

[REDACTED]

AGENT REPORT
(AR 381-130; FM 30-17)

mml

1. NAME OF SUBJECT OR TITLE OF INCIDENT

LESAR, James Hiram
Pvt (E-1), US 55 767 503
DOB: 23 May 1940
POB: Lawrence, Kansas

2. DATE SUBMITTED

23 July 1965

3. CONTROL SYMBOL OR FILE NUMBER

AB 95 59 09

4. REPORT OF FINDINGS

(SUBJECT INTERVIEW) On 16 July 1965, Private (E-2) James Hiram LESAR, US 55767503, Headquarters Company, United States Army Strategic Communications Command (USASCC), Suitland, Maryland, was interviewed at Headquarters, 116th Intelligence Corps Group, Washington, D.C., concerning HIS refusal to complete HIS Statement of Personal History (SPH), DD Form 398, and HIS Armed Forces Security Questionnaire (AFSQ), DD Form 98. LESAR was advised of the concern of the Department of the Army in accordance with the provisions of paragraph 26, AR 604-10, and of HIS rights under Article 31, Uniform Code of Military Justice. LESAR refused to be interviewed under oath, or to accomplish a sworn or unsworn statement. LESAR was advised of HIS prerogative to volunteer an unsworn statement, and stated substantially as follows:

LESAR has at no time refused to complete or sign an AFSQ. HE inquired if the form was necessary at the time HE submitted HIS SPH, and advised by Sergeant Burnis, USASCC Security Office, that submission of the AFSQ was not necessary. HE would have refused to complete an AFSQ, if HE had been requested to do so. LESAR stated HE could not answer Items 17 and 19 of the SPH with intellectual honesty except by using HIS own definitions of the terms "fascist" and "communist," since there is no official United States Government definition provided. Under SUBJECT's definitions of these terms, the United States Army could be considered both a fascist and a communist organization. In that case, SUBJECT feels HE would have to answer in the affirmative to Items 17 and 19, since HE is a member of the United States Army. In addition, Item 17 of the SPH contains a question concerning subversion, which LESAR understands is related to forceful overthrow of the United States Government. SUBJECT believes the United States Army is subversive in that it is attempting to overthrow the United States Government by force. LESAR stated that the United States Constitution requires Congress declare war before war can be fought, yet the military is fighting a war in Viet Nam without Congressional authorization. This indicates to SUBJECT that the United States military establishment is the paramount power in the United States, and in conjunction with the business and industrial elite, has conspired to undermine the United States Constitution and other traditional organs of government. LESAR stated HE inadvertently omitted answering Item 18 of the SPH, the correct answer to which is "No."

LESAR was asked to complete an AFSQ, DD 98, and refused to do so on the grounds of Constitutional safeguards of freedom of speech, expression, and political associations, and on grounds of legal protections against cruel and unusual punishment, ex post facto laws, trial by legislative or administrative technique rather than judicial methods, and guilt by association. HE also refused to complete an SPH, DD Form 398. Paragraph 14b, AR 604-10 was read and

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5. TYPED NAME AND ORGANIZATION OF SPECIAL AGENT

JAMES F. YOUNG, 116th INTC Group

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6. SIGNATURE OF SPECIAL AGENT

James F. Young

DA FORM 341
1 APR 52

REPLACES WD AGO FORM 341, 1 JUN 47 WHICH MAY BE

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explained to LESAR, and HE read the paragraph. SUBJECT again refused to complete an SPH or AFSQ. LESAR identified a copy of an AFSQ dated 24 August 1964, as one which HE completed at the time of HIS induction into the United States Army. HE identified HIS signature on the form. HE stated that HE had read through the list of cited organizations contained on the form only as far as those beginning with the letter 'C', when HE was specifically ordered by one of the inducting officials to complete and sign the form immediately. HE signed the form without knowing if the answers to the questions were or were not correct. After examining a copy of the form, LESAR stated that all the answers with the exception of Item 2q were probably correct. HE offered no explanation concerning the truthfulness of the answer to Item 2q.

On the grounds which HE cited for not completing DD Form 98 and DD Form 398, LESAR refused to answer the following questions:

Are you, or have you ever been, a member of the Communist Party?

Have you ever subscribed to the doctrines or aims of the Communist Party?

Do you, or have you ever, belonged to an organization the members of which, jointly or singly, refused to swear allegiance to the United States?

Do you, or have you ever, belonged to any group whose members refused to serve in the United States military?

Is there any instance in which you would renounce your American citizenship for that of another country?

Is there any instance in which you would feel obligated to support the actions or beliefs of any other country and yet maintain United States citizenship?

Have you ever condemned the constitutional form of government of the United States?

In general, what are your beliefs and feelings toward the United States form of government as compared to those of communist or fascist governments?

Do you feel you owe your allegiance and loyalty to the United States?

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Will you defend the United States against any and all enemies, without exception?

LESAR is unwilling to undergo a Lie-Detector Examination concerning HIS statements. HE stated the Department of Defense made a recent study of lie-detector examinations which indicated they were of little or no validity. To be consistent with this study, all such tests should be discontinued.

AGENT'S NOTES: LESAR was polite and even-tempered during the interview.

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DA FORM 341
1 APR 57

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