizing" the State Department with a "record number of amateurs." This is a trend that needs to be reversed" promptly and permanently," said the Sun-Times.

St. Louis Post-Dispatch said there is every reason to accommodate General Haig with an appropriate military assignment, although the Post-Dispatch said it is reserving judgment on his suitability for the NATO post. But the Post-Dispatch also said Pres. Ford would be "well advised" to ease him out of the White House.

The Milwaukee Journal said General Haig is a "special problem." Despite his abilities, he is a liability to President Ford. While he perhaps would be a good man for the NATO post, that would return him to the "same ethical trap" that forced him to resign from the military last year. He is too tainted with the politics of the Nixon Administration to avoid the appearance of a conflict of interest if returned to active duty in such a "high and sensitive" command. It is unfortunate for the military to lose a man of General Haig's worth, but he made his choice last year. The Journal concludes "there is no place for him on active duty."

The Detroit Free Press said General Haig proved an "able administrator" both in his military career and his brief term in the White House. The nation is "in his debt" for the responsible way he dealt with the recent transfer of power. But Senator Proxmire, the Free Press said, is right when he said that returning him to active duty would "'send a clear signal throughout the military officer corps that politics pays off -- and in a big way.'" The Free Press said there is no precedent for a former military man returning to active duty after holding so high a political post.

#### MAGAZINE COMMENT

##### Commentators Showed Responsibility

John Roche in TV Guide said the networks behaved with great responsibility in the Watergate finale. It was apparent, he said, that the advocacy journalism of an earlier epoch had either been abandoned or put on a leash. By the time the House Judiciary Committee had agreed on articles of impeachment, there was no need for any commentator to engage in sniping. In reporting the Nixon resignation, the networks did not engage in overkill. Their commentary reflected the national sense of relief that it was over, rather than any vengeful shots against Nixon. The temptation to twist the dagger was successfully resisted, Roche said.

## Blacks for Ford Staff

Simeon Booker in Jet reported prospects for some Black appointments to the White House staff, possibly a photographer, some in their personnel office, one or more in the press office. Stanley S. Scott, a Nixon Special Assistant, has been told he will have access to Pres. Ford, though he may not hold same position. Rockefeller "boasts a stable of competent black aides" which he may bring to D.C. with him, said Booker.

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NEWS SUMMARY  
September 11, 1974  
(Wednesday nets, wires)

The major stories:

- President to Weigh Pardon Requests on a Case-by-Case Basis.  
Announcement by Republican Congressional Leaders of President's amended position was networks' top story. "President Ford's trial balloon sank slowly back to earth, punctured and tattered," said Roger Mudd on CBS. "If it was a trial balloon, the White House has now decided it won't fly," said Bill Zimmerman of ABC. It was "a preposterous screw-up," said Ron Nesson NBC.
- Results in Tuesday's Primary Elections.  
Republicans "just couldn't forgive me," said Rep. Lawrence J. Hogan (Md.), the first Republican on the House Judiciary Committee to announce he would vote to impeach Richard Nixon, as he conceded defeat in his bid to become his party's candidate for governor. The victor, Louise Gore, said on CBS it was not Hogan's position which defeated him, "it was his grand stand play on his announcement" for impeachment. Three House incumbents lost: Reps. Glenn R. Davis (R, Wis.), Bertram L. Podell (D, N.Y.), and Robert O. Tiernan (D, R.I.).
- President Releasing \$415 million to Create 85,000 Public Service Jobs.
- White House Conference with Labor Leaders on Economy.
- Eastern Air Lines Plane Crashes at Charlotte, N.C.
- President's Request for \$850,000 for Nixon.
- Richard Nixon's Health as Reported by a Family Member to AP.
- Feed Grains, the Fuel for Meat, Milk and Eggs, Helped by Rains but Crops Are Below 1973.
- CBS Reports President Ford Outdrove Arnold Palmer and Gary Player Off 1st Tee.
- Democratic Congressional Leaders Decide to Hold a Post-Election Session.
- Federal Trade Commission Would Require 5 Top Department Store Chains to Repay Customers \$2.8 Million in Charge Account Overpayments.

- Rockefeller Confirmation Hearing Starts September 23. Said He Would Comply with Senate Rules Chairman's Order to Make His Finances Public.
- Compromise Reached in West Virginia School Textbook Dispute.

TELEVISION COMMENT

Here are the comments of Harry Reasoner (ABC), Eric Sevareid (CBS) and David Brinkley (NBC):

NBC Evening News Commentary  
David Brinkley

To introduce David Brinkley's commentary, John Chancellor said that reaction caused by the Nixon pardon may have reached a peak and that Brinkley's remarks deal with the nature of that storm of criticism.

David Brinkley:

When his lawyer and his press secretary were asked if President Ford was surprised by the negative reaction to his pardon for Mr. Nixon, they both answered, "Well, he knew it would be a controversial decision," which, of course, did not answer the question.

Today some people who've been close to him tell us that, in fact, he was surprised -- that he expected some negative reaction but not that much and did not expect so much from his own party. That while he presented it as an act of consideration for a man who with his family had suffered enough, an act of compassion, it failed to go down that way, and that on the contrary, it was seen by many people as the kind of political dealing they thought they had just got rid of.

Obviously, that was not the effect intended or desired. And so there was some miscalculation, some lack of understanding of the depth of public feeling about the need for equal justice in this country. So many Americans beset with crime see our system of justice fail every day. It is, in fact, one of this country's oldest permanent floating failures, but that's at a much lower level. So when it is seen to fail at its highest level and not by flaws in the system but by an individual decision, a public outcry might have been expected.

CBS Evening News Commentary  
Eric Sevareid

It is clear by now that President Ford has not been a bride on a honeymoon. He has been an apprentice test pilot flying a machine with a lot of bugs in it -- and in the crew. Some of the hold-overs seem to think the previous pilot is still at the controls and some of the newcomers are a bit confused and dizzy from the altitude. Mr. Ford can't get control of the government or public opinion until he gets control of the White House.

To assume from the reaction to his pardon of Mr. Nixon that he just can't fly and can't learn is unfair at the least. He inherited, after all, one of the most excruciatingly painful cans of political, moral and legal fishhooks in our recent history.

The Nixon pardon is accomplished fact, the backlash from Congress makes further Watergate pardons next to impossible. All this probably makes it impossible for Congress to approve the overall \$850,000 requested for Nixon's transition. Congress is not likely to let Nixon have twice what LBJ had -- not in addition to that gold mine called the tapes. He can write his own version of recent history from them and then destroy them, and so much for any objective account for future generations. But there is that 1965 Presidential Libraries Act: Ex-presidents can keep their official records and the tapes are apparently no different from pieces of paper under the law.

Our ex-presidents are not merely pensioned, provided guards and granted office help: They are handed as they leave a capital investment potentially worth millions. They can write books from these materials or they can sell them outright. The greatest soldier of them all, Gen. Marshall, took away from it all nothing but his purely private papers. He refused even to write his memoirs, and he died rather poor. Secretary of State Dean Acheson took only the private things. When he wrote books later he had to ask State Department permission to see documents, some of which he had written himself. In his judgment presidential libraries were improper and ought to have been held illegal. But times change, so do the standards, so do the men.

ABC Evening News Commentary  
Howard K. Smith

The debate about the Nixon pardon looks like raging on indefinitely and indecisively. Mercy for a man who served much and suffered much is a strong argument but so is the equality of high and low alike before the law. I can't decide between them. However, it does look as though it was Mr. Ford's timing that caused the rage in the debate. Before that I don't think Americans were far apart on the question.

I found that everywhere I have been since the impeachment hearings an accepted assumption that Mr. Nixon would never go to prison or suffer other legal punishment. But it was also assumed that pardon would come only after a judicial process. It's not vengeance to Mr. Nixon, it is the need to know that required a trial.

Watergate is the nearest thing to a coup d'etat, an alleged seizure of illicit power, that we've known. Yet many questions remain. We don't even know elementary things like "Why did they bug the Democratic Headquarters?" -- it's never been made clear. We don't know the extent. What about suspicions that campaign funds were used for private ends.

Mr. Nixon may be completely innocent, but we shan't know. Only judicial process, clear charges, all the evidence, rebuttal by Nixon's lawyers could tell us. It's not the pardon that caused a national convulsion, it's the aborting of fact-finding -- the suspension of the principle of accountability to the people. It seems ill-considered and today's contradictions about pardons for all don't improve that impression.

CBS EVENING NEWS

Roger Mudd said President Ford's trial balloon full of Watergate pardons came back to earth punctured and tattered by critical congressmen, commentators and columnists. Bob Schieffer reported from the White House that first word of the about-face came when Republican congressional leaders emerged from a two hour meeting with the President. Senator Hugh Scott had a statement he said President Ford asked him to read, the clarifying statement. Senator Scott (on film) said the announcement on Tuesday by Mr. Hushen concerning the study of Presidential clemency and pardons was prompted by queries to the White House on Mrs. John Dean's reported statement in reference to pardoning of her husband, and similar statements on behalf of others. Such a study is made for any request on behalf of any individual, Scott said.

Congressman John Rhodes (on film) said what he thought President Ford intended to say was that any pardon request he received would be considered. Schieffer said sound cameras were not allowed on Tuesday when Hushen was asked if the President was considering such pardons. But transcripts show that he said Hushen was authorized to say that the entire matter is under study. On Wednesday, Hushen said blanket amnesty was never under study for the Watergate people. Another White House source said the statement was simply a trial balloon launched in haste, which just as quickly collapsed.

Mudd reported that CBS producer John Merriman was believed among the dead in the crash of the Eastern Airlines DC-9 in Charlotte, North Carolina.

Mudd said incumbents fared well in general in Tuesday's primaries, although Glenn Davis (R-Wis.) lost his seat, as did Robert Tiernan (D-R.I.) and Bertram Podell (D-N.Y.). Mudd said voters rejected the New York slate-makers. Betty Ann Bowser reported the ethnically-balanced ticket picked by organization and liberal Democrats headed by Howard Samuels was defeated. Bowser said Ramsey Clark, a political maverick, ran an unorthodox campaign, limiting all contributions to not more than \$100, and spent nothing on television. For Meade Esposito, one of New York's political bosses, it was a bitter pill, said Bowser. Esposito (on film) said he did not believe it was a defeat for the organization, but said "it can't be politics as usual anymore -- people are fed up with politics."

Mudd said the District of Columbia's selection of Walter Washington was tantamount to his reelection in the heavily Democratic city. However, Mudd said Rep. Hogan (R-Md.) was a "surprise loser." Connie Chung reported that Hogan's political future ran into trouble when he became the first Republican on the House Judiciary Committee to publicly announce his intention to vote to impeach Richard Nixon. A film clip of Hogan when he made his statement of how he planned to vote, warning it might lead to his defeat as gubernatorial candidate, and could end his future political career was shown. Chung said despite Hogan's impeachment stand, many thought he would run away with the nomination race. Louise Gore, Chung said, quietly concentrated on Republican regulars, and both now are agreed that Hogan's part in the impeachment was a political liability. Hogan (on film) said while he thought he had recovered, he was unfortunately wrong. But Gore (on film) said it was not

that Hogan was for or against impeachment, but his "grandstand play" which he made on his announcement.

"He turned a solemn vote into what many thought was a political circus," Gore said. Gore faces a tough fight against incumbent Governor Marvin Mandel, Chung said.

Phil Jones reported from the White House that President Ford opened the second mini-summit with the announcement that \$415 million will be spent to provide 85,000 public service employment in areas of high unemployment, which Jones said would double the number of such jobs. President Ford (on film) said he was watching the unemployment rate "very, very closely" and the Administration will act with compassion. Jones said in one area, President Ford said "just what the labor leaders wanted to hear" -- that there will be no mandatory wage-price controls.

George Meany (on film) said they had controls in the days of LBJ, and they didn't work, adding they will not work in this country, unless the controls are "absolute" right down to the "last local grocery store."

Jones said the labor leaders agreed with most of the economists that the current policies of tight money and high interest rates are bad for almost everyone but the nation's loan sharks. Jones said there was general opposition to any massive budget cutting, with most having felt this would lead to higher unemployment. George Hardy of the Service Workers International Union (on film) said the track record of the previous administration "stinks -- and you've got to do something, Mr. President." Jones said Ford "summitry" moves out of the White House on Thursday to Atlanta with the depressed housing and construction industry the subject of discussion.

CBS' Daniel Schorr reported it was "uphill all day" for Arthur Sampson of the General Services Administration as he testified before Senator Montoya's appropriations committee that is reviewing Administration request for \$850,000 for Mr. Nixon's transition expenses. Schorr said the Senators' constituents are resentful of the request. Senator Mark Hatfield (on film) said that over the last week or so his mail has been running 99.9 percent against granting the request. Sampson (on film) said the request was not on behalf of Mr. Nixon as an individual, and not for his personal use, such as for legal defense costs.

Schorr said not only were specific items challenged, but Montoya questioned whether the Presidential Transition Act could even be applied to a President who had not completed his term. Senator Montoya (on film) said the Committee will accord every consideration possible to the former president, but "we don't want to indulge in any excesses here." Schorr said behind the "rigorous technical examination" of the request is the fact that the Senators are getting mail from their constituents saying they don't want former President Nixon to get anything like \$850,000.

#### NBC EVENING NEWS

John Chancellor reported that the White House spent the day back-peddaling from yesterday's announcement that President Ford was studying an extended pardon for all defendants involved in Watergate.

Acting Press Secretary Jack Hushen, who yesterday said he was authorized to make the pardon announcement, said according to Chancellor, that "It was a complete distortion by the press."

After meeting with the President, Rep. John Rhodes and Sen. Hugh Scott appeared on film in the White House News Briefing Room to clarify Ford's position. Rhodes said that the President will give consideration to any requests for pardon he receives from Watergate defendants. Sen. Scott reiterated the Administration's preference for case-by-case study emphasizing, "Applications for pardon have not reached the President's desk."

The welcome for President Ford in North Carolina was friendly until he reached the dedication site for the Golf Hall of Fame where, Tom Brokaw reported and film footage showed, a small group of protesters criticized the disparity between the Nixon pardon and possible Vietnam amnesty proposals. Ford's remarks which centered only on golf, Brokaw said, did not mention the controversy.

To further explain the pardon situation, Hushen said requests would be processed through the Justice Department and that he was unaware of the receipt of any such applications. Brokaw said Hushen also said the Administration announcement of the study was "taken out of context" and denied that the action was a trial balloon.

Chancellor, who said some politicians are calling the pardon controversy "an honest mistake," commented that there is no information to confirm any Nixon/Ford deal on pardoning. Ron Nessen reported some close Ford aides have termed the handling of the pardon controversy as the new administration's first mistake dubbing it with various descriptions: "goof," "gaff," "boo-boo," and "preposterous screw-up."

Nessen commented that Ford admitted to both Republican Congressional leaders and one reporter whom the President phoned that the action was "handled badly." Two White House aides said numerous phone calls from Republican politicians indicated GOP fears that the pardon action would cost the party votes in November.

"All those we contacted claimed Mr. Ford acted from honest motives and will be able to ride out the reaction better now than later," said Nessen.

Today was the first day of Senate Appropriations Subcommittee hearings on the General Services Administration's \$850,000 request covering Nixon's San Clemente and transition expenses. Chancellor reported there was some skepticism about the requested amount.

Robert McCormick commented, "The committee plainly intends to squeeze every penny." Sen. Mark Hatfield, in a film clip, said the committee must judge on the behalf of the public the value of such a large appropriation to a person "who has already extracted federal funds for private property purposes." The Senators, McCormick reported, were particularly appalled at a \$110,000 appropriation for construction of a vault to store Nixon tapes and records.

GSA Administrator Arthur Sampson explained that Nixon was legally allowed to select the site of any such vault. On the total funding request, Sampson explained on film: "These funds are not intended to improve his financial well-being or will any be used to provide him purely personal services such as legal counsel."

Sen. Montoya, on film, said Sampson had been given a "snow job" by Nixon associates, and McCormick reported Chairman Montoya is considering calling Ronald Ziegler as a witness. The Chairman, McCormick commented, expects the annual cost for maintenance of Nixon's "establishment" to approach one million dollars.

Last night, reported Chancellor, a Nixon family member who asked not to be identified, phoned the Associated Press and reported that the former President was in a state of "deep depression and that he is suffering from a recurrence of the phlebitis condition in his leg." The unidentified caller said "suicide was alien to Nixon's religious beliefs but I guess you never know."

An Eastern Airlines plane crashed while trying to land in Charlotte, N.C., killing 69 of its 82 passengers. NBC film surveyed the wreckage. Federal and Eastern Investigators have failed to determine a reason for the crash. One FAA inspector, NBC's Kenlye Jones reported, said weather did not appear to be the primary cause of the crash.

More than 120 arrests have been made in one of the biggest drug raids in the Western Hemisphere. No resistance was reported in the raids aimed at halting the smuggling of three billion amphetamine tablets annually. Arrests were made in Mexico, Los Angeles, and New York City with one raid catching an operation that produced over \$1.5 billion in profit.

NBC said the Treasury Department proposed legislation Wednesday that would limit the President's power to determine who has access to income tax returns.

The Senate approved a \$3 billion military construction bill including an \$18 million appropriation for work on the Indian Ocean island of Diego Garcia. The funds may be used only if the President determines such action is in the national interest.

Irving R. Levine reported that Ford began today's session with labor leaders with what he hoped would be a well-received announcement -- the creation of 85,000 public service jobs in state and local government at a cost of \$415 million.

"I am watching the unemployment rate very, very closely," the President said on film. "This Administration will act with compassion. We will not permit the burden of necessary economic restraint to fall on those members of society least able to bear the cost."

Levine reported the labor leaders criticized current economic policies in calling for a change. Shown on NBC film were George Meany, AFL-CIO President; Sol Stein, Textile Workers President; George Hardy, Service Workers International Union; and Albert Shanker, American Federation of Teachers.

Levine said that after the meeting he was told by Arthur Burns, Federal Reserve Chairman, that he would not be swayed by the labor leaders urging of lower interest rates. Burns said high interest rates were needed to fight inflation.

Chrysler Motors announced an average increase in 1975 car prices of \$400. American Motors announced a \$300 increase.

The Federal Trade Commission accused five department store chains -- Lerner Stores, Nieman-Marcus, Lord and Taylor, Bergdorf-Goodman, and Bonwit Teller -- of keeping almost \$3 million belonging to charge account customers.

Chancellor reported primary returns in New York, Maryland, Florida, Colorado, and the District of Columbia.

The Senate Rules Committee voted to begin confirmation hearings on Nelson Rockefeller's nomination as Vice President on September 23. It ruled that the former New York Governor must make public his entire financial holdings. Sen. Howard Cannon on film said such disclosure would allow the American public to make its own determinations of any possible Rockefeller conflict of interest.

Rockefeller, interviewed by Charles Quinn, as he arrived in Washington to meet with Israeli Prime Minister Yitzhak Rabin, said, "I'm here to conform to whatever they want."

Quinn reported that confirmation was not expected before the November elections, precluding any Rockefeller campaigning in accordance with the Vice Presidential designate's former statement on the subject.

In Boston, parents continued to plan for school's opening with clips of the police chief warning students against creating any violence.

A compromise was reached in the textbook dispute in Charleston, W. Va., with an organization of parents to take a month to review subject matter in the controversial books. The books will be taken out of the schools during the review.

At least 200 people were killed in racial rioting in Mozambique.

In a UN-sponsored meeting, Greek and Turkish forces on Cyprus agreed on an exchange of sick and wounded prisoners.

## ABC EVENING NEWS

Howard K. Smith said the storm of protest over the Nixon pardon reached near hurricane proportions Tuesday when the White House said pardons for all Watergate figures were under study. Wednesday, the White House backed down, Smith said.

Bill Zimmerman on film said if it was a trial balloon, the White House has now decided it will not fly.

"For nearly 24 hours it hung there, raising the ire of people already upset by the sudden pardon of Nixon and raising hopes of some of those involved in the Watergate affair," Zimmerman said.

The first word of a change in position, said Zimmerman, came after Ford met with Hill GOP leaders. Senate and House minority leaders Scott and Rhodes told reporters flatly that Ford was not studying blanket pardons. Rhodes on film said: "there's no study going on, nor is there need to be. The power of the President to pardon or not pardon is very clear under the Constitution. I think what Ford is saying here is that, if he receives in due course and due form requests for consideration of pardon from any of those people, in this rather large class, they will not be thrown in the wastebasket. They will be considered all on their merits, each of them."

The storm began, said Zimmerman, at the Tuesday briefing by Hushen when he responded to question about Mrs. John Dean asking about pardon for her husband.

"I'm authorized to say the entire matter is under study," Hushen said. When asked if that included all persons connected or involved with Watergate, Hushen replied, "That is correct."

Wednesday Hushen told newsmen Ford has never considered blanket pardons for those involved in Watergate. What is under study is the general subject of the President's pardoning power, said Hushen.

Harry Reasoner said Ford "set aside weighty problems like Watergate pardons and the economy and flew to Pinehurst, N.C. to dedicate the World Golf Hall of Fame."

Over film of Ford leaving the White House for trip, Tom Jarriel said this was one of the trips Ford committed himself to make while Vice Pres., at one point Ford decided not to take these trips until the transition problems were ironed out. But though Ford still had plenty of headaches, said Jarriel, he decided to go anyway.

When Ford arrived in North Carolina, the communications gap over the pardon was pursuing him, said Jarriel on film of the airport reception. Jarriel said Ford avoided any direct comment as he spoke to the friendly crowd of servicemen and families, and he worked the crowd campaign style.

Ford seemed as pleased to be with the name golf pros as they were to have him cut the ribbon, said Jarriel.

On film, Ford said: "No one will ever forget Alan Shepard swinging his home-made six-iron as he stepped up to the ball on the moon. That was one great chip shot for all mankind."

But even deep in the piney woods of North Carolina, protest signs were evident, said Jarriel. One sign said "'74 Ford just another lemon." Generally, the crowd was friendly and as non-political as a golf ball, Jarriel reported.

Reasoner reported the Senate Appropriations sub-committee considered the presidential request to grant \$850,000 for Nixon's transition. GSA Administrator Arthur Sampson defended the request, but sub-committee chairman Montoya told him the Nixon aides who helped him prepare the request must have done quite a snow job on him, because they wanted more than twice what was given Johnson when he left office.

Smith reported that Ford announced at the second economic meeting that he will release \$415 million in Federal funds to create 85,000 new public jobs in state and local governments to ease unemployment.

Herbert Kaplow reported on the meeting with 28 labor leaders. Ford on film appealed to labor leaders and captains of industry for restraint: "It must be a self-imposed restraint. As I have said before, there will be no controls imposed on wages and prices as far as I'm concerned."

Kaplow said this pledge against controls only partly reassured AFL-CIO President George Meany because some Ford aides have been talking about wage-price guidelines.

Meany on film said guidelines are the same as controls.

"You never see greater patriotism, greater civic pride, on the part of employers when you give them guidelines on wages," Meany said. "Price and wage controls will not work in this country... unless control is absolute and complete -- wages controlled by fiat from the government and prices controlled right down to the last local grocery store."

George Hardy of the Service Workers' International Union said the Administration's track record "stinks". "You've got to do something, Mr. President," he said. "It's your ball game now."

By end of session, union men had received assurances that Ford would provide additional jobs if unemployment increased too much, said Kaplow. But they came away still uneasy about administration talk on guidelines. They received no satisfaction that the President would favor seeing the Federal Reserve ease its tight money policy. On these three issues, said Kaplow, they got half their loaf, which an optimist would say is better than no loaf at all.

Stephen Geer made a film report on the crash of an Eastern Airlines plane in Charlotte, N.C., killing 69, with 13 surviving.

Smith reported on the D.C. Democratic primary, was won by Walter Washington, "which means he'll almost surely become the Capital's first elected mayor under the home-rule charter."

Frank Reynolds said that even some of the most faithful party members showed little interest in picking their candidates, but as always, there were exceptions. In Maryland, Republicans, many of them described as still believing in the innocence of Spiro Agnew, got together to slap down Congressman Hogan who was the first member of the House Judiciary Committee to announce for the impeachment of Nixon and who wanted to become governor. On film, Hogan said, "There's no question a majority of Republicans who voted in the primary just couldn't forgive me for voting to impeach Nixon." Reynolds said Hogan's successful opponent, Louise Gore, once described the Judiciary Committee hearings as "a television circus."

In New York, it was a bad day for the bosses, Reynolds said, as the Democratic high command's endorsed slate lost. Rep. Hugh Carey easily defeated Howard Samuels, who was known to the voters as "Howie the Horse" because he ran the state's offtrack betting corporation. "Samuels showed lots of early foot, but faded fast in the stretch," Reynolds said. "Former Attorney General Ramsey Clark, laughed at by the bosses when he announced his candidacy, proved that a man from Texas could find happiness in New York. He beat Syracuse Mayor Lee Alexander and will run against Sen. Javits in November."

There were a few wild inconsistencies, said Reynolds. In Colorado Gary Hart, one of McGovern's '72 campaign managers, won the Senate nomination by defeating Eric Roth. Roth lost his job with the AFL-CIO in '72 because he defied Meany and supported McGovern.

In New Hampshire, Governor Meldrim Thompson, a GOP conservative who stayed with Nixon to the bitter end, "found himself running against an unfortunate citizen who's last name was Nixon." Bumper stickers promptly appeared with the words, "One Nixon is Enough." and Thompson won renomination.

Women won Senate nominations in Maryland, Oregon, and South Carolina. And in Maryland, Connecticut, and Nevada, women were chosen to run for governor.

Until last Sunday morning, Republicans were congratulating themselves for getting Watergate off their backs, said Reynolds. But it now appears they may not be "pardoned" from carrying that burden after all.

National Park Service Director Ronald Walker has resigned effective January 1. Walker, who handled Nixon's travel arrangements before his appointment in December, 1972, said he had reached a personal decision to return to private life.

Reasoner reported Israel Prime Minister Rabin continued talks in Washington, seeking substantial United States military and economic aid.

Ted Koppel said Israel's primary concern now is the Syrian front. United States intelligence has confirmed recent Israeli reports of stepped-up Soviet arm supplies to the Syrians. These shipments have not only made up the losses Syria incurred in the October war, they have substantially increased the level of sophistication in Syria's arsenal, specifically shipments of Soviet MIG 23's. Reliable US sources said Moscow resumed shipments of spare parts to Egypt. It is an open secret that in five hours of negotiations Wednesday, said Koppel, Rabin's pushed hard for massive United States military assistance. He's reportedly been assured he'll get large-scale and long-term military aid, possibly as much as \$7.5 billion worth in next five years, said Koppel. But Israeli sources said Rabin's most pressing concern was immediate re-supply of conventional weapons -- tanks and small arms ammunition.

Rabin on film said, "Israel has stated its needs -- to be stronger. These issues and other issues have been discussed."

Koppel said Secretary Kissinger hopes to meet in early October with Arab leaders in the Middle East. But before he goes, he needs to know from Rabin what concessions Israel is prepared to make towards new agreements with Jordan and Egypt if the United States comes across with the support that Israel is looking for.

FROM THE WIRE SERVICES

## Rockefeller Confirmation Starts September 23

The Senate Rules Committee announced its hearings to confirm Nelson Rockefeller as Vice President will start September 23. They will be held in the Senate Caucus Room and will be televised, Rules Chairman Howard W. Cannon said. The Committee asked Rockefeller to make public then, or sooner, a financial statement listing his assets, liabilities and net worth. This information already has been submitted to the Committee in confidence. Cannon said an FBI report on Rockefeller raised no problems.

## Congress Democrats Plan Lame-Duck Session

Senate Majority Leader Mansfield and Speaker Albert announced Wednesday they plan a post-election session of the Congress. The object: To complete action on tax reform, the trade bill, and health insurance. Ways and Means Chairman Wilbur Mills said he holds no hope for health insurance this year. Mansfield, however, told newsmen that chances are good on final approval of a health plan.

## May Have Violated Securities Laws

Philadelphia -- The Philadelphia Inquirer said Wednesday former Governor William Scranton may have violated federal securities law while serving as director of the United Municipal Incinerator Corporation. The paper said Scranton and other directors failed to notify potential investors UMNIC suffered a major setback three weeks after it issued a prospectus.

## Senate Committee Overrides Ford on Pay

The Senate Civil Service Committee recommended Wednesday that the full Senate override President Ford's deferral of a 5.5 percent pay raise for Federal employees scheduled for October 1. The vote was 7 to 0.

## Senate Questions Aid for Nixon

Sen. Joseph Montoya told General Services Administrator Arthur Sampson Wednesday Nixon aides must have been "given quite a snow job" to get him to ask for \$850,000 to help the former President return to private life. Sampson told Montoya's appropriations subcommittee expenditure of the money would be in the national interest.

## Sirica Refuses to Delay Cover-Up Trial

Federal Judge John J. Sirica Wednesday refused a request from defendant H. R. Haldeman to delay further the Watergate cover-up trial scheduled to begin September 30. Haldeman argued trial should wait until the Supreme Court decides if his indictment is valid.

## FOREIGN NEWS

### Recognition Offered Guinea-Bissau

Washington (UPI) - President Ford has offered to extend diplomatic recognition and to establish diplomatic relations with the newly independent state of Guinea-Bissau, the State Department announced Wednesday.

### Sick Prisoners to Be Exchanged

Nicosia - Greek and Turkish leaders on Cyprus agreed to free sick and wounded prisoners. UPI said all prisoners under the age of 18 also will be released. A United Nations communique indicated no accord had been reached on an exchange of prisoners.

## FINANCIAL

### Stocks Close Lower

The Associated Press reported "the mood was dark on Wall Street" Wednesday as stock prices again closed lower. Brokers expressed unhappiness over the absence of buying interest. With sales below 12 million shares for the third day in a row, the Dow Jones industrial average was off 3.45 to 654.72.

### Egypt to Get American Wheat

Cairo (AP) - The United States will supply 100,000 tons of wheat to Egypt in the first quarter of 1975, an Egyptian government announcement said Wednesday. The wheat is worth \$16 million and is part of the Food for Peace Program.

### Less Corn for Feed This Winter

The AP said "the nation's drought-shriveled corn crop, a key to much of the consumer food supply in 1975, has improved slightly as the result of recent rains but still will be 11 per cent below last year's record harvest, the Agriculture Department said Wednesday."

The story said soybean production will be down 16 per cent from a year ago.

"As ingredients for livestock feed, corn and soybeans are the major building blocks for meat, poultry and dairy products," writer Don Kendall reported.

Russia expects to harvest a grain crop second only to last year, "more than a goal set by Moscow."

#### Railroad Officials Indicted

Washington (UPI) - A Federal Grand Jury Wednesday charged two former officials of the Penn Central Railroad, a West German financier, and two others with conspiring to misapply \$4.2 million in railroad funds. The Philadelphia grand jury also charged the defendants with mail fraud and wire fraud. Indicted were David Bevan, Gladwyne, Pennsylvania; William R. Gerstnecker, Boca Raton, Florida; Fidel Gotz, Vaduz, Lichtenstein; Joseph H. Rosenbaum, Washington; and Francis N. Rosenbaum, McLean.



Baltimore Sun, September 11, 1974



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.



'Now to shut the book on Watergate . . .'



Philadelphia Inquirer, September 11, 1974

R. FORD LIBRARY

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On September 16, I announced my program of clemency. I am pleased that on this Thanksgiving weekend I am able to announce my first decisions on recommendations of the Presidential Clemency Board involving eighteen individual cases of draft evasion.

I want to thank each of you here for sharing this ceremonial moment. I also want to thank the Clemency Board members for their hard work.

Signing ceremonies often mark the end of a project. But today these signings represent the beginning of the difficult task of administering clemency. Instead of signing these decisions in a routine way, I want to use this occasion to underline the commitment of my administration to an even-handed policy of clemency.

When I initiated this policy, I detailed the reasons for my decision on this very difficult problem. I consider them as valid today as when I first announced them. We do not resolve difficult issues by ignoring them.

There are honest differences that will continue to be discussed. But discussion must not overshadow the need for action and fair and open resolution of the clemency problem.

Of the eighteen recommendations the board has made to me, I have reviewed each one and have personally approved each one. Information on these cases will be made available to the board and to me on which to base these decisions. But to make public the complete file on each individual would be a negation of his right to privacy.

In each case, however, the law was violated and each has received punishment. The power of clemency can look to reasons for these actions which the law cannot. Unlike God's law, man's law cannot probe into the heart of human beings. The best way we can do this is to offer clemency and to provide a way for offenders to earn their way back into their rightful place in society.

Last week, I traveled overseas in search for peace. Yet we cannot effectively seek peace abroad with other nations -- until we have made peace at home. While America reaches out to those with whom we have disagreed in the past, we must do no less within our own nation. Sometimes it seems easier for us to forgive foreign enemies than fellow Americans at home.

Let us continue to search for a softening of the national animosity caused by differences over the Vietnam war.

We will not forget the sacrifices of those who served and died in Vietnam. In their honor, America must seek ways to live up to the ideals of freedom and charity they fought to preserve.

These first few decisions do not end the unfinished business of clemency. But the task of formal forgiveness is underway. I hope it marks the beginning of personal forgiveness in the hearts of all Americans troubled by Vietnam and its aftermath.

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PRESS CONFERENCE

November 29, 1974

CHAIRMAN CHARLES E. GOODELL  
PRESIDENTIAL CLEMENCY BOARD

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- 4) 18 Case Summaries of Individuals who received Executive Clemency and Pardons
- 5) Regulations and Procedures Governing the Board's Actions
- 6) Biographies of the Presidential Clemency Board Members

Contact Joan Vinson: 456-2791  
Information on Public Affairs Programs; Coordination of  
Veterans & other Group Events & Speakers' Bureau

Contact Nia Nickolas: 456-6476  
All Press Related Requests and Information  
All Electronic and News Media

PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON

Statement by Chairman Charles E. Goodell  
November 29, 1974

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The President has accepted the unanimous recommendation of the Presidential Clemency Board that executive clemency be granted to 18 individuals. He has granted 8 full and unconditional pardons and 10 conditional clemencies which will become full and unconditional pardons upon fulfillment of specified periods of alternate service.

The distribution of lengths of alternate service is as follows:

3 applicants for clemency	3 months of alternate service
5 applicants for clemency	6 months of alternate service
1 applicant for clemency	10 months of alternate service
1 applicant for clemency	12 months of alternate service

Over and over again in reviewing the cases before the Board, we have found that the applicants are not the stereotyped ideological war resisters.

For the most part, the draft violations which we have examined were not consciously and directly related to opposition to the Vietnam War. In the cases of Jehovah's Witnesses and some others, there was genuine conscientious objection to killing -- but these objectors generally did not know how to pursue their rights properly through the Selective Service system.

The other group are generally people who have had severe marital problems requiring immediate attention; the father who died leaving a family without any means of support, or the mother or wife who became acutely ill. Rather than being from educated and middle-class backgrounds, these individuals are unsophisticated, often inarticulate and unable to explain properly their problems. Basically, these people just didn't know how to take advantage of their rights under our legal system. They just didn't know how.

Based on the applications to the Presidential Clemency Board, it appears that the image we have held in the past of the typical Vietnam-era draft evader is just plain wrong.

PRESIDENTIAL CLEMENCY BOARD  
Old Executive Office Building, Room 460  
Washington, D. C. 20500  
Office of the Press Secretary

Contact: Nia Nickolas 456-6476  
All Press Related Information

Contact: Joan Vinson 456-2791  
Public Relations, Speakers' Bureau

INFORMATION ON CLEMENCY PROCEDURES

On September 16, 1974, President Gerald R. Ford issued a Proclamation announcing a "Program for the Return of Vietnam Era Draft Evaders and Military Deserters", thereby establishing the Presidential Clemency Program. This Program was created in the hope of furthering the national commitment to justice and mercy wherein our Country could "bind the wounds" of the past and proceed to the future in a more conciliatory and unifying atmosphere.

There are three organizations involved in the Clemency Program: 1) The Presidential Clemency Board; 2) The Department of Defense; and 3) The Department of Justice. They cover offenses committed between August 4, 1964, and March 28, 1973. In all cases, applicants to all agencies must apply prior to January 31, 1975.

(Convicted Draft Evaders or Military Absentees)

I. THE PRESIDENTIAL CLEMENCY BOARD is comprised of nine members with former Senator Charles E. Goodell as Chairman. It deals only with those individuals who have received sentence or military discharge for their offense. There are two types of potential applicants-- those who have been convicted of a draft evasion offense and those who received a punitive or undesirable discharge from the Armed Forces because of a military absentee offense committed during the above specified dates. In reviewing cases, the Board is empowered to make recommendations to the President either granting or denying clemency. If the granting of clemency is recommended, such clemency may be conditioned upon the performance of alternate service. Such clemency may be in the form of a Pardon, a Clemency Discharge or Commutation of sentence.

(Unconvicted AWOLS, Deserters, or Those Who Have Missed Military Movement)

II. THE DEPARTMENT OF DEFENSE has jurisdiction over persons in military service who have gone AWOL, have deserted or have missed a military movement and have not yet been convicted or discharged. A serviceman wishing to avail himself of the Clemency Program should report to the branch of the service from which he absented himself. (Members of the Coast Guard should report to the Secretary of Transportation.) At the time an individual turns himself in, he reaffirms his allegiance to the United States and agrees to perform alternate service. He is given an Undesirable Discharge and is referred to the Director of Selective Service for assistance in placement in alternate service. Upon fulfillment of alternative service, his Undesirable Discharge will be upgraded to a Clemency Discharge.

(more)

(Unconvicted Draft Evaders)

III. THE DEPARTMENT OF JUSTICE has jurisdiction over unconvicted persons with outstanding violations of the Selective Service laws. An individual wishing to avail himself of this component of the Clemency Program must present himself to a United States Attorney before January 31, 1975, and execute an agreement acknowledging his allegiance to the United States and pledge to fulfill a period of alternate service under the auspices of the Director of Selective Service. Upon completion of that service, pending charges against an indicted individual will be dismissed. Non-indicted individuals will have their case files closed without charges being brought.

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PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON

Dear Sir:

We understand that you may be interested in applying for clemency under the President's clemency program. Enclosed is an application form which you must return to us if you want your case considered by the Presidential Clemency Board. We have also enclosed materials which describe the procedure that the Board intends to use and some of the factors which it will consider in examining your case.

If you wish to apply, please complete the application form as soon as possible. You should also send us any information you consider favorable to your case. You can send it with your application, or as quickly afterwards as you can. When we receive your application and any additional papers you may want to submit, the Board will begin to review your case.

You will not have to appear personally before the Board. You may, however, call or see one of our staff and you are invited to add to your file whatever you think helpful. You do not need an attorney to apply for clemency, but we do suggest that you seek the advice of one. If you do not know how to get an attorney, we can tell you.

Sincerely,



Charles E. Goodell  
Chairman

Enclosures

PRESIDENTIAL CLEMENCY BOARD  
APPLICATION

I hereby apply to the Presidential Clemency Board for consideration.

NAME Last First Middle

Mailing Address City State Zip Code

Phone & Area Code Social Security No. Date of Birth

If you were convicted in federal civil court, or military court-martial, please describe the offense, give date of offense, and the date and place of conviction:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of prison where last confined \_\_\_\_\_

Former military personnel who were court-martialed or administratively discharged from a military service please complete the following:

Branch of Service \_\_\_\_\_ Military Service No. \_\_\_\_\_  
If Soc. Sec. No., please indicate

Year entered military \_\_\_\_\_ Date of Discharge \_\_\_\_\_

Type of Discharge \_\_\_\_\_ How awarded (check one):

Court-martial ( ) Admin. Discharge Board ( )

Own request to avoid trial ( )

Offenses on which Administrative Discharge based: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

Case #2

This applicant is white, and is now in his mid-twenties. He was raised in the Midwest, in a deeply religious family of Jehovah's Witnesses. After graduating from high school, he devoted two years to full-time church work. He married and worked steadily as a carpenter. His draft board granted him conscientious objector status, and he was assigned to work in a hospital. Although he reported there, he refused to work. His religion does not allow him to obey an order from his draft board, because the Selective Service is considered part of the military. He would have performed alternative service if ordered to do so by a Judge. He was sentenced to 3 years in prison. He has spent almost a full year in confinement.

Disposition: Pardon.

Case #6

This applicant is white and the product of a stable and religious home. He was graduated from high school and is married. His draft board granted him a draft deferment as a minister of the Jehovah's Witness faith. Financial problems caused him to leave the ministry briefly, and his draft board reclassified him as a conscientious objector. Based on his religious belief that any cooperation with the Selective Service System is immoral, the applicant refused to comply with his draft board's order to report for alternative service. He was convicted and sentenced to 2 years in prison, of which he has served eight months.

Disposition: Pardon.

Case #7

This applicant is white and married. He was born in the south and is one of eight children. He comes from a broken home and has had to be self-sufficient since he was very young. He dropped out of school in the 11th grade. He moved often but did not always tell his draft board of his new addresses. He was tried for failing to report his address and pleaded guilty. However, he explained that the draft had ended and he thought it was no longer necessary to contact his draft board. As a result, he was given a two-year suspended sentence on condition that he work for six months in a non-profit charitable job. He has satisfactorily completed that work.

Disposition: Pardon.

Case #9

This applicant is white and in his mid-twenties. He grew up in a large family from Appalachia. He completed junior college, met a Jehovah's Witness missionary, converted, and married her. He then applied for conscientious objector status. His claim was denied because it was made after he received his induction notice. He reported for induction but failed to step forward and take the oath. He turned himself in and stated that he would do alternative service. However, he was given a 3 1/2 year sentence. He has now served 11 months.

Disposition: Pardon.

Case #15

This applicant is black, and from the south. He has been steadily employed since graduating from high school. His entire family is of the Muslim faith, which prohibits military or alternative service. The applicant reported for induction but thereafter refused to step forward. He was sentenced to three years in prison, of which he has served five months.

Disposition: Pardon.

Case #16

This applicant is white and in his late twenties. He was born in South America to parents who were United States citizens. He finished high school and started junior college. He is married and his wife is expecting their second child. He claimed he was against the Vietnam War and all wars, but he was denied his conscientious objector status. When ordered for induction, he appeared but refused to step forward. He said that he loved his country and would perform alternative service. He was sentenced to two years in prison and has served 8 months.

Disposition: Pardon.

Case #20

This applicant is black, grew up in the Midwest, and provides a major part of his mother's support. His mother has been a semi-invalid since being severely burned many years ago. He did not finish the tenth grade. On the day prior to his induction date, he requested, but was denied, postponement of induction due to his mother's illness. He failed to report for induction and was later convicted and sentenced to three years in prison. At the time of sentencing, the applicant said he was willing to join the Army or perform alternative service. During his 13 months incarceration, he has participated in an unescorted overnight furlough program.

Disposition: Pardon.

Case #21

This applicant is white, and grew up in the Midwest. He has been an active Jehovah's Witness since the age of nine. His draft board granted him conscientious objector status, but he refused to perform alternative service, since to do so would have compromised his religious beliefs. He was sentenced to three years imprisonment and he has been actively involved in his religion during the 10 months he has spent in prison.

Disposition: Pardon.

Case #5

This applicant is white, single and from the Midwest. He only completed the 10th grade. Although he twice applied for conscientious objector status, it was denied on both occasions. He then failed to report for induction. Although he later reported, he refused to step forward. He remained in the area and stood trial. He has served one year of a 4 to 6 year sentence under the provisions of the Federal Youth Corrections Act.

Disposition: Executive Clemency, 3 months alternative service.

Case #17

This applicant is white and in his middle twenties. He was raised in the Eastern United States in a closely knit family. The applicant is a college graduate, and has participated in a Peace Corps training program. He was ordered to report for induction but claims that he did not report because there was no draft call that month. He remained in school and ultimately earned a teaching certificate. He states that he did not hear again from his draft board. It appears that he never attempted to evade authorities. The applicant stood trial for failure to report for induction and was sentenced to 60 days in prison. He served twenty days.

Disposition: Executive Clemency, 3 months alternative service.

Case #25

This applicant is black and in his mid-twenties. He completed 3 years of college and then went to Canada because he did not agree with the war in Vietnam. After 18 months, he returned voluntarily "to work things out". A few months later, he married his college sweetheart. He says he was told that his case would be dropped if he reported for induction. The draft ended before he could meet this condition. He tried to enlist in the National Guard but was rejected. He was sentenced to 3 years in prison and has served 8 1/2 months.

Disposition: Executive Clemency, 3 months alternative service.

Case #4

This applicant is white and comes from a large family in the Midwest. His parents were divorced when he was young. He left high school after the 11th grade and went to work as a store clerk. He failed to report for his physical when ordered. Six months later, he converted to the Jehovah's Witness faith, and then refused to appear for induction. He was convicted and sentenced to 5 years. He has now served 10 months.

Disposition: Executive Clemency, 6 months alternative service.

Case #8

This applicant, who is white and married, grew up in the Northeast in a large religious family. Shortly before his notice of induction, he moved to California where he attended one semester at a junior college. He has stated that he refused to report for induction because of his strong feelings against killing, and that he later attempted to register as a conscientious objector with a draft board in California. Prior to his apprehension, he worked in a hospital for 1 1/2 years. He was convicted for failing to keep his local draft board informed of his current address. He was sentenced to thirty days in jail, to be served on weekends, and has served fourteen days of the sentence.

Disposition: Executive Clemency, 6 months alternative service.

Case #11

This applicant, in his middle twenties, is Mexican. His parents are divorced. He immigrated to the southwestern United States when he was a teenager and completed the 11th grade. He ran away from home. When he returned, he found out he was a fugitive because he had failed to report for induction. He turned himself in and was sentenced to a 4-6 year term. He served six months in prison. He desires to enlist in the United States Armed Forces and become an American citizen.

Disposition: Executive Clemency, six months alternative service.

Case #19

This applicant is white and in his middle twenties. His father died when he was young and he was raised by his mother, during which time the family moved frequently. He only had a 9th grade education. The applicant left home shortly before he was ordered to report for induction. About four years later, he was arrested and convicted of failure to keep his draft board informed of his address. He was sentenced to six months in prison, half of which has been served.

Disposition: Executive Clemency, 6 months alternative service.

Case #23

This applicant is black, in his mid-twenties and comes from the South. He never knew his natural parents and his step-father died when the applicant was in high school. His step-mother is severely ill and relies upon him for financial support. He lost his college deferment for failing to meet Selective Service requirements. He then applied for a hardship deferment based on his step-mother's illness but this was denied. He was sentenced to 3 years in prison and has served 6 months.

Disposition: Executive Clemency, 6 months alternative service.

Case #14

This applicant is white and is from the south. His draft board granted him conscientious objector status and he began alternative service in a hospital. He left this job after conflict with his superior, and was later arrested. He was released on bond, but failed to appear in court. When he was arrested a year and a half later, he was married and steadily employed. He was sentenced to two years in prison, and has served 7 months. His employer has promised to give the applicant his old job back upon his release.

Disposition: Executive Clemency, 10 months alternative service.

Case #18

This white applicant, in his early twenties, was raised in an unstable family environment in the Southeast. He dropped out of school in the 8th grade, and has since held jobs of short duration. He twice failed to report for a pre-induction physical examination. Thereafter, he was ordered to report for induction. The applicant failed to report and when located by the FBI, a year later, indicated that he had not intentionally evaded the draft. The U. S. Attorney advised him that if he joined the service within a month, he would not be prosecuted. The applicant responded that he would rather not serve in the Army and inquired as to civilian service. He then took Navy qualifying tests but was found unqualified for enlistment because of his low test scores and inadequate education. He was thereafter convicted of failing to report for induction and has served 4 days of his 2 year sentence.

Disposition: Executive Clemency, 1 year alternative service.

PRESIDENTIAL CLEMENCY BOARD  
Office of the Press Secretary  
202: 456-6476

OUTLINE OF  
PRESIDENTIAL CLEMENCY BOARD PROCEDURES

The Presidential Clemency Board has developed the following procedures to make certain that all applicants are fully aware of their rights when they take their cases to the Board:

Each applicant has -

- The right to an attorney. Applicants that are unable to obtain their own lawyer will be informed of organizations such as the American Legion, the Federal Public Defenders, etc., who may offer them legal assistance.
- The right to see the files that the Board uses to prepare his case.
- The right to suggest other government files that the Board should see.
- The right to review the summary of his case which the Board's attorneys have prepared.
- The right to correct, add, or supplement the information in the summary.
- The right to submit any information he desires the Board to consider.
- The right to submit a statement up to 3 pages in length which will be read to the Board verbatim.

- The right to appear personally, or by representative, in appropriate cases, to present his case in his own words.
- Full notice of the rules the Board will be governed by and the various factors the Board will consider in deciding his case.
- The assurance that the Board will preserve his privacy to the greatest extent possible. No information will be forwarded to other authorities unless it discloses information about a violation of law (except for Selective Service violations covered by the Clemency Program).

The Board will be guided in each case decision by the following factors:

Aggravating circumstances:

- (1) Prior adult criminal convictions.
- (2) False statements by the applicant to the Presidential Clemency Board.
- (3) Use of force by applicants when committing the AWOL, desertion, missing movement, or civilian draft evasion offense.
- (4) Desertion during combat.
- (5) Evidence that applicant committed the offense for obviously manipulative and selfish reasons.
- (6) Prior refusal to fulfill alternative service.
- (7) Prior violation of probation or parole requirements.

Mitigating circumstances:

- (1) Applicant's lack of sufficient education or ability to understand the obligations, or remedies available, under the law.
- (2) Personal and family hardship either at the time of the offense or at the time the applicant was to perform alternative service.
- (3) Mental or physical illness or condition, either at the time of the offense or currently.
- (4) Employment or volunteer activities of service to the public since conviction or military discharge.
- (5) Service-connected disability, wounds in combat, or decorations for valor in combat.
- (6) Tours of service in the war zone.
- (7) Substantial evidence of personal or procedural unfairness in the treatment of applicant.
- (8) Denial of conscientious objector status, or of another claim for Selective Service exemption or deferment, or of a claim for hardship discharge, compassionate reassignment, emergency leave, or other remedy available under military law, on procedural, technical, or improper grounds, or on grounds which have subsequently been held unlawful by the courts.



(9) Evidence that an applicant acted in conscience, and not for manipulative or selfish reasons.

(10) Voluntary submission to authorities by applicant.

In each case the applicant may receive a maximum of 24 months alternative service, reduced by credit for time served in prison, and for time for parole or probation or other periods of alternative service he has already completed satisfactorily.

In appropriate cases, alternative service will be reduced or waived entirely. The alternative service may also be increased if there are particularly aggravating circumstances. Any person who is not required to perform alternative service will receive an immediate full pardon. Any person required to do alternative service will receive clemency conditional upon satisfactory completion of their service. At that time they will also receive full pardons.

NOTE: The preceding is a condensed version of the complete Rules, Regulations, and Administrative Procedures of the Presidential Clemency Board published in the Federal Register, Volume 39, Number 230, November 27, 1974.

PRESIDENTIAL CLEMENCY BOARD

Office of the Press Secretary

202: 456-6476

BIOGRAPHIES OF THE  
MEMBERS OF THE PRESIDENTIAL CLEMENCY BOARD

CHAIRMAN CHARLES E. GOODELL, 48 Years of Age

From 1968 to 1970 he served as a United States Senator from New York. He is currently in the private practice of law. He was born in 1926 and is a graduate of Williams College and Yale Law School, with a Master's degree in government. While at Yale, he was a Ford Foundation Fellow. He resides in Northwest Washington.

DR. RALPH ADAMS, 59 Years of Age

Since 1964 he has been President of Troy State University in Troy, Alabama. He was born in Samson, Alabama in 1915, and received his A. B. degree at Birmingham-Southern College and his LL. B, LL. D, and J. D. degrees from the University of Alabama. He also has done postgraduate work at the University of Colorado and George Washington University. He is a Brigadier General with the Air National Guard of Alabama. He is married to the former Dorothy Kelly and they have three children.

MR. JAMES P. DOUGOVITO, 28 Years of Age

He presently serves as a teaching aide of minority students in the Department of Technology at Michigan Technological University in Houghton, Michigan. Mr. Dougovita is a veteran and has been awarded the Combat Infantryman Badge, Silver Star, Bronze Star, Purple Heart and is now a Captain in the Michigan National Guard. He was born in Menominee, Michigan on December 22, 1945, and received his AAS degree from Michigan Technological University in June of 1973. He and his wife Elaine have one child and live in L'Anse, Michigan.

HONORABLE ROBERT H. FINCH, 51 Years of Age

He is a senior partner in the Los Angeles Law Firm of McKenna, Fitting, and Finch. He was born on October 9, 1925, in Tempe, Arizona and received his A. B. degree from Occidental College and J. D. degree from the University of Southern California. He was formerly Secretary of HEW, and Counsellor to President Nixon. He is married to the former Carol Crouthers and they have four children.

FATHER THEODORE M. HESBURGH, 57 Years of Age

He is the President of Notre Dame University. He was born in 1927. He was a permanent Vatican Delegate to the International Atomic Energy Agency. He has served as Chairman of the U. S. Commission on Civil Rights and as a member of the Commission on All-Volunteer Armed Force. Father Hesburgh is also Chairman of the Overseas Development Council.

MR. VERNON E. JORDAN, 39 Years of Age

He has been Executive Director of the National Urban League since January 1, 1972. Mr. Jordan is a lawyer by profession and served previously as the Executive Director of the United Negro College Fund, Director of the Voter Education Project, Southern Regional Council, and as Attorney-Consultant in the U. S. Office of Economic Opportunity. He was born on August 15, 1935, in Atlanta, Georgia, and received his B. A. degree from DePauw University in 1957. He received his J. D. degree from Howard University Law School in 1960, and was a Fellow at the Institute of Politics at Harvard University and a Fellow at the Metropolitan Applied Research Center. He is married to the former Shirley M. Yarbrough and they have one daughter. They reside in White Plains, New York.

MR. JAMES MAYE, 31 Years of Age

Since 1973, he has served as the Executive Director of the Paralyzed Veterans of America, Inc. He was born on January 14, 1943 in Bassett, Virginia, and received his B. A. degree from Bridgewater College and his M. S. degree from Virginia Commonwealth University. He is married and resides in Silver Spring, Maryland.

MRS. AIDA O'CONNOR, 52 Years of Age

She is a practicing attorney at the Two World Trade Center in New York City. She was born in 1922, and received her B. A. degree and LL. B. degree from the George Washington University. She is a member of the American Bar Association and the Supreme Court of the United States. Mrs. O'Connor is also a member of the Supreme Court of Puerto Rico and the U. S. District Court of Puerto Rico.

GENERAL LEWIS W. WALT, USMC (Ret), 61 Years of Age

He retired after 34 years of distinguished service in the Marine Corps and is a veteran of the Second World War, the Korean and Vietnamese Wars. He was an Assistant Commandant of the Marine Corps. He has received the Navy Cross, Silver Star, Legion of Merit, Bronze Star, the Purple Heart, and numerous other military decorations. He was born on February 16, 1913, in Wabaunsee County, Kansas, and received his B. S. degree from Colorado State University in 1936. General Walt is married to the former June Burkett Jacobsen and they reside in Colorado Springs, Colorado.