

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

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MEMORANDUM OF CONVERSATION

PARTICIPANTS: President Ford
Bipartisan Congressional Leadership
Secretary of Defense, James R. Schlesinger
Attorney General William B. Saxbe
Counsellor Philip Buchen
Deputy Attorney General Lawrence Silberman
Martin Hoffman, Counsel to DOD

DATE AND TIME: Monday, September 16, 1974

PLACE: The Cabinet Room
The White House

SUBJECT: Clemency Program for Vietnam-Related
Draft Offenders

[The President first outlined the Clemency Program. His remarks were followed by Secretary Schlesinger, Attorney General Saxbe, Counsellor Buchen, Mr. Hoffman, and Deputy Attorney General Silberman.]

Hebert: I was not informed about amnesty before you announced it. I am violently opposed and so are most of the people. You couldn't get legislation through my committee -- but you don't need legislation for this program. The danger is that you are saying you will be lenient; you are setting up a precedent for future crises. I think you think less of us -- certainly of me -- because of the way you did this.

Mansfield: Mr. President, I congratulate you on this action. You are continuing a tradition that was started by President Washington. We must get this issue behind us.

President: Thanks, Mike; but Eddie, I hope this meeting illustrates that we can have frank discussions in these meetings without affecting personal relationships. I think the restrictions we have imposed will keep them from having clean hands. The JSC think it would not undermine military discipline, but others in the Pentagon differ with that.

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~~TOP SECRET~~ - XGDS (3)
CLASSIFIED BY: HENRY A. KISSINGER

DECLASSIFIED
E.O. 12958, Sec. 3.5
NSC Memo, 11/24/98, State Dept. Guidelines
By LK, NARA, Date 1/10

Stennis: Why must we abandon the regular judicial process? Are there too many for the courts to handle?

Saxbe: The courts aren't in a position to act as probation officers; the Selective Service is.

Thurmond: I want to help you unify the country, but I am concerned. Eddie Hebert expressed my views. There is no worse crime than this. This is setting a dangerous precedent. You can exercise your pardon authority, but we should let the courts go through the legal processes.

President: The Clemency Board will be a broad spectrum. It's not all one way or another. We tried to mix to the best of our ability. [Reads from the list]:

- Dr. Ralph Adams, President of Trou State University, an educator.
- James P. Dougovita - He's 78 years old, a combat veteran. He teaches minorities.
- Bob Finch, whom you know.
- Charles Goodell. [Someone says 'Jesus'].
- Father Hesburgh of Notre Dame
- Vernon Jordan of the National Urban League -- a black leader.
- James May, Director of Paralyzed Veterans -- he's paralyzed.
- Mrs. O'Connor -- a lawyer, Supreme Court of Puerto Rico. She's Spanish.
- General Walt, of the Marine Corps.
- The Chairman will be Charlie Goodell. That's probably controversial, but I think he will do a good job.



Bill Friedman

Leadership Mtg - 16 Sept 74



Pres outlined the program, followed by Schlesinger, Sofer, Bunker, Hoffmann, Saltzman.

Robert - Don was not informed about arrests, before you announced it. Don vehemently opposed & so are most of the people. You could not get legis thru - my cont. - but you don't need legis for this program. The danger is you are trying you will be seen as precedent. You are setting up a precedent for future crises. I think you think less of us - certainly of me - because for some you did this.

Unsworth I congratulate you on this action. You are continuing in a tradition started by Washington. We must get this issue behind us.

P Thanks, Mike, but Eddie, I hope this mtg. tells that we can have frank discussions in that mtg w/o affecting personal relationships. I think a restriction we have imposed will keep them from having their hands. The JCS think it would not undermine mil. discipline - but others in Pentagon differ w/ that.

Stines Why cannot we abandon a regular judicial process? Are there too many for the courts to handle?

Sofer The courts aren't in position to act as probative officer - a selective service is.

Thurmond I want to help you w/ a security, but I am concerned. Eddie H. about expressed my views. There is no way around. This is setting a dangerous precedent. You can exercise your power authority, but we should let the courts go thru a legal process.



