

April 16, 1957

MEMORANDUM TO MR. JENKINS AND MR. BELL:

We arrive in Washington at 1:50 p.m. April 17, and are scheduled to return Friday, April 19, leaving D.C. at 6:45 p.m. on Capital Flight No. 279 to Knoxville. We are on standby on this return flight, and should check upon arrival in D. C. The flight from Knoxville to Huntsville Friday evening is Flight 587.

We have confirmed appointments with the following:

Senators Sparkman and Hill of Alabama, 3:00 p.m. Wednesday afternoon, Senator Sparkman's office;

Lt Gen Gavin, 11:30 a.m. Thursday, Room 3E412, Pentagon;

Maj Gen Hickman, the Judge Advocate General is out of town for several days. Consider advisability of seeing Brig Gen Ted Decker and Col Robert E. McCaw, both Assistant Judge Advocates General.

Senator John Sherman Cooper, 10:00 a.m. Friday (Senator Cooper might have conflict in committee appointment), contact Mr. Duncan, his Executive Assistant, to reach the Senator.

Appointment with Secretary of the Army Brucker, 3:30 p.m., Friday, in Mr. Brucker's office, Pentagon.

MATTERS OF SERIOUS CONSIDERATION:

We of course would like to have all charges and specifications dropped and have the Army consider a reinvestigation and punishment, if any, under old Article 104, which is Non-Judicial punishment, and is Article 15 under the new Unified Code.

If this cannot be accomplished and we have to consider "a trade" on some of the specifications being dismissed or thrown out, we should insist on everything going except those that deal with Nickerson's "Considerations on the Wilson Memorandum," as we likely have the best defense to these specifications because of the sympathy angle and the fact that we have General officer support of Nickerson's role and mission position.

We must studiously avoid that we know (which, as a matter of fact, we do not) any of the highly classified data which is involved in the case.

Memo to Mr. Jenkins and Mr. Bell (Cont'd)

We must insist in no uncertain terms that if this matter is tried we will have to have all of this highly classified data made available to us. We must point out that if it is not furnished as requested, there will in effect be a trial that cannot stand up on review (para 33f of the Manual).

We must also insist that if there is a trial, we not only want this material, but we want it EARLY, in order that we can study it and it will prove of its maximum benefit during the trial.

If there is a trial, they not only will have to clear us for the highest classification clearance, but they will have to issue a similar clearance to everyone in the case, namely, reporters, clerks, typists, etc, not only connected with the immediate trial at Redstone, but on up the line in Third Army, the Board of Review, the Military Court of Appeals, etc.

Kenneth Roberts is a close personal friend of Congressman John C. Watts of the Sixth Congressional District of Kentucky, in which Paris is located. Watts is leaving D.C. late Wednesday afternoon, so if we see him we should see him immediately after the conference with Sparkman and Hill. Congressman Watts is a very close friend of Jess Alverson, who is Editor of the Paris Daily Enterprise, and a very close and intimate friend of Governor Chandler. John's sister's name is Mrs. Robert Plaga, and she resides in Lyndon, Ky.

Ordinarily under military procedure the matter of dropping any charges would be a Third Army problem, but because of the nature of the highly classified data, which data is not available to Third Army, it moves up an echelon and becomes an Army problem, and must be handled at Army level. Our real approach is to sell the people on whom we call the fact that the security interests are more important and paramount to the trial interests. It is imperative that we try to sell General Gavin on this, and solicit his assistance in selling first the G-2, then the Chief of Staff.

It is important that these key people thumb through the exhibits attached to our letter to the Assistant Chief of Staff for Intelligence, as these clearly illustrate that Nickerson has a good defense to most of the charges.

Major General Schow is the Deputy Chief of Staff for Intelligence, to whom the letter with exhibits is addressed. He is very much interested in the reconnaissance satellite and should be told that John initiated this entire program.