

## Draft Statements Stir Controversy

The National Student Association (NSA) filed a suit against Lieut. Gen. Lewis B. Hershey on 4 December in the District of Columbia U.S. District Court in an attempt to overturn Hershey's draft reclassification recommendation. Hershey, who is director of the Selective Service System, issued a statement that calls for the reclassification and induction of draft registrants who interfere with draft procedures. In addition to NSA, the suit lists 15 university student body presidents\* as co-plaintiffs along with the Campus Americans for Democratic Action, the Students for a Democratic Society, and the president of the University Christian Movement. At the base of the furor is a memorandum that Hershey issued on 26 October and a letter that was sent to all members of the Selective Service System on 8 November. The memorandum sanctions local draft boards to declare registrants delinquent and to reclassify them into a class available for induction "whenever a local board receives an abandoned or mutilated" draft card. The letter authorized reclassification for draft registrants who participate in activities which are deemed by the Selective Service to be not in the "national interest." In its suit, NSA contends that Hershey's directives violate several constitutionally guaranteed freedoms including "the fundamental guarantees of freedom of speech, freedom of assembly, freedom of association, and the right of citizens to petition their government for a redress of grievances." The American Civil Liberties Union, which has filed several suits in federal courts on behalf of individuals who have been reclassified as a result of Hershey's memorandum, will file an *amicus* suit with the District of Columbia court on behalf of the NSA suit.

In addition to the legal proceedings against Hershey, his reclassification directives have also been under fire from a number of academic quarters. The American Council on Education issued a statement on 7 December condemning Hershey's memorandum as an affront to "the very heart of the governance of our institutions and of the nation." Logan Wilson, ACE president, urged that the memorandum be withdrawn or that the administration officially disavow positions taken in Hershey's letter. Wilson stated, in part, "The language of the letter is imprecise, but the intent is clear: to urge local boards to declare as delinquents under the Selective Service Act students who engage in 'illegal demonstrations' that interfere with recruiting for the armed forces." Several universities have announced they will suspend all military recruiting on their campuses pending assurances from the Selective Service System that students who interfere with recruiters will not lose their deferments. Columbia University announced on 21 November that it was suspending such recruiting. Recruiting was banned 8 December at George Washington University, until Hershey's letter "has been rescinded, overruled or clarified."

A footnote to the continuing controversy was issued on 9 December when Attorney General Ramsey Clark and Hershey issued a joint statement that was apparently designed to quell the vocal opposition to Hershey's directives. The statement warned local draft boards that "lawful protest activities" cannot be used as a reason for expediting the call-up of anti-war demonstrators. The statement cited as examples of violations that would affect a registrant's status: giving of false information, failure to appear for examination, or failure to have a draft card. "The lawful exercise of rights of free expression and peaceful assembly have incurred and will incur no penalty or other adverse action." However, in the same statement, Hershey and Clark announced that a special unit is being created in the Justice Department to coordinate the prompt prosecution of violations of Selective Service laws and related statutes.—K.S.

\*Richard Beahrs, University of California, Berkeley; Ewart Brown, Howard University; James Evans, University of Houston; Robin Kaye, George Washington University; Charles Larson, Wayne State University; Dan Magraw, Harvard; Bernie Mayer, Oberlin College; Chris Murphy, Notre Dame; Frank Nero, Newark State Teachers College; William Newell, University of Minnesota; Patsi Parker, University of Illinois; Steven Press, Columbia; Paul Talmey, University of Colorado; Bruce Tischler, Union Theological Seminary; and Gary Townsend, California State College, Los Angeles.

controls its own [housing] market, and it's a going organization in research and development. They have made a gratifying beginning and we're happy about it."

There is a larger question, however, and it is one that unfortunately receives relatively little public attention. As the demands of Vietnam tend to reinforce the blank-check policy that Congress has traditionally maintained toward defense-related matters, DOD is emerging as a convenient agency for undertaking a variety of activities that are only partially related to military requirements. Thus, though the National Science Foundation was intended to be the primary source of federal support for academic basic research, DOD regularly continues to outspend NSF in university-based activities, according to DOD's own figures (*Science*, 24 November). Project Themis, a carefully conceived, well-funded design to foster scientific excellence in second-rank academic institutions, emanates from DOD, not from NSF. While the Office of Economic Opportunity endures a severe congressional battering, DOD conceives and proceeds with manpower training programs that, by any reasonable standard, are properly in the domain of the agency created to work against poverty. At issue is not the quality of the Defense-funded programs in civilian areas, or even the motives for DOD's getting into this work. In every case, some reasonable rationale can be offered for Defense moving out of the confines of what has traditionally been considered the proper areas of military-supported activity. And, by and large, Defense has performed as well as its civilian counterparts in supporting non-military or quasimilitary activities. The issue, rather, is that DOD is in the defense business and inevitably tends to assign high priority to military potential or effectiveness in whatever it does. Further, the presence of Defense's ample largesse in these fields tends to drain off political support for the civilian agencies that were specifically established to carry out such activities. It may be speculated that no small part of NSF's troubles with Congress derive from the fact that, with DOD paying many of the research bills in the nation's universities, scientists have had little motivation to agitate in behalf of NSF. Thus, on the basis of past performance, it will be interesting to observe what happens when HUD comes forth with its own housing research program.—D. S. GREENBERG