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WITHDRAWAL ID 01988

REASON FOR WITHDRAWAL Donor restriction
TYPE OF MATERIAL Memorandum
CREATOR'S NAME Lawrence Baskir
RECEIVER'S NAME Charles Goodell
DESCRIPTION Re alternative service program
CREATION DATE 06/25/1975

COLLECTION/SERIES/FOLDER ID . 019300004
COLLECTION TITLE Charles Goodell Papers
BOX NUMBER 1
FOLDER TITLE Alternative Service

DATE WITHDRAWN 11/20/1990
WITHDRAWING ARCHIVIST WHM

August 20, 1975



Dear Mr. Pepitone:

This is in response to your request at our earlier meeting that the Presidential Clemency Board forward to you any recommendations we have to deal with the special problem of short term alternative service. You had indicated that you had already notified OMB there was no way you could provide three-month full-time jobs to any large number of people in the present job market. I understand that you may have revised your assessment in that regard, but the Clemency Board has discussed at some length what was the Board's intention for performance of alternative service. Obviously, this is a matter within the jurisdiction of the Selective Service System and the Board offers these suggestions in the hopes they will be helpful to you.

The Board officially recommends three courses of action. The first two recommendations are unanimous. The third recommendation was adopted by the Board with four dissenting votes. I am attaching hereto the minority report of the four dissenting members. Our recommendations are as follows:

First, a PCB referral with a full-time job should be encouraged to retain that job and do part-time alternative service without pay.

Secondly, all PCB referrals should be permitted the option of performing fewer hours per week and extending their work over a longer period of time. For example, three months of alternative service could be fulfilled by stretching shorter hours worked per week over six months or a year.

Thirdly, to fulfill his alternative service requirement, a PCB referral be given the choice of working either forty hours per week with pay or sixteen hours per week without pay. He would have this choice regardless of his other employment or lack thereof.

The majority of the Board strongly believes that referrals should be given the option of performing either an average of sixteen hours per week alternative service without pay or forty hours per week alternative service with pay. We feel that such a policy is in accord with the wishes of the President and at the same time assists you in your difficult task of placing approximately eight thousand individuals whom we shall refer to you for alternative service. Permitting part-time alternative service would assure that jobs are not taken from veterans and others in the competitive labor market. It would also help to maximize the number of clemency recipients who could successfully perform alternative service and, therefore, earn their clemency. By allowing conditional clemency recipients to keep their present employment, it would minimize the likelihood of their families becoming financial burdens to the public.

In coming to this conclusion we consulted with probation officers who indicated that the courts generally accept sixteen hours per week as satisfactory alternative service when alternative service is required as a part of the court sentence. The majority of the Board believes that a man who works evenings or Saturdays and Sundays without pay in charitable activities or for governmental agencies should be deemed to have satisfied our requirement if he works sixteen hours per week.

Although it is my personal view that the President would agree that sixteen hours without pay should be the equivalent of forty hours per week with pay, I have never discussed the issue with the President, and I can understand that you may feel such a policy is in conflict with your directive from the President. If that is the case, I believe we should seriously consider presenting this issue to the President. I would obviously also present the minority views of our four dissenting members.

Whatever your decision with respect to recommendation number three, I should emphasize that the Clemency Board unanimously feels every effort should be made to avoid requiring that an individual relinquish a job which he presently holds. For obvious reasons this is particularly true of individuals required by the Clemency Board to do alternative service of six months or less.

These recommendations to you, in response to your invitation, are in hopes that they will be helpful in carrying the clemency program to a successful conclusion. We fully recognize that the nature of alternative service to be performed is the responsibility of the Selective Service System. I would be delighted to discuss our recommendations further with you at your convenience.

With kind regard, I am

Sincerely,

Charles E. Goodell
Chairman

Mr. Byron V. Pepitone
Director
Selective Service System
1724 F Street, NW
Washington, D.C. 20435

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

TO: Byron V. Pepitone Director Selective Service System cc: Senator C.E. Goodell

FROM: General Lewis W. Walt Dr. Ralph Adams Mr. James P. Dougovito Colonel Harry Riggs

DATE: August 1, 1975

SUBJECT: Minority Report of the Presidential Clemency Board on Alternate Service to be performed by applicants to the Presidential Clemency Board

The above named Members of the Presidential Clemency Board unanimously agree that:

- A) A month's alternate service as determined by the PCB, to be accomplished by the applicant, is based on a minimum of a forty-hour week. That is to say that; a three month's alternate service assignment would be for a minimum working period of four hundred and eighty (480) hours.
- B) The President wants a crisp, unwatered-down, effective and creditable program of service to the public, accomplished by the applicant in order to EARN his way back to a normal position in our society.
- C) The administration of the alternate service program is entirely the business and responsibility of the Director of Selective Service.
- D) That a volunteer program for the applicants to perform volunteer work, without pay, in their Community, could be an effective way of accommodating those applicants who have less than twelve months alternate service to perform. However, there should not be any cut in the number of hours they would be required to work. They would benefit by being able to perform the service at a time of convenience to their schedule so that they still could work at a regular job for livelihood. They would also benefit in that the volunteer work could be done in their Community so that travel would not be a problem. Furthermore, volunteer work in their Community, to earn their Pardon, would be good public relations for them and for the President's Clemency Program.

Lewis W. Walt
James P. Dougovito
Ralph Adams
Harry Riggs

Carbon of Repulse ltr
from C. J. - *
Walt minority views.



August 20, 1975

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With kind regard, I am

Sincerely,

Charles E. Goodell
Chairman

Mr. Byron V. Pepitone
Director
Selective Service System
1724 F Street, NW
Washington, D.C. 20435

PRESIDENTIAL CLEMENCY BOARD
THE WHITE HOUSE
WASHINGTON, D.C. 20500

TO: Byron V. Pepitone Director
Selective Service System cc: Senator C.E. Goodell

FROM: General Lewis W. Walt
Dr. Ralph Adams
Mr. James P. Dougovito
Colonel Harry Riggs

DATE: August 1, 1975

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on Alternate Service to be performed by applicants
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Lewis W. Walt
James P. Dougovito *Ralph Adams*
Harry Riggs

United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

October 17, 1975

MEMORANDUM

TO: Charles E. Goodell

FROM: H. Neil Broder *H. Neil Broder*
Acting Assistant Pardon Attorney
(Clemency Matters)

SUBJECT: Transmittal of Presidential Clemency Board
Recommendations for Upgrading of Discharges
and Veterans' Benefits



An agreement has been reached in principle between H. Neil Broder, Acting Assistant Pardon Attorney (Clemency Matters) and the Department of Defense through Captain E. T. Boywid, JAGC, USN, Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs (Military Personnel Policy), to effectuate the select recommendations of the Presidential Clemency Board to upgrade less than honorable discharges to honorable discharges with entitlement to full veterans' benefits. Additionally, the agreement contemplates that for those cases for which no upgrade recommendation was made, they will be forwarded with special commendation to the appropriate service Discharge Review Boards. The open question with respect to this agreement concerns the method of transmittal.

Captain Boywid suggests, and I concur, that it would be most appropriate, and in all probability insure a likelihood of favorable action by the respective military departments, if the Office of the White House Counsel would issue a letter recommendation forwarding and commending the Board's select recommendations to the Defense Department - either to the Secretary of Defense or directly to the Secretary of the respective military department. Since an agreement in principle has been reached there appears to be no political liability for the White House to offer this assistance.



Charles E. Goodell

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October 17, 1975

Indeed, it would be an open and public expression of the commitment to bind the nation's wounds in a total spirit of reconciliation. Furthermore, the selected individuals represent a class of individuals who have served their country honorably and well both in the combat zone and at home. As for the remaining applicants who did not receive recommendations for upgrade, a letter memorandum specially commending these cases to the appropriate Discharge Review Boards would be sufficient.

I trust that this memorandum will be satisfactory for your purposes. Please contact me if further information is needed.

I sincerely thank you for your assistance.

HYDEMAN, MASON & GOODELL

1225 NINETEENTH STREET, N. W.

WASHINGTON, D. C. 20036

ARTHUR K. MASON
LEE M. HYDEMAN
HAROLD E. MESIROW
JOHN M. BURZIO
JAMES T. LLOYD
JAMES H. HELLER
CHARLES E. GOODELL

TELEPHONE
202 659-3650

CABLE ADDRESS
HASTEN

OF COUNSEL

ALGER B. CHAPMAN
ALEXANDER M. LANKLER

October 21, 1975

Mr. Philip W. Buchen
Counsel to the President
The White House
Washington, D.C.



Dear Phil:

Enclosed is a copy of the memorandum I discussed with you this morning, which I believe is self-explanatory.

With warm regards, I am

Sincerely,

CHARLES E. GOODELL

CEG/gk

Enclosure

HYDEMAN, MASON & GOODELL

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Dear Phil:

Enclosed is a copy of my letter to the Director of Selective Service stating the recommendations of the Presidential Clemency Board with reference to alternative service. I also enclose a copy of the Minority Report in which four members disagree with our recommendations.

I should say that the 14 member majority of the Board felt very deeply about this issue. Mr. Kauffmann and Mr. Carter feel so strongly that they requested the opportunity to join me in meeting with you on the issue. It is our feeling that because a great number of our applicants must serve only three months that they fall into a somewhat different category. We do not wish individuals to quit their jobs and have their families possibly go on welfare in order to do three months alternative service.

It is my understanding that you wish to bring this issue to a head through a meeting with Byron Pepitone, the three PCB representatives and yourself. I think that is an excellent idea, particularly since the issue must be resolved quickly if any decision is to be effective.

With warm regard, I am

Sincerely,

CHARLES E. GOODELL

CEG/gk
Enclosures

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