

STATEMENT MADE VOLUNTARILY TO ROBERT K. BELL
IN HIS OFFICE APRIL 16, 1957 MRS JCN

Well, first of all he mentioned that he had heard that General Medaris thought the publicity after Jack's outburst, or whatever you call it, would have a bad effect on the Agency, but now general opinion--not his but other people's-- was that it might be a good thing. ~~He wanted to know if we got any other news.~~

B James Did?

Yes, that his opinion of him was still quite poor and that he just thought it was too bad. It was his conversation with Jack that got Jack riled up with Zimmer. I didn't want to mention this to Jack. He said he was quite sure and people thought Jack could get anybody he wanted and thought James Hammill would be a good person.

B He is at White Sands Proving Ground? An Ordnance officer but a law school graduate?

Right.

B James' idea was probably to replace Cole with Hammill?

No. Zimmer is the one. He hasn't met Cole. The only time he met Zimmer was when he came in his house drunk when he was having a dinner party. James got in hot water with General Barclay because he saw Jack without defense counsel present one evening. I was present but there was no defense counsel present, and he and Jack had a conversation and when James went back he had to report any significant details or anything significant that came out of this conversation. All he reported was that there was no counsel present. This got him into quite a bit of trouble.

B That's ridiculous.

It was very embarrassing to James because he had called General Medaris to see if he could see Jack, and he said yes but he suggested that counsel be present, and then somebody else--I don't know who--it was one of the Redstone Arsenal people--I don't know whether it was Shinkle or O'Keefe or who--someone told James, "This is just a suggestion from Medaris, but you will have to live with him and I recommend you follow it." Then James said to me, "I met Jack that night; it was postponed until evening when I thought defense counsel would be present, but you came instead." He said, "As far as I was concerned I was as good as counsel but later found I was not because I couldn't be forced to witness against my husband." I don't see how his lawyer could either.

B He couldn't.

That's what I wanted to tell, about this suggestion, and that he got into trouble for counsel not being present.

B We want all we can get on Medaris' position.

So anyway after this came up it was my understanding that not just counsel but military counsel had to be present. If James comes in a room Jack is to leave if someone else is not present. He mentioned Jack coming in to use the phone and he had to leave because he was on the spot on account of this business of meeting Jack without a third person present. Some time after that he was called in by the Prosecution and was asked to report his conversation he had with Jack that evening, had him tell exactly what went on between them; but James said the thing they were particularly interested in was if he admitted to James any of these specifications. That was the thing they were looking for most.

B If Jack admitted to James?

Yes.

B Of course, James' answer was that he did not?

Right. Then James said he would have him testify as a witness for the prosecution and James said he would like to see Jack cleared of the charges. He said, "There is nothing in it for me. I have been told where I would be after the trial was over: in the Training Division in ABMA, which was a nice assignment and he was really pleased with it." That was his attitude. He said he was glad it was just six weeks back; that's as much as he could remember. I don't know whether this will be worth anything or not.

B It is important and we are glad to get it.

Of course, the thing is, he told me all this and told me not to tell Jack. What he wants to do is to know but not know where it comes from. If you have to use it they will know.

VOLUNTARY STATEMENT MADE TO ROBERT K. BELL
IN HIS OFFICE ON APRIL 16, 1957 M VR

- B That the Air Force apparently and in his opinion has entirely different standards for marking documents "Secret" as compared to the system used by the Army.

I wouldn't say "system."

- B That is, things that the Army is required to treat as Secret, the Air Force apparently feels free to not classify these, as they have appeared in various publications such as "Aviation Week."

My suggestion would be that Colonel Nickerson, who knows this business quite well, go about systematically collecting certain Air Force Publications in the missile field that his defense can use to show this is the kind of stuff the Air Force publishes. His problem is the following: the prosecutor will pull out certain documents in question and say, "Are these things Secret?" Of course, the only answer we can give is, "Under Army standards they are." If the defense pulls out "Aviation Week" publication and says, "By the same standard would you consider this also Secret?" There was a picture of the ICBM nose cone on the cover of "Aviation Week," on the cover of a recent issue of "Aviation Week." If the Army had that, under our standards we would have to handle that as classified information. I think this is due to the fact the Army applies a much more stringent yardstick on security; they are clamping down on things the Air Force treats very freely. This is a handicap for the Army. The impressions conveyed in the public are the Air Force has it and the Army has nothing. The Air Force splashes it over the papers and the Army feels it shouldn't. I don't know whether it is a good legal argument, but feel I should tell you.

- B It is an excellent point we will have to explore fully.

My advice would be that Nickerson, who has the time to do it, systematically go through Air Force publications like "Aviation Week"--there are a few others, but "Aviation Week" is the most striking--and look through the last year's publications in the missile business and mark off those items which he knows by our standards would be Secret and then the defense could bring up counter questions if the prosecution asks us. The prosecution will try to say, "Is this Secret or not? Has this been divulged to unauthorized persons, and can we hang him for that?" Colonel Nickerson has been trying to fight against relative over-classification in the Army. This is not an argument of should it or should it not be classified, but what is good for the goose is good for the gander.

- B That is exactly the plan we are going to pursue.

We could dilute a lot of these arguments: Is this also Secret by the same standards, and here it is in "Aviation Week."

- B You know from your reading these various journals that the Army standards are infinitely higher than the Air Force?

The Air Force has a vehicle known as X-17. All the details of this thing, photographs of take-off and everything have been all over the papers. "Aviation Week" and "Missiles & Rockets" have published it and even daily newspapers have published it. Our activity of the re-entry missile is still secret. Not only the vehicle itself is unclassified by the Air Force, but that particularly Secret ICBM nose cone was on the cover page of "Aviation Week."