

FORD OFFERS AMNESTY PROGRAM
REQUIRING 2 YEARS PUBLIC WORK;
DEFENDS HIS PARDON OF NIXON

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'AN ACT OF MERCY'

Goodell Is Named Head of Clemency Unit— Hesburgh Included

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WASHINGTON, Sept. 16—President Ford offered conditional amnesty today to thousands of Vietnam era draft evaders and military deserters who agree to work for up to two years in public service jobs.

"My sincere hope," he said in a statement, "is that this is a constructive step toward calmer and cooler appreciation of our individual rights and re-

*Texts of the Ford statement
and proclamation, Page 24.*

sponsibilities and our common purpose as a nation, whose future is always more important than its past."

In announcing his "earned re-entry" program, the President also established a nine-member Presidential clemency board to review the cases of those already convicted or punished for desertion or draft evasion.

Mr. Ford designated Charles E. Goodell, a former Republican Senator from New York and an early critic of United States involvement in the Vietnam war, as chairman of the clemency board.

Hesburgh Also Named

Among others named to the clemency board was the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, who has called for unconditional amnesty.

The amnesty program became effective immediately when President Ford signed a Presidential proclamation and two executive orders just before noon in the Cabinet Room of the White House. Earlier, he explained details of the program to Congressional leaders of both parties. No Congressional action is needed.

In his proclamation, the President declared that "desertion in time of war is a major, serious offense," and that draft evasion "is also a serious of-

fense." Such actions, he said, need not "be condoned."

"Yet," he continued, "reconciliation calls for an act of mercy to bind the nations wounds and to heal the scars of divisiveness."

Link to Pardon Denied

President Ford denied tonight at his news conference that the amnesty plan was in any substantial way linked to his unconditional pardon of former President Richard M. Nixon on Aug. 8—an action that has created widespread controversy throughout the nation.

Mr. Ford said that the "only connection" between the two

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actions was his effort to heal the nation's wounds and restore domestic tranquility.

Many of the draft evaders and military deserters now living in Canada and in Sweden have indicated in recent interviews that they would not avail themselves of any "work re-entry" plan such as that disclosed today.

Under the program, draft evaders or deserters who have not been convicted or punished have until next Jan. 31 to turn themselves in to the authorities, reaffirm their allegiance to the United States and agree to spend up to two years in public service jobs, such as hospital attendants or conservation.

A draft evader who has not been convicted would turn himself in to the United States Attorney in the district in which the alleged offense occurred. An unconvicted military deserter would report to the military service from which he deserted. Coast Guard deserters would report to the Secretary of Transportation.

Hardship to Be Weighed

The United States Attorney or military service head would decide the length of alternative service to be performed by each individual. The President set no minimum period of service, but he said that the maximum two-year requirement could be "reduced" for "mitigating circumstances," such as family hardship.

Placement of persons in public service jobs would be administered by the director of the Selective Service System, Byron V. Pepitone. He said today that applicants would be encouraged to find their own jobs, subject to approval by his agency.

Mr. Pepitone said that the job program would be patterned after that operated by his

agency for conscientious objectors. Now that the military draft has ended, this program is being phased out.

Mr. Pepitone said that about half of the placements for conscientious objectors were in such hospital jobs as attendants, orderlies and food service workers. Others, he said, worked for Goodwill Industries, on ecological projects and for religious organizations devoted to public service needs.

He said that most of the jobs would be "at the low end of the minimum wage" and would not conflict with the normal labor market.

For those already convicted or punished for desertion or draft evasion, the new Presidential clemency board will review cases on an individual basis. Priority will be given to

those now in prison, and officials said that their confinement would be suspended as soon as possible.

Federal officials gave varying estimates of the number of deserters and evaders potentially eligible under the program. The estimates ranged from 28,000 to 50,000 or more.

Some officials said that 15,500 draft evaders would be eligible for clemency. Of these, 8,700 have already been convicted and 4,350 are under indictment, 4,060 are listed as fugitives, 3,000 of them in Canada. There are 130 persons now serving prison sentences for draft evasion.

Officials also said that 660 deserters were serving prison sentences or awaiting trial, and about 12,500 others were still at large, with about 1,500 of these now living in Canada.

Deputy Attorney General Laurence Silberman said today that those agreeing to participate in the plan should be prepared to serve the full 24 months of public service employment, although "mitigating circumstances" might lessen the term of service.

He said that those who failed to live up to the agreement would be subject to prosecution for the original charge of draft evasion or desertion.

Asked why he thought the program would be attractive, Mr. Silberman said that it guaranteed those who abided by the terms of the agreement that they would not have a felony conviction.

1964 to 1973 Covered

The clemency program would cover offenses that took place between the Senate ratification of the Gulf of Tonkin resolution on Aug. 4, 1964, and the day the last United States combat soldier left Vietnam, March 28, 1973.

Officials said that clemency would not be considered for deserters or evaders who faced other, unrelated charges.

Draft evaders would be required to "execute an agreement" acknowledging allegiance to the United States and pledging to fulfill the period of

alternative service. Deserters would be required to take an oath of allegiance to the United States, as well as agreeing to fulfill the term of alternative service.

Officials estimated the cost of the program at about \$2-million, most of this for processing and administrative details. The salaries for deserters or evaders would be paid by the employer.

Those who fled to other countries to avoid military service would be given 15 days after re-entering this country before having to report to the proper authorities.

President Ford disclosed that he was considering a "work re-entry" program for draft evaders and military deserters in a speech to the Veterans of Foreign Wars in Chicago on Aug. 19.

The White House had indicated that Mr. Ford would announce the program early last week, but this was postponed in the aftermath of the widespread criticism over the President's pardon of Mr. Nixon.

President Ford's choice of Mr. Goodell as chairman of the clemency board was viewed as an effort to placate critics of the Vietnam war who have pressed for unconditional amnesty.

Mr. Goodell, 48 years old, fell from favor with the Nixon Administration because of his strong stand against the Vietnam war policies. He lost his Senate seat in 1970 to James L. Buckley, Conservative-Republican, following a campaign in which Nixon forces helped engineer Mr. Goodell's defeat.

Mr. Goodell, now a Washington lawyer, is a long-time friend of President Ford's and was part of a group of young Republicans who helped install Mr. Ford as House minority leader nearly 10 years ago.

Other members of the clemency board are as follows:

Father Hesburgh, 57, former chairman of the United States Commission on Civil Rights, who was dismissed from that post by President Nixon.

Robert H. Finch, 51, Los Angeles lawyer. He was Mr. Nixon's first Secretary of Health, Education and Welfare and later served as a counselor to Mr. Nixon.

Gen. Lewis W. Walt, 61, a retired assistant commandant of the Marine Corps. He served in World War II and in the Korean and Vietnam wars.

Vernon E. Jordan, 39, executive director of the National Urban League, an organization concerned with the advancement of minority groups. He was a lawyer-consultant to the United States Office of Economic Opportunity.

James Maye, executive director of the Paralyzed Veterans of America.

Dr. Ralph Adams, 59, president of Troy State University in Alabama and a brigadier general in the Alabama Air National Guard.

Aida Casanas O'Connor, 52, a lawyer who is now serving as assistant counsel to the New York State Division of Housing and Community Renewal in New York City.

James P. Dougovita, 28, a teaching aide for minority students at Michigan Tech University. He served in the Vietnam war and is now a captain in the Michigan National Guard.