

SF/C		PHYS' L EVALUATION BOARD PROCEEDINGS		ability Agency.		
For use of this form, see 635-40, the proponent agency is US Army Physical						
1. NAME (Last, First, Middle Initial) MEMBER CLARK, WILLIAM H. II		2. GRADE SP4		3. PEBD: 800523 BASD: 800719		
4. SOCIAL SECURITY ACCOUNT NUMBER		5. PMOS 93E10		6. BRANCH AND COMPONENT RA		
7. THE PEB CONSISTING OF THE INDIVIDUALS INDICATED IN EXHIBIT R CONVENED ON 11 March 1985 (date) AT (Location including ZIP Code) Fort Sam Houston, Texas 78234-5000				INTENTIONAL MISCONDUCT, WILLFUL OR NEGLIGENT APOSENE	WHILE ENTITLED TO BASIC PAY	IN LINE OF DUTY OR NATIONAL EMERGENCY
8. THE BOARD CONSIDERED THE MEMBER'S CONDITION DESCRIBED IN THE RECORDS EACH DISABILITY IS LISTED BELOW in descending order of significance.						
VA CODE a	DISABILITY DESCRIPTION b	INCURRED OR AGGRAVATED c	WHILE ENTITLED TO BASIC PAY d	IN LINE OF DUTY OR NATIONAL EMERGENCY e	PROXIMATE RESULT OF PERFORMING DUTY f	RECOMMENDED DISABILITY PERCENTAGE g
9203	Schizophrenia, paranoid type, chronic, in some degree of remission. Rated as slight impairment for social and industrial adaptability. (MD BD Diag 1, Sworn Testimony, Exhibits) (MD BD Diag 2 noted, not ratable) During formal proceedings, the PEB reevaluated all available medical evidence and sworn testimony by the service member. Based upon this testimony and a close review of all records, the PEB considered the diagnosis and present level of disability as noted above is appropriate. Originally, the main basis for considering the service member's condition to be EPTS was the manuscripts written by the service member prior to his enlistment. There was no evidence prior to or at the time of his entry on active duty to corroborate the presence of psychosis inferred from these writings. The PEB, therefore, considered the question of the condition being EPTS as in doubt and chose to resolve this doubt in favor of the service member. Service member remains unfit to perform the duties(OVER)	No	Yes	Yes	Yes	10
9. THE BOARD FINDS THE MEMBER IS PHYSICALLY: ☐ FIT ☒ UNFIT AND RECOMMENDS A COMBINED RATING OF <u>10%</u> AND THAT THE MEMBER BE: <u>Separated from the service with severance pay if otherwise qualified.</u>						
10. IF RETIRED BECAUSE OF DISABILITY, THE BOARD MAKES THE RECOMMENDED FINDING THAT: A. THE MEMBER'S RETIREMENT ☐ IS ☒ NOT BASED ON DISABILITY RESULTING FROM INJURY OR DISEASE RECEIVED IN LINE OF DUTY AS A DIRECT RESULT OF ARMED CONFLICT OR CAUSED BY AN INSTRUMENTALITY OF WAR AND INCURRED IN LINE OF DUTY DURING A PERIOD OF WAR AS DEFINED BY LAW. B. EVIDENCE OF RECORD REFLECTS THE INDIVIDUAL ☒ WAS ☐ WAS NOT A MEMBER OR OBLIGATED TO BECOME A MEMBER OF AN ARMED FORCE OR RESERVE THEREOF, OR THE NOAA OR THE USPHS ON 24 SEPTEMBER 1978. C. THE DISABILITY ☐ DID ☒ DID NOT RESULT FROM A COMBAT RELATED INJURY AS DEFINED IN 26 U.S.C. 104.						
11. EXHIBITS (Identify each) A. XXXXXX Privacy Act Stmt B. Appointing order C. FSH FL 753 D. USAPDA Ltr, 24Dec84, w/Modification and allied papers				E. Treatment Record ----- Evaluee Exh A-Synopsis of <u>Rainbow Tribunal</u> Evaluee Exh B-Synopsis of <u>Over the Rainbow</u> (OVER)		
12. TYPED NAME, GRADE, BRANCH OF PRESIDENT				SIGNATURE		DATE

10. President, Physical Evaluation Board

I HAVE BEEN ADVISED OF THE FINDINGS AND RECOMMENDATIONS OF THE PHYSICAL EVALUATION BOARD AS INDICATED ON THE OVERSE, AND HAVE RECEIVED A FULL EXPLANATION OF THE RESULTS OF THE FINDINGS AND RECOMMENDATIONS AND MY LEGAL RIGHTS PERTAINING THERETO AND

- ☐ I CONCUR AND WAIVE A FORMAL HEARING OF MY CASE
☐ I DO NOT CONCUR BUT WAIVE A FORMAL HEARING MY WRITTEN APPEAL ☐ IS ATTACHED ☐ IS NOT ATTACHED.
☐ I DO NOT CONCUR AND DEMAND A FORMAL HEARING ☐ WITHOUT PERSONAL APPEARANCE ☐ WITH PERSONAL APPEARANCE.
☐ I REQUEST REGULARLY APPOINTED COUNSEL REPRESENT ME.
☐ I WILL HAVE COUNSEL OF MY CHOICE AT NO EXPENSE TO THE GOVERNMENT. I UNDERSTAND THAT I MUST NOTIFY MY COUNSEL AT THIS TIME OF THE PENDING HEARING. I FURTHER UNDERSTAND THAT A DELAY WILL NOT BE GRANTED MERELY BECAUSE I DID NOT CONTACT MY COUNSEL IN SUFFICIENT TIME FOR HIM TO PROPERLY PREPARE. I WILL INFORM MY COUNSEL THAT HE SHOULD IMMEDIATELY CONTACT THE PEB TO COORDINATE FURTHER ACTIONS IN MY CASE.

DATE	SIGNATURE OF MEMBER
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14 COUNSELOR'S STATEMENT

I have informed the member of the findings and recommendations of the Physical Evaluation Board and explained to him the result of the findings and recommendations and his legal rights pertaining thereto. The member has made the election(s) shown above

DATE	TYPED NAME AND GRADE OF COUNSELOR	SIGNATURE
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15 FOR FORMAL HEARINGS:

- a. THE INDIVIDUAL ELECTED ☒ TO APPEAR ☐ NOT TO APPEAR, AND ☒ DID ☐ DID NOT APPEAR.
b. THE MEMBER WAS REPRESENTED BY THE REGULARLY APPOINTED COUNSEL, OR ~~MEMBER ELECTED BY THE MEMBER AS INDICATED IN EXHIBIT~~ D. THE COUNSEL'S NAME IS CPT Paul J. Franco, JAGC.
c. IF THE MEMBER'S CASE WAS REFERRED FROM ANOTHER STATION, THE PHYSICAL EVALUATION BOARD LIAISON OFFICER'S NAME IS _____.
d. IF THE MEMBER WAS NOT PRESENT BECAUSE HE IS A DELETERIOUS TYPE CASE, OR OTHERWISE UNABLE TO COOPE A REQUIRED FORMAL HEARING, _____ ☐ WAS ☐ WA
~ (Next-of-kin or guardian)

PRESENT TO REPRESENT HIS INTERESTS NEXT-OF-KIN OR GUARDIAN'S ELECTION IS AT EXHIBIT _____.

RECORDER G. E. BRADFIELD CW2, GA	REPORTER SYLVIA E. FONSECA	INTERPRETER (If any)
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- e. The attached transcript of the formal hearing, of which this is the cover page, is a record of proceedings and is accurate and complete.

DATE BOARD ADJOURNED 11 March 1985	TYPED NAME, GRADE, BRANCH OF COUNSEL PAUL J. FRANCO, CPT, JAGC SIGNATURE 	TYPED NAME, GRADE, BRANCH OF PRESIDENT ALAN R. CARLISLE, COL, IN SIGNATURE ORIGINAL SIGNATURE
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16. REMARKS AND CONTINUATIONS

of SP4, Meteorological Observer (MOS 93E10) due to mental disorder. The PEB recommends separation from the service with severance pay if otherwise qualified.

Member has applied for continuance on active duty. The recommended disposition in item 9 applies if member's application for continuance is denied.

Evaluee Exh C-Ltr fr Rabbi Karff, 26Jan81
Evaluee Exh D-Review of Rainbow Tribunal
Evaluee Exh E-Ltr fr James W. Brown, 23Jul82
Evaluee Exh F-Commendation Medal
Evaluee Exh G-Ltr fr CPT Chapin, Sep84
Evaluee Exh H-Ltr fr James A. Bender, 24Feb83
Evaluee Exh I-Cy of Newspaper Article, 23Dec83

Evaluee Exh J-COL Johnson's Transcript & Consult, 20Dec84
Evaluee Exh K-Ltr fr NASA, 3Dec83
Evaluee Exh L-Ltr fr Austin Univ, 24Oct83
Evaluee Exh M-Ltr fr John Wiley & Sons, Inc, 7Jan82
Evaluee Exh N-Ltr fr Aero Publishers, 8Dec81

P: Has the member had sufficient time in which to prepare his case?

C: Yes sir.

P: SP Clark, has your counsel informed you of your rights to testify?

M: Yes sir.

P: Do you understand your rights?

M: Yes sir.

P: Are there any questions concerning them?

M: No sir.

P: Is it your desire to testify under oath in your behalf this morning?

M: Yes sir.

P: Please stand and the Recorder will administer the oath.

R: Raise your right hand please. Do you, SP4 Clark, swear that the evidence you will give in the case now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

M: I do.

R: Thank you. Please be seated. Please state your full name, rank and Social Security Number.

M: William Howard Clark, II, SP4

R: And your current unit of assignment.

M: Medical Hold Company, Fort Sam Houston, Texas.

R: Thank you. Counsel, you may proceed.

C: Thank you. Members of the board, SP4 Clark has been on active duty since October 1982. Prior to entering active service, SP4 Clark had attended three colleges, worked for Exxon Oil Company as a mechanical engineer and had done extensive research and writing in the field of engineering, physics and religion. At no time prior to entering the Army in October 1982 did he ever act or display activity resembling schizophrenia behavior. Today, he will present evidence to prove that:

1. The medical board's allegation that his schizophrenia existed prior to service is false.
2. That his original admission to Chambers Pavilion was a result of command influence and pressure to silence SP4 Clark's written comments on his treatment.
3. That the trauma he experienced during the service did cause SP4 Clark to show some signs of mental illness.

C:

4. That SP4 Clark is physically and emotionally impaired as a result of the experience and should be given a disability rating under 9203.

Sir, I'd like to enter in the following documents as Evaluatee Exhibits A-N.

a. First, a synopsis of SP4 Clark's Fiction Book, Rainbow Tribunal, an unpublished manuscript.

b. A synopsis of SP4 Clark's Technical Manuscript, Over the Rainbow.

c. Letter, dated 26 Jan 81, from Rabbi Karff, commenting on SP4 Clark's fiction book, Rainbow Tribunal.

d. Review of the Rainbow Tribunal published in the California Gazette.

e. A letter, dated 23 July 1982, from James W. Brown, former employer of SP4 Clark.

f. A copy of Commendation Medal awarded to SP4 Clark in May 1984.

g. A letter, dated September 84 from CPT Chapin, Clinical Social Worker, White Sands Missile Range, New Mexico, concerning SP4 Clark's mental status at that time.

h. A letter, dated 24 February 1983, from James A. Bender concerning SP4 Clark's research document "Over the Rainbow."

i. Copy of Newspaper Article, dated 23 December 1983, where White Sands Missile Range awarded \$11 million contract to a private firm concerning the development of laser technology.

j. Transcription and Consultation, dated 20 December 1984, from COL Joseph W. Johnson, Chief of Psychiatry, Wilford Hall, concerning his evaluation of SP4 Clark.

k. A letter, dated 3 December 1983, from NASA commenting on SP4 Clark's technical manual.

l. A letter, dated 24 October 1983, from Stephen F. Austin State University Physics Department concerning SP4 Clark's Technical Manual.

m. Letter, dated 7 January 1982, from John Wiley and Sons, Inc., publisher concerning SP4 Clark's Technical Manual.

n. And finally, a letter, dated 8 December 1981, from Aero Publishers concerning SP4 Clark's Technical Manual.

P: The documents as described by counsel will be entered as Evaluatee Exhibits.

C: Thank you, sir. Sir, I'd like to question COL Saunders first and then SP Clark.

P: Fine.

R: Sir, would you please stand. Raise your right hand. Do you, COL Saunders, swear that the evidence you will give in the case now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

WIT: I do.

R: Thank you. Please be seated. Please state your full name and rank.

WIT: Robert E. Saunders, Chaplain, COL, US Army, Post Chaplain, Fort Sam Houston.

R: Thank you. Counsel, you may proceed.

C: Thank you.

COL Saunders, when did SP4 Clark start working for you?

WIT: The summer of last year around June.

C: And did you know at that time the circumstances that led him to Fort Sam Houston?

WIT: Yes.

C: Did you observe him in his work environment?

WIT: Yes.

C: How did he perform?

WIT: Exceptionally well.

C: Were you surprised when he was admitted to Chambers Pavilion?

WIT: Yes, I was.

C: Why is that?

WIT: I had seen no erratic or peculiar behavior even with the fact that he had come from a very stressful situation and he was having additional stress with having purchased a car that was having all types of difficulties and he didn't have a lot of funds. He was unusually able to blend in with the staff that was already there. He did not seem to be having any difficulty interacting with people. It looked like he was under control.

C: What did you do when you found out he was admitted to Chambers?

WIT: I went over and it was the weekend. I visited SP Clark and talked to the nurse that was in charge, it was a male captain, privately. The male captain and I both said we...he said he saw no evidence of mental problems. I said I had not observed any and I visited with SP Clark and assured him that from where I had seen him, I had not seen any mental disease.

C: Did you eventually speak with Dr. Durand-Hollis?

WIT: Yes.

C: And what did Dr. Durand-Hollis say to you about SP4 Clark?

WIT: I went over with the NCOIC the first of the week, and I went in to see Dr. Durand-Hollis. I had gone over there asking to be able to take SP Clark back to duty and saw a Sergeant who referred me to a Captain who brought me in Dr. Durand-Hollis

WIT: and in doing that, I had said as is if we got horses tied outside that we were ready to put him on a horse and bring him back--have a shoot-out here. So, when I went in to see Dr. Durand-Hollis, he wanted to see me and I said I wanted the NCOIC present, he agreed, and Dr. Durand-Hollis told me he had read only...I'm either remembering 1 1/2 to 3 pages of his document... and that he was the sickest of the sick. He catagorized approximately five degrees of sickness, something and it wasn't psychological terms...it was like sick, sicker, sickest, and the sickest that he could describe was SP Clark and I told him I had no way the experience that he had in this manner of... I have had some dealings with patients and some psychiatrists and this had certainly not been at all obvious to me and appreciated his patience and could we talk about it. He didn't have a lot of time and he said "I've read it, I've read these few pages, I've determined that's what's wrong with him, and now I'm going to go about proving that."

C: So before Dr. Durand-Hollis thoroughly examined SP4 Clark, he believed that SP4 Clark was schizophrenic and was set out to prove it?

WIT: To the best of my knowledge, he had not even spoken to SP Clark. He had only read very few pages, it was about 20 pages...20 plus single-spaced pages, he had read maybe three of those pages. He told me he had read it all but in the first three pages, he had determined what the diagnosis was.

C: Sir, I have no further questions. Does the board wish to ask any questions?

P: Doctor Harris?

MM: I have no questions for the COL.

P: MAJ Butel?

PMO: Sir, has he come back to duty at anytime since he was first admitted into Chambers on that day?

WIT: Not with me. We asked that he be allowed to come back and work with us. He came over that one day. They had him in pajamas and barefooted to get some gear and he came with a female soldier attending him...pajamas and barefooted. They said that they did not think that it was appropriate for a person who had been hospitalized to go back and work in the same section, and so I think he did work in other sections but he never came back to duty with us.

PMO: Thank you, sir. That's all I have.

P: Thank you. That's all we have.

C: SP Clark, did you ever have a psychotic episode or clinical diagnosis of schizophrenia prior to entering the service in October 1982?

M: No sir.

C: Did you graduate from high school at 16?

M: Yes sir.

C: And did you attend LSU from 6/73 to 6/74?

M: Yes sir.

C: And did you then attend the US Naval Academy from June 1974 to August 1976?

M: Yes sir.

C: Why did you leave the Academy?

M: My main motivation for going there and for putting up with the routine as long as I did, I wanted to fly to go Navy Air and the summer before I resigned, I found out that my vision had dropped from 20/20 to 20/40. I looked at the other career opportunities available at that time and I decided to resign since I wouldn't be able to enter flight training as a pilot.

C: Did you perform well while you were there?

M: Yes sir.

C: Can you discuss some of the...

M: When I left, I was ranked 21st in my class.

C: How large was your class?

M: Approximately 1400 mid-shipman. I was on the Dean's List every semester. One semester I was on the Superintendent's List which involves academic professional leadership and physical fitness criteria. My final summer I served as a company commander and a platoon leader during a series of summer exercises.

C: From there you obtained your Bachelor's of Science in Mechanical Engineering at UT Austin in December of 78, correct?

M: Yes sir.

C: And did you graduate there with honors?

M: Yes sir.

C: From there you worked at Exxon for 16 months, correct?

M: Yes sir.

C: Why did you leave Exxon?

M: I was dissatisfied with the type of work we were doing. It wasn't quite as technical as I had expected. Also, I didn't get along too well in the big company-type of atmosphere. They were...I guess you could say they were encouraging me to go into management and I wanted to stay into the technical end. So, I saved up quite a bit of money and I had plans to go back to school when I resigned to go to graduate school.

C: What other plans...what did you do then when you left Exxon?

M: I resigned from Exxon in April of 80. I had prior to that time, I had been accepted for a part time position as a consulting engineer with a small firm in Tuscon involved with solar energy type of contract. Unfortunately, a month or so later they notified me that I would be unable to work for them and I was disappointed that...I had been counting on earning some extra money to put myself through school with them, so I decided instead of going to school, I did

M: a little bit of traveling with my family for a while. My dad had died a year or so before and I spent some time with my sisters and my mom and my little brother back in Austin. Also, I set myself to putting down some ideas and a design that I put together over the years and assimilated them into a manuscript.

C: So that in December of 1980, you began your research and writing on your technical manuscripts?

M: Yes sir.

C: And you supported yourself on the money you had saved when you worked at Exxon?

M: Yes sir.

C: And it was also at this time that you drafted two manuscripts, "Over the Rainbow," and "Rainbow Tribunal?"

M: Yes sir. Most of my writing I did from December of 80 until my enlistment in October of 82. The two literary-type manuscripts which were dealing with some philosophical religious ideas of mine, took about the first 2-3 months...the remainder of the year, year and a half I spent exclusively working on my ideas and putting together...putting them all together in a nice manuscript form.

C: How did the publishers react to these manuscripts, first with the technical manual?

M: Quite favorably. At first, I had difficulty finding someone who was interested in the particular field that was covered. Many of the publishers replied saying that it was too sophisticated or technical for their usual readers and the publishing houses that print like college textbooks, they...I didn't have the proper degree requirements or the credentials that they usually ask of someone...some of their authors.

C: What about the religious...which is the Rainbow Tribunal? What was their reaction to that one?

M: They were encouraging and favorable as well. I was frankly a bit surprised at their reaction. The subject matter was a bit forceful at times and I really hadn't expected to get much of a reaction but generally the replies were that the writing was well done and they wished me luck to find another publisher and...

C: Is the Rainbow Tribunal...is that fiction?

M: Yes, definitely.

C: And it was always meant to be fiction?

M: Yes.

C: Did the letters, comments and suggestions indicate that you were having psychological problems?

M: No sir.

C: What would be the usual response to an unaccepted manuscript?

M: Usually they'll...publishers receive quite a number of manuscripts each month... anywhere from 20-200 say. Usually they'll send a post card or a form letter saying that "We looked at your material, sorry we can't help you. Good luck," just a form-type thing.

C: In fact weren't some of the publishers encouraging you to keep writing?

M: Most of the replies I got from publishers were formal letters written with a personal evaluation of the work and generally encouraging, yes sir.

C: Some of the comments are attached as Evaluee Exhibits, correct?

M: Yes sir.

C: Did you recognize some problems with your technical manuscripts?

M: The approach I took in that manuscript was to simply present ideas. Sort of as a general approach, the whole manuscript is a problem. It's dealing with potential new areas of research, applications of ideas that I had. There was quite a bit of substantiating evidence that I included in there but it was generally presented as a proposal more than anything.

C: So you knew at the time that your manuscripts weren't perfect and needed some work and refinement?

M: Yes sir, definitely.

C: And was that part of the reason why you entered the service in 1982?

M: I had been told by several scientists that I had talked with, in particular two people in the Electro-optics Department in the Naval Ocean Systems Center, they had advised me that if I was to come up with any more detailed design work or mathematical proofs in those which were included in my technical manuscript, that the Defense Department might be interested and that I should be cautious who I talked with about it. So, the initial reason for my entering the service was because...well, simply I was broke and living on the streets, but also I hoped some way to get into the system, into the Army, and to hopefully find someone within the Defense Department who might be...I might approach to evaluate my work.

C: During this time, did you socialize with your friends?

M: Yes sir.

C: And did you get along well with your family members?

M: Yes sir.

C: And did you have female companionship?

M: Yes sir.

C: Can you please explain to the board how you attempted to sell your idea to the command and MG Fulwyler at White Sands Missile Range.

M: Could I say something?

C: Go ahead.

M: One more thing I wanted to say on my getting into the service, I had found a publisher that was interested in my technical manuscript. They offered me a certain salary and a subsidy, and about 6 months later I sent the completed manuscript to them. They found out that... this was like a scientific technical book publisher...they unfortunately didn't have an editor on their staff who was they felt capable of evaluating the work so they hired a couple of physicists and an author who had written on the particular topic, and I was quite hopeful of them publishing the book and sort of counting on the money and just sort of...well, they finally decided that the book was just too technical for their readership and by that time I had sort of overdrawn my finances and ended up enlisting in the Army because I counted on the money and also because I wanted to get into the service anyway.

C: How did you attempt to sell your idea to the command and MG Fulwyler at White Sands Missile Range?

M: When I came in the Army, the biggest complaint against my work was there wasn't enough mathematical proof. So when...a month before I arrived at White Sands, I purchased a Hewlett Packard Home Computer and spent 3-4 months doing a detail analysis of one of the major facets of the theory. I put computer analysis and also a written formal presentation of the theory and laser design together and submitted it through my chain of command directed at the...LTC Ellis who is the Director of Atmospheric Scientists Laboratory there.

C: And LTC Ellis wasn't too keen on the idea, correct?

M: He did agree to meet with me. He encouraged me to publish the material saying that his laboratory had no interest in any type of laser applications, no funding available for any type of project that I was interested in, and no one on his staff who could help me...who could evaluate my work and offer any ideas to help me to improve on the theory which was my main reason for seeing him.

C: How did you get to see MG Fulwyler?

M: My meeting with LTC Ellis was not...he essentially told me, "I'm sorry, we have no interest," etc., "try to publish your books as best you can and don't approach me or anybody else in the Army with your material...I'm just not interested." I felt that he hadn't given my proposal a good opportunity, at least a chance for...as being something that might be valid, so I wrote a letter to the Post Commander saying that I felt that I had a project with a good theory supporting the design and also several favorable letters on the theory itself which I included and asked if he might know of someone on that installation who might be interested in such a design or theory.

C: And was your purpose to get help from the Army to overcome the technical flaws in the manuscript and eventually have your ideas accepted?

M: Yes sir.

C: What did they say about your ideas--this is MG Fulwyler or anyone who reviewed your ideas at that time?

M: I gave a 90-minute presentation to MG Fulwyler, the head of the high-energy laser project at White Sands and one of his staff engineers. They were impressed with the theory and the accuracy with which I had correlated my theory to actual verified scientific data. They weren't too sure whether there would be any money available but they were encouraging, said that they might be able to

M: set up a little lab somewhere to help me try out the experiment, that they would first take some time to review the technical paper that I presented along with the presentation, and would get back with me later.

C: Did they eventually scrap your idea and went with another firm?

M: I can't say one way or another about them going to another firm. They did reply to my proposal that they felt that there were too many conceptual errors that they would not be interested any further.

C: But they did award a contract to another contractor on this technology?

M: The contract was...or a contract was awarded by LTC Ellis the Director of Atmospheric Sciences Lab to Optimetric's Inc, a small Michigan consulting firm for research into a non-dissipating type of laser which is basically what I was working on.

C: Did this somewhat upset you?

M: Yes. The fact that 2-3 months before this contract was awarded, LTC Ellis had said that his laboratory had no interest in laser projects, no one to assist me in anyway, and just quietly shoved me out the door and said "Be a soldier and go back to school when you get out." I was definitely upset.

C: Now, getting back to basic and AIT, did you have a good relationship with your peers during that time?

M: Yes sir. I was a Senior Student Leader. I took my AIT at Shinook Air Force Base and as a Senior Student Leader I did well.

C: Did you feel that the Army at anytime was out to get you or did you have any ill feelings towards the Army?

M: No. I was quite enjoying myself.

C: What was happening with your roommates while you were at White Sands Missile Range?

M: The barracks we were in...there was 2-man rooms adjoined with an adjoining bathroom and my roommate and the people next door and various other people from the...in the barracks would shut themselves in the bathroom, one...maybe two times a day, to smoke up a joint or two.

C: So they used drugs?

M: Yes sir.

C: Did you?

M: No sir.

C: Why did you despise the use of drugs or dislike the use of drugs?

M: When I was growing up, two of my older sisters got heavily involved in drugs and I was really...they were bright talented people that were just made almost into white trash by their drug usage and I was concerned that these people were doing the same things to themselves.

C: And did you confront them with this problem?

M: Yes.

C: And what was their reaction?

M: "Get off my case. What business is it of your's our own health."

C: And so what did you do at that time?

M: Well this went on for 5-6 months. I tried my best to convince them to stop smoking and one of them got busted so they stopped for a while but eventually I turned in a statement to my commanding officer of submitting their names as having used drugs.

C: Were you also afraid that maybe the drug use would be pinned on you since they were in the same quarters?

M: I was never worried about that.

C: What was their reaction to the chain of events--your roommates, now?

M: They found out that I was the one who had turned them in the day or two days after I had submitted that statement and the CO called them and myself in for a urinalysis. They got quite angry.

C: Did they threaten you?

M: Yes sir. They threatened my life and threatened to blow up my car and beat me up.

C: So what did your commanders do about this situation?

M: They...I spent one night at my NCOIC's house in the housing area and the next day I moved into a room by myself about eight or ten doors down the hall in the barracks from these people.

C: So you still lived on the same floor of these people?

M: Yes sir. I lived on the same floor and continued to work with them.

C: Did PT, ate meals with these same soldiers?

M: Yes sir.

C: Did they eventually give you TDY orders to Fort Huachuca?

M: Yes sir.

C: And that was only going to be for 30 days?

M: Yes sir.

C: Was it at this time that you took leave to Austin, your home, before going to Fort Huachuca?

M: Yes sir. I felt Fort Huachuca was only 200 miles away and I would've felt more comfortable coming back to Austin, Texas, instead.

C: So what did you, your family and friends decide to do?

M: My mother and my girlfriend were quite concerned that I should return to White Sands. Also, a friend of our family's had been a former undercover narcotics agent for the FBI in Austin. He was then and still is with the Austin Police Department and he counseled me that there's no way I should return to White Sands to a situation like that.

C: So eventually your congressman got your orders changed to Fort Sam Houston, Texas?

M: Yes sir.

C: And you arrived here sometime in May of 84?

M: Yes sir. Let me make one comment. I tried through what channels were available to me while I was at White Sands to keep from going back to post. I finally appealed to my congressman and he was the one who arranged for my assignment here instead of...in lieu of returning to White Sands.

C: Why did you write those letters to the IG at White Sands Missile Range and Fort Sam Houston, Texas, at about the time you arrived at Fort Sam?

M: I was concerned that the dealings that I had had with the people I had turned in for drugs...it wasn't handled...first of all it wasn't handled correctly by regulations. I found out shortly after I arrived here at Fort Sam that the Army regs require an individual to be transferred a 24-drive away from a life-threatening situation, immediately. I was kept there for...close to 6 weeks. It was a very difficult time for me and I had complained to the Inspector General at White Sands about my being there and he had taken no action, and I felt that by speaking out that someone at a future date who was in a situation which I found myself, that he might not be...his situation might be handled better.

C: And it was this last letter to the Fort Sam Houston, Texas, IG Office that led you to be admitted to Chambers Pavilion?

M: Yes sir.

C: In the medical board, it states that in August of 84, your behavior was, "rather quiet, keeping a low profile and not sharing with the staff almost any of his thoughts." Can you explain this statement to the board right now?

M: Well, I was quite surprised to be hospitalized. I didn't feel too comfortable with the patients there, so I did sort of stay to myself.....keep my own counsel, if you wish, also I knew that the statement I sent to the IG here at Fort Sam was what had gotten me hospitalized so I felt that the less I talked about that then I might be able to get out sooner.

P: Was your IG statement that you sent to the IG at Fort Sam the same as the one... covered the same subjects dealing with the same deal in White Sands?

M: Yes sir.

P: So your purpose of sending one to the IG at Fort Sam was to see, so to speak, if you could get the IG or the people at White Sands off of the dime, so to speak?

M: Yes sir. I had had a meeting with the IG at White Sands shortly before I left.

M: He was concerned about my situation and that he couldn't do anything. He was sympathetic to...the ASL was a...well-known for it's drug abuse and he was quite frustrated that he wasn't able to do anything about the situation and I felt that maybe if I might...describing the situation to the IG here that he might get some help. I don't know.

P: So you dealt solely...your letter to the IG here at Fort Sam...dealt solely with the situation at White Sands?

M: Yes sir.

P: Good. Okay. Excuse me, counsel.

C: Thank you, sir. The medical board further states that you later "learned to avoid any mention to your previous ideas in writing." Can you also explain this statement?

M: My writings was what had gotten me admitted and what had gotten me into such trouble at White Sands. I learned my lesson not to discuss them any further.

C: Would it be correct to say that as long as you kept your ideas to yourself you would be released from the hospital?

M: That was my assumption. I couldn't think of any other way to get out of it.

C: After accepting the informal PEB findings last November, you entered a graduate program at Texas A&M, correct?

M: Yes sir.

C: What was the purpose of entering this program?

M: I was in the physics department and I was hoping to study for a graduate degree in physics so that I might be able to further refine my technical work and also to get the academic credentials that would be required to present such theories and designs as I've come up with.

C: How has it gone?

M: I was taking a light load--only 11 hours, mostly picking up on old subjects that I had lost since my graduation from Texas, and I couldn't handle it. I can't really describe why but the stress whatever was...I finally...I started missing one or two classes a week and finally just withdrew all together.

C: So are you having any other problems at the present time?

M: Well I had my car repossessed a month or so ago because I couldn't keep up the payments and I may end up declaring bankruptcy soon for my other debts.

C: And do you think you may need therapy or treatment now?

M: It's possible.

C: Are you having problems developing friendships?

M: Yes.

C: And do you tend to stay by yourself now?

M: Very much so.

C: Sir, I have no further questions.

P: Doctor Harris?

MM: SP Clark, I'd like to clarify in my own mind, do you accept or are you contesting the medical diagnosis of paranoid schizophrenia?

M: I accept the diagnosis, sir.

MM: Then the question is whether this condition existed before you entered into the service or after you entered into the service?

M: Yes sir.

MM: Dr. Durand-Hollis mentioned in the medical board that one of the basis for considering your condition EPTS is apparently based on his judgment that you had been suffering from the paranoid schizophrenia before you came into the service and he bases this on the manuscripts that you wrote which he feels clearly document the delusional illness. Now, I have not read these documents in full. I have no way of knowing whether his judgment is appropriate, however, he is a qualified psychiatrist and he apparently found enough information in these manuscripts to bolster his judgment that you were suffering from schizophrenia even at that time. I take it then that you're stating that this was not so.

M: Yes sir. There are basically two manuscripts involved. The two manuscripts I gave Dr. Durand-Hollis to view--to read. The technical manuscript has been well received by scientists at NASA, physicists at University at Texas and quite a number of other individuals. The religious manuscript was presenting a worse case view of the Roman Catholic Church, basically the way I put it together was to take excerpts...comments made by reputable historians and to... I don't see...

MM: When were these manuscripts written, what year?

M: From approximately in December of 1980 until April of 82.

MM: And then you came in the service in October?

M: Yes sir.

MM: Since Dr. Durand-Hollis feels there is some indication in these writings that you did have a delusional illness at that time, to what do you attribute his opinion? Do you feel this is just a mistaken opinion on his part or is he working on the basis of mis-information or does he have any other motive for coming out and saying that you are schizophrenic?

M: To begin with, he told me that...one of our two personal meetings together, he said that as a result of the psych test, there was that delusional persecutory complex you speak of, and from his own observations included schizophrenia. I can't make any judgment on...I assumed from what COL Saunders says that there's something in the statement; on that presumption, I would say it's possibly due to the nature of my religious ideas.

MM: Now, you stated that you accept his diagnosis of schizophrenia.

M: Right.

MM: Why do you accept this diagnosis? Do you accept the fact that there's a basis for it?

M: Well, all I know, sir, is I really didn't begin to accept the diagnosis until the last few months when I returned to school and I was in an environment in which I was familiar...I had something to compare my own performance and ideas and a social atmosphere and obviously I'm not my old self anymore.

MM: Let me put my question in another form. If you accept Dr. Durand-Hollis' diagnosis that you do have schizophrenia, why do you not accept his judgment that the schizophrenia existed at a particular time?

M: Sir, a manuscript of this size, say 200-300 pages with original drawings and fairly complex body of theories and insights into physics, takes an enormous amount of effort, a lot of concentration and logic involved, and I don't... I see no way that a psychiatrist can look at that book and say "The person who wrote this is crazy." As for the religious manuscript, I spent about 6 weeks to 2 months composing that. It's about 250 pages long. It too presents a fairly complex argument. Normally a manuscript of that size takes at least a year by professional writers to put together. I'm no professional writer and I don't think he can qualify that as being indicative schizophrenia. It was a creative effort by an individual. I don't know what he's comparing it to whether it's a highly polished manuscript off the racks or what?

MM: We're not talking about the question of grammar or spelling or organization or so forth?

M: Well, what are you...what do you look at in a manuscript?

MM: My question to you is if you accept Dr. Hollis' diagnosis that you are schizophrenic and apparently you do, why do you object to him saying you were schizophrenic at a certain time?

M: My objection, Dr., is to his main presumption that my illness was EPTS is on the basis of those manuscripts. I do not feel that those manuscripts are in any way indicative of paranoid schizophrenia.

MM: Thank you. I have no further questions.

P: MAJ Butel?

PMO: SP Clark, I'd just like to pin down the dates of your service. You were in the Naval Academy from July of 74 through September of 76?

M: Yes sir.

PMO: You had no involvement with the military until you enlisted in October of 82?

M: Yes sir.

PMO: You've been on active duty now about 2 1/2 years?

M: Yes sir.

PMO: After your release from Chambers, did you work in any military activities before you were released to go back to school in Austin?

M: Yes sir. About a month or so after I was admitted, I was put on their work therapy program and I was working at the Occupational Therapy Clinic up at Chambers...what's the building up there?

C: Beach.

M: Beach.

PMO: What kind of a job did they give you to do?

M: I was working in a shop making various implements that they use for their patients there, typing, running errands. I worked as a secretary when their secretary was out.

PMO: How did you get along?

M: Very well, I was having a good time. In fact, they gave me a letter of commendation.

C: A letter of appreciation.

M: A letter of appreciation, that's it, right before I left.

PMO: And when was that letter of appreciation?

M: It was the middle of November, I believe, sir.

C: It should be in the file, sir.

PMO: Thank you. That's all I have.

P: SP Clark, during the time between your resigning from the Naval Academy and joining military service, did you ever have feelings like you say you feel now--discouraged, not able to fit into your environment? You hinted at it when you talked about going into the service or just before you went into the service you were running out of money and living on the streets, that type of thing. Do you ever have that kind of same feeling you had now?

M: No sir.

P: Would you characterize your history during that time frame, especially your relationship with your family, was it calm or were there problems?

M: There were problems with my family. My mom was concerned that I had left a \$25,000 a year job as a Project Engineer just to...she felt it was just bumming around. She was concerned at what the exception might be of my technical work, but overall, my family was quite supportive. Once I got a few good stories out and started on the manuscripts, they were really quite enthusiastic. Generally, that period was very productive for me.

P: Did you have any problems that required the seeing of a psychiatrist, a psychologist, any hospitalization, or anything in that line?

M: No sir.

P: MAJ Butel?

PMO: One other question, SP Clark. Have you ever been published?

M: I've had letters to magazines and such published, but...

PMO: No stories?

M: No.

PMO: Thank you.

P: You mentioned your sisters had a problem. Was that solely a drug problem in your mind?

M: I think so. They were into hasheesh and fairly hard drugs. This is back when they were in high school and I was in junior high.

P: Had this cleared up after you quit your job with Exxon?

M: What cleared up, sir?

P: The drug problem.

M: They're off of drugs now, but they started out to be quite intelligent and talented people and now one is married to a guy that was put in prison for drugs and the other one is married to a carpenter. I think that if they hadn't been done the drugs that they would have been a lot better people.

P: Doctor Harris?

MM: I have no further questions.

P: Counsel, would you like to sum up?

C: Yes sir. Members of the board, if the Disability Review Council is to adhere to its original decision that SP4 Clark's condition is EPTS, not service aggravated, it must rely on the medical board's analysis on this case. However, after careful analysis of the facts of this case, the foundation of the medical board collapses.

First, the medical board states that SP4 Clark's complex systematized delusional illness is documented in the three major manuscripts completed before the service. In order for that statement to be true, the examining psychiatrist must understand the technical works on their merits. That presumes that Dr. Durand-Hollis is competent to comment on physics, laser technology, and theology. If Dr. Durand-Hollis was competent in these areas, he should have made that clear in the report. If he consulted others on the writings, he did not reveal that in the board either. If he relied on the comments made by the experts in the field, he would have to give SP4 Clark's work some merit, because as the Evaluatee Exhibits show, SP4 Clark was not considered schizophrenic or psychotic by the experts. SP4 Clark has a BS in Mechanical Engineering and has work in those fields for years. Furthermore, SP4 Clark spent years researching the field. Do we want to let a psychiatrist's own views on physics govern in this case?

Second, Dr. Durand-Hollis is not a theologian. SP4 Clark's religious works is number one, fiction. It was evaluated by more than one theologian who may have disagreed with some of his interpretations, but not all. If the theologians