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MEMORANDUM

THE PRESIDENT HAS SEEN *JL*

THE WHITE HOUSE
WASHINGTON

August 26, 1974

FOR: THE PRESIDENT

The following are some early returns from Veteran related groups regarding your position on amnesty.

I think you will be pleased that the attached American Legion draft resolution on amnesty will be found compatible with your position.

Association of the U.S. Army is coming in with a hard line letter giving emphasis to MIA and KIA and opposed to general amnesty. The letter was described as 'having no great quarrel with the President's position.'

Air Force Association will support your position.

Air Force Sergeants Association will support your position by resolution this week.

Catholic War Veterans oppose general amnesty but there is acceptance of less than general on a case by case.

Retired Officers Association has a resolution on amnesty which supports your position.

Disabled American Veterans has come in opposing your position.

Jack Marsh
Jack Marsh
JL

From Jimmy Taylor at American Legion Convention in Miami Beach, Florida

Resolution 175, Montana
'Draft Evaders and/or Deserters'
(came from 14 other states)

Whereas, young men throughout the history of the United States have patriotically answered the call of their country and defended its lands and ideals, and

Whereas hundreds of thousands of these young men volunteered or accepted duties in Vietnam and served with honor and distinction, and

Whereas thousands of these young men lost their lives or were gravely wounded, and

Whereas thousands were captured by the enemy, and were imprisoned and/or tortured for long periods of time, and

Whereas the question of amnesty for those who have fled the country to avoid induction into the armed services or have deserted their assigned military units to avoid military obligation during the Vietnam conflict has been again raised.

Now therefore be it resolved by the American Legion in National Convention Assemble in Miami Beach, Florida, August 20, 21, 22, 1974, that we reaffirm our objection to general amnesty for draft evaders or military deserters and urge that each case be tried on an individual basis and each deserter be dealt with as prescribed by the Uniform Code of Military Justice.

ASSN U.S. Army

Who are Affected?

30,000 to 50,000 persons. (Of which 28,661 are deserters from military services, including 2,099 known to be living in foreign countries; the remainder are estimated to have evaded the draft.) Law requires deserters to be tried by military courts; draft dodgers in civilian courts.

Association of the United States Army Resolution -- 1973

"General amnesty by legislative action for draft evaders and resisters or for servicemen in a desertion or AWOL status is inappropriate. Each offender has violated civil or military law and each should, with full rights protected, be adjudged within the applicable judicial system on a case-by-case basis. Any subsequent recommendations for amnesty should be considered on the same individual case basis."

AUSA Continues to Oppose Amnesty Based on These Essential Points:

- 1) Those who deserted or dodged the draft broke the law which they clearly understood and the deserters violated additionally the oath they took upon entering the service.
- 2) As a nation of laws, we cannot permit citizens to select which laws they will obey and which they will break. To do so is to invite anarchy. We cannot have citizens who place themselves above the law.
- 3) Those who failed to carry out their military obligation required someone else to come forward and take their place. In the case of Vietnam, this almost inevitably meant combat. One cannot assess how many were killed or wounded in action, or were POWs or missing in action because they were replacing a deserter or draft dodger.
- 4) Using the upper estimate of 50,000 deserters and draft dodgers, they represent only 2% of the 2½ million who fulfilled their military obligation during the war.
- 5) The granting of amnesty would not only mock those who served honorably regardless of their views of the war, but establish an undesirable precedent which