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PILOT WHO-BALKED
GETS A DISCHARGE
FEB. 9, 1973
Captain Refused to Bomb in
North After 175 Missions
—Faced Court-Martial
NYTimes

By ANTHONY RIPLEY
Special To The New York Times
WASHINGTON, Feb. 8 — A
B-52 pilot who refused to fly
more bombing raids in Vietnam
after 175 missions has been
granted a discharge from the
Air Force, his civilian lawyer
said today.

The lawyer said the discharge
was under "less than honorable
conditions."

Capt. Michael J. Heck, 30
years ago, had been accused of
refusing to obey a lawful order
to fly a bombing mission over
North Vietnam on Dec. 27 from
Thailand. At the time he told
his superior officers he based
his decision on moral consid-
erations and matters of con-
science.

Mother Says She's 'Elated'

Captain Heck's lawyer, Mar-
vin M. Karpatick of the Amer-
ican Civil Liberties Union in
New York, said he learned late
today that Captain Heck's sec-
ond request for a discharge had
been approved.

Air Force spokesmen here
had no immediate comment,
but one said he thought there
might be an announcement on
the matter tomorrow.

Mr. Karpatick said he had
telephoned Captain Heck in
Thailand with the news. He
said the discharge had been
approved by James C. Goode,
Continued on Page 4, Column 1

Continued From Page 1, Col. 2

Deputy Assistant Secretary of
the Air Force.

The pilot's mother, Mrs. John
W. Heck, reached by telephone
at her home in Chula Vista,
Calif., said she was elated.

"I'm just very, very proud of
him that he had the courage
of his convictions," she said.

"I think he spoke for the con-
science of America."

Mr. Karpatick said Captain
Heck, airborne commander for
a flight of three B-52's, learned
on Dec. 28 that the heavy raids
over the cities of North Viet-
nam were to be resumed.

"He reached the decision he
could not be part of it and ad-
vised his commander," Mr.
Karpatick related. "His com-
mander asked if he was a con-
scious objector and he said
he was."

At the time Captain Heck
was the holder of the Dista-
inguished Flying Cross and the
Air Medal with 23 clusters,
both for his work flying B-52's
and for earlier missions as pilot
of a C-123 dropping flares for a
forward air controller.

Captain Heck applied for a
discharge for "the good of the
service" following his refusal to
fly, a request that would have
won him an honorable dis-
charge. The Air Force turned
down the request, Mr. Karpat-

ink said, and brought charges
of refusing to obey a legal order.

An investigating officer rec-
_ommended that he be court-
martialized on the charges, Mr.
Karpatick said, and then Cap-
tain Heck filed a second resigna-
tion, which was accepted, but
under the less than honorable
terms.

"We are delighted the Air
Force has seen fit to do this," Mr. Karpatick said, adding that
he did not think they wanted
to court-martial a man with
175 missions."

He said that action might be
taken to change the terms of the
discharge after Captain
Heck was discharged.

Mr. Karpatick said he ex-
pected Captain Heck to return
to the United States from Thai-
land in less than a week.