CM 290498 SLOVIK, EDDIE D. CORRESPONDENCE FILE VOL I OF III (1)

200 pg

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THIS FILE TO BE

RETURNED

TO

HQDA (JAAJ-CC)

COURT-MARTIAL RECORD

CORRESPONDENCE FILE

Vol I of III

CM 290498

JAAJ-CC Form 24, 1 Apr 72 Edition of 17 Feb 64 is obsolete.

USNA SA
Clerk of Court
A
10 July 75

Honorable Robert P. Griffin

Today, certain punishments are mandatory under the law. For example, Article 106 of the Uniform Code of Military Justice, (Title 10, United States Code s 906), states, in essence, that a person convicted of engaging in spy activities in time of war shall be punished by death. Also, under Article 118 of the Code, death or imprisonment for life are the only possible sentences which may be imposed following the trial and conviction of a person for premeditated murder and murder while perpetrating a burglary, sodomy, rape, robbery, or aggravated arson. The discretion of courts-martial to adjudge punishments may be limited by the President. Also, the death penalty can be adjudged only when specifically authorized by law and regulation. Conversely, certain kinds of punishments are prohibited.

When a general court-martial exercises jurisdiction under the law of war, it may adjudge any punishment permitted by the law of war. Certain limitations on the discretion of military tribunals to adjudge punishments under the law of war are prescribed in international conventions.

Thank you for your interest in this matter. I trust that this provides the information you desired. As requested, the inclosure to your inquiry is returned.

Sincerely,

(Signed) Harold L. Brown II

Incl

HAROLD L. BROWN II
Lieutenant Colonel, GS
Deputy, Congressional
Inquiry Division

Ful/O'Keefe/mns
Draft fr: JAAJ-CC, Mr. Robinson, 756-1193
CF: Same
Card 3251/52

JAAJ-CC CM 290498 9 September 1974

Maurice Lepavsky
Adjutant
Jewish War Veterans of the
United States
Room 2011, 176 West Adams Street
Chicago, Illinois 60603

Dear Mr. Lepavsky:

This is in reply to your letter concerning the court-martial and execution of Private Eddie Slovik.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct

demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

V. M. McELROY
Clerk of Court

AO: HEARRELL/pls
pet vmm

8 July 1975

Honorable Robert P. Griffin

United States Senate

Dear Senator Griffin:

This is in further reply to your inquiry in behalf of Tim K. Sisson, who inquired concerning the execution of Private Eddie D. Slovik during World War II.

Private Slovik was found guilty of desertion by general court-martial for violation of Article of War 58, Manual for Courts-Martial, 1928. The Manual describes desertion as absence without leave accompanied by the intention not to return; to avoid hazardous duty; or, to shirk important service. The Manual provided further that any person subject to military law who deserts or attempts to desert the service of the United States in time of war shall suffer death or such other punishment as a court-martial may direct. Private Slovik was not the only soldier executed during World War II. He was, however, the only one who suffered the extreme penalty solely for a desertion offense. Five other individuals were executed by firing squad for a variety of multiple offenses, including murder. Other sentences of execution were accomplished by hanging. During World War II, the following executions were performed for the offenses indicated: rape, 51; rape and murder, 18; murder, 72; and, desertion, 1.

Disposition of Private Slovik's case, even though seemingly harsh, did not violate any legal norms or procedures. This nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. Thousands of lives were being lost on and off the battlefield. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but imposition of a less severe punishment would only accomplish the accused's purpose of obtaining freedom from those dangers his comrades were required to face daily.

8 July 1975

Honorable Robert F. Griffin

United States Senate

Dear Senator Griffin:

This is in further reply to your inquiry in behalf of Mr. Blanco, who inquired concerning the execution of Private Eddie G. Slovik during World War II.

Private Slovik was found guilty of desertion by general court-martial for violation of article of war 58, Manual for Courts-Martial, 1928. The manual describes desertion as absence without leave accompanied by the intention not to return; to avoid hazardous duty; or, to shirk important service. The manual provided further that any person subject to military law who deserts or attempts to desert the service of the United States in time of war shall suffer death or such other punishment as a court-martial may direct. Private Slovik was not the only soldier convicted during World War II. In fact, however, the only one who suffered the extreme penalty solely for a desertion offense. Five other individuals were executed by firing squad for a variety of multiple offenses, including murder. Other sentences of execution were commuted by Congress. During World War II, the following executions were performed for the offenses indicated: rape, 31; rape and murder, 18; murder, 71; and, desertion, 1.

Disposition of Private Slovik's case, even though seemingly harsh, did not violate any legal norms or procedures. This nation was engaged in a desperate struggle with a power which had come dangerously close to realizing success. Thousands of lives were being lost on and off the battlefield. Private Slovik had performed no front line duty and had conducted deliberate intent to avoid such hazardous service by attempting incarceration in a safe place. The sentence adjudged was not severe that he had anticipated, but imposition of a less severe punishment would defeat the condemned's purpose of obtaining freedom from those dangers the fighting men were required to face daily.

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF

REFERRAL SLIP

(Will remain with correspondence)

FILE NUMBER CS 201 Slovik, (30Aug74) Eddie

DATE 4 SEP 1974

ROUTING A-Action I-Information

	OSA		ACSI		CINFO
	CLL		CNGB		CMH
	DCSOPS		TAG		CAR
	DCSPER		COE		OCSA (CAR)
	DCSLOG		TSG		OCSA (MISD)
	DCSRDA		CCH		OCSA (PA&ED)
	COA	✓	TJAG		OCSA (ESO)
	MILPERCEN		TIG		OCSA (MD)
	CUSAAA		USACIDC		SMA
	ARFPC		BMDPM		

ATTN VS AZSA Clerk of Ct

- [ ] Prepare reply for CofS signature
- [ ] Direct reply to _____
- Furnish copy of reply to _____
- [ ] Information (_____ has action)
- [ ] Provide assistance, as required _____
- [x] Appropriate action
- [ ] Advance copy
- [ ] Coordinate with _____

REMARKS

BY DIRECTION OF THE CHIEF OF STAFF:

D. Whittet
Dorothy Whittet
Ch, Mail & Rec Br
Admin Div, OCSA

OCof SA FORM 159, 1 Jun 74

[ ] SEE REVERSE

DISPATCHED
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1974 SEP 5 09 14

OFF. CHIEF OF STAFF

DACS

JEWISH WAR VETERANS OF THE UNITED STATES

FAITH — HONOR — LOYALTY

DEPARTMENT OF ILLINOIS
ROOM 2011 — 176 WEST ADAMS STREET
CHICAGO, ILL. 60603

PHONES:
OFFICE - 372-0262
COMMANDER - 666-2259

August 30th 1974

Department of the Army
Office of the Secretary of the Army
The Pentagon,
Washington, D. C.

Dear Sir:-

Some time ago I watched a TV Movie called the "EXECUTION OF PRIVATE SLOVIK".

It was a shocking picture because here was an Army Man who did not want to "FIGHT IN A WAR" but he was willing to do anything else assigned to him while in the Army.

But No, his Commanding Officer INSISTED that he go up front and fight.

Private Slovik did plead his case and advised the Court Martial Board that his heart would not permit him to FIGHT TO KILL but he would do any other assignment was ordered for him to do.

The final sentance was approved by the highest authority - Death By a Firing Squad.

Was this Court martial ever reviewed by the President of the United States or the Department of the Army for some other assignment of duty. WHY DID HE HAVE TO BE SHOT BY A FIRING SQUAD.

Of course the Soldier is dead now but what was the final record of this DAMNABLE ACT.

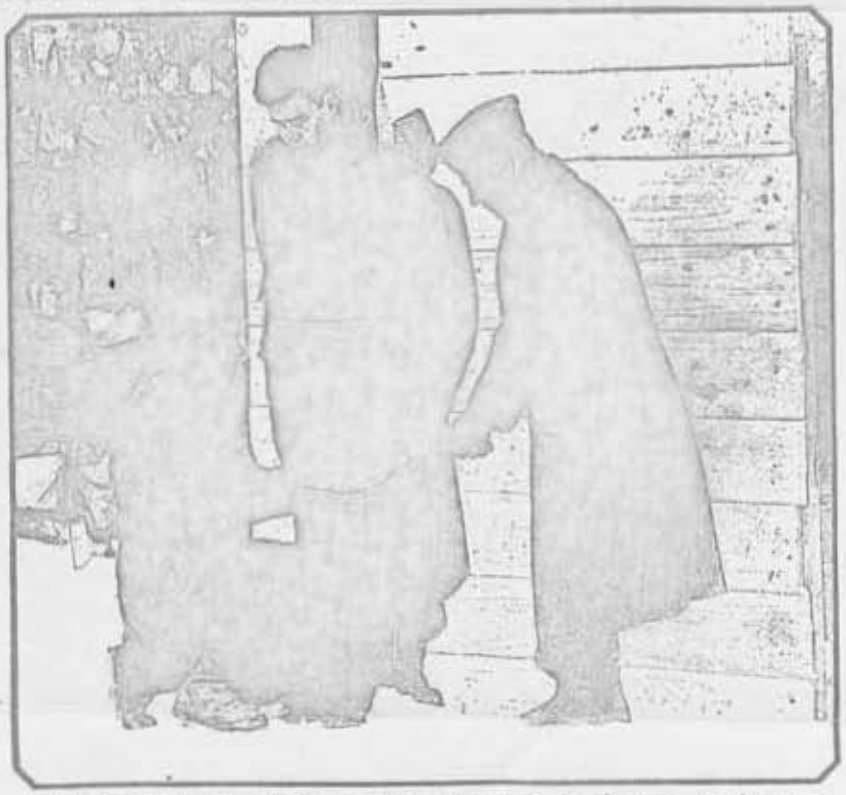
Your kind reply would be greatly appreciated.

Yours truly,
Maurice Lepavsky
Maurice Lepavsky
Adjutant

The tot ..... ment of the year!

For the first time in his life, Eddie had a home and a good woman. Suddenly—war, panic, a court martial and...

THE EXECUTION OF PRIVATE SLOVIK



Millions served. Thousands deserted. And one—only one in over a century—paid the full price. Why Eddie Slovik, who finally had something going for him? For 30 years no motion picture dared tell his story. Now the World Premiere of one that does. Powerfully. **7:30PM NBC 5**

JEWISH WAR VETERANS
OF THE UNITED STATES

ROOM 2011
176 WEST ADAMS STREET
CHICAGO, ILL. 60603

Department of the Army
Office of the Secretary of the Army
The Pentagon,
Washington, D. C.

"OLDEST-ACTIVE VETERANS ORGANIZATION IN THE UNITED STATES"

JAAJ-CC 1 August 1974
Mr. and Mrs. Leonard B. Taub

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

Signed
V. M. McELROY
Clerk of Court

CPT Anthony/pwc/756-1193/1Aug74

SLOVIK

JAAJ-CC

1 August 1974

Mr. and Mrs. Leonard B. Taub
10101 Cliff Drive
Huntington Beach, California 92646

Dear Mr. and Mrs. Taub:

This is in reply to your letter of 23 July 1974, addressed to the Secretary of the Army, concerning the court-martial and execution of Private Eddie D. Slovik.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

rmk

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
REFERRAL SLIP
(Will remain with correspondence)

FILE NUMBER	DATE
CS 201 Slovak, Eddie (23 Jul74)	30 JUL 1974

ROUTING A-Action I-Information

	OSA		ACSI		CINFO
	CLL		CNGB		CMH
	DCSOPS		TAG		CAR
	DCSPER		COE		OCSA (CAR)
	DCSLOG		TSG		OCSA (MISD)
	DCSRDA		CCH		OCSA (PA&ED)
	COA	✓	TJAG		OCSA (ESO)
	MILPERCEN		TIG		OCSA (MD)
	CUSAAA		USACIDC		SMA
	ARFPC		BMDPM		

ATTN:

- [ ] Prepare reply for CofS signature
- [ ] Direct reply to _____
- Furnish copy of reply to _____
- [ ] Information (_____ has action)
- [ ] Provide assistance, as required _____
- [ ] Appropriate action
- [ ] Advance copy
- [ ] Coordinate with _____

REMARKS

USALSA

BY DIRECTION OF THE CHIEF OF STAFF:

D. Whittet
Dorothy Whittet
Ch, Mail & Rec Br
Admin Div, OCSA

OCof SA FORM 159, 1 Jun 74 [ ] SEE REVERSE

DISPATCHED
MAIL & REC SEC.

1974 JUL 30 15 14

OFF. CHIEF OF STAFF

July 23

DMCS

10101 Cliff Drive
Huntington Beach
California 92646

Secretary of the Army
Washington, D.C.

Dear Mr. Secretary,

It has now been over several months since the television production of the "Execution of Private Slovak." We have purposely waited this long to write to see if this injustice would still cause us the same anxiety and bitterness that it caused us when we viewed it.

If the U.S. Army had some other reason for executing Private Slovak, the time to present said evidence to the American people is now. If the Army has no such evidence, then the time for a full and public apology by the Army and our government to the family of Private Slovak is now.

As a former military person, I can appreciate the value of discipline in the armed forces. I can also understand the execution of a soldier who runs away from an enemy attack, leaving his fellow soldiers to face the enemy and perhaps die. But Private Slovak's situation was different. He agreed to serve in any capacity even at the front lines, proving he was no coward, so long as he would not be required to fire a rifle.

Yes, he disobeyed a direct order, and yes,

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29 JUL 74 16 08
OFFICE, CHIEF OF STAFF
UNITED STATES ARMY

RECEIVED
31 JUL 1974
CLERK OF COURTS
US ARMY JUDICIARY
OTAG

perhaps he should have been punished for that. But taking away a stripe by Court Martial would have been enough. His crime did not warrant execution! By that policy, thousands of todays American youth would be executed for being conscientious objectors, draft evaders, or deserters. I grant that I do not favor full amnesty for deserters or draft evaders, and require that they serve in some alternate capacity to the Army, in some public service. And that basically was Private Slovak's position.

Expecting to hear from you soon on this matter. Thank you.

Mr. & Mrs. Leonard B. Taub

LEONARD TAUB
10101 CLIFF DR.
HUNTINGTON BEACH, CA 92646

HUNTINGTON BEACH, CA
JUL 4
1 PM
1974
926

10

SECRETARY OF THE ARMY
WASHINGTON D.C.

ROUTING AND TRANSMITTAL SLIP		ACTION
1 TO: JAAJ-CC Rm. 204B NASSIF BLDG. Attn: A. Nemrow	INITIALS	CIRCULATE
	DATE 27 Jun 74	COORDINATION
2	INITIALS	FILE
	DATE	INFORMATION
3	INITIALS	NOTE AND RETURN
	DATE	PER CONVERSATION
4	INITIALS	SEE ME
	DATE	SIGNATURE

REMARKS

1. Returning your correspondence file on Slovik GCM.
2. Copy of our letter inclosed herewith
3. Thanks

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions

FROM	DATE
CAPT. STEVEN M. LUCAS	27 Jun 74
DAJA-IA	PHONE 695-9351

OPTIONAL FORM 41
AUGUST 1967
GSA FPMR (41CFR) 100-11.206

* GPO : 1969 OF—352-829 5041-101

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310

REPLY TO
ATTENTION OF:

DAJA-IA

21 June 1974

Mr. Brian Taylor
577 Willard Avenue
Brawley, California 92227

Dear Mr. Taylor:

On behalf of President Nixon, I am replying to your letter of 11 June 1974 regarding the court-martial and execution of Private Eddie D. Slovik and the trial and execution of General Tomoyuki Yamashita.

I should first emphasize that the television productions depicting the court-martial and execution of Private Slovik and the trial of General Yamashita, respectively, were, although quite dramatic and provocative, less than complete in their presentation of all the circumstances surrounding, and all the evidence adduced at, the trial in both instances. Moreover, I think it safe to say that the characterization of the personalities of the actual persons portrayed in both productions was done more with a view toward eliciting a sympathetic response from the viewer than with a view toward portrayal of the true personalities and conduct of these persons.

Inclosed are fact sheets on the court-martial and execution of Private Slovik and on the trial and execution of General Tomoyuki Yamashita, which I think will answer your questions concerning both of these cases.

I hope that this information will be useful to you.

Sincerely,

George S. Prugh

GEORGE S. PRUGH
Major General, USA
The Judge Advocate General

Inclosures:
As stated

FACT SHEET: COURT-MARTIAL AND EXECUTION OF PRIVATE EDDIE D. SLOVIK

Private Slovik was convicted by a General Court-Martial for absenting himself without proper leave from his organization to avoid hazardous duty and to shirk important service, that is, action against the enemy. He was sentenced to be shot to death with musketry. Although there were other executions during World War II, Private Slovik was the only individual executed for desertion.

When judgment was passed on Private Slovik, this nation was engaged in an all-out war with a power which was dedicated to enslaving the world. The lives of thousands, both those on the battlefield as well as those in the infamous prisons of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, forces in Belgium became engaged in what became known as the Battle of the Bulge. Heavy American casualties were being sustained while the record of trial was under review; indeed the success of the Allied campaign was uncertain at the time. This undoubtedly had an effect on the officials who reviewed the sentence of one who refused to fight in the face of the enemy.

The specific reasons for approval of the sentence for Private Slovik are given in the attached indorsement signed on 6 January 1945 when the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, who was then the Commanding General of the European Theater of Operations, for his consideration. The review and the subsequent approval of the sentence were made in full recognition that Private Slovik would be the first American soldier to be executed for desertion since the Civil War.

(162)

1st Ind.

War Department, Branch Office of The Judge Advocate General with the European Theater of Operations. 6 JAN 1945 TO: Commanding General, European Theater of Operations, APO 887, U.S. Army.

1. In the case of Private EDDIE D. SLOVIK (36896415), Company G, 109th Infantry, attention is invited to the foregoing holding by the Board of Review that the record of trial is legally sufficient to support the sentence, which holding is hereby approved. Under the provisions of Article of War 50½, you now have authority to order execution of the sentence.

2. This is the first death sentence for desertion which has reached me for examination. It is probably the first of the kind in the American Army for over eighty years, - there were none in World War I. In this case, the extreme penalty of death appears warranted. This soldier had performed no front line duty. He did not intend to. He deserted from his group of fifteen when about to join the infantry company to which he had been assigned. His subsequent conduct shows a deliberate plan to secure trial and incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe sentence would only have accomplished the accused's purpose of securing his incarceration and consequent freedom from the dangers which so many of our armed forces are required to face daily. His unfavorable civilian record indicates that he is not a worthy subject of clemency.

3. When copies of the published order are forwarded to this office, they should be accompanied by the foregoing holding, this indorsement and the record of trial which is delivered to you herewith. The file number of the record in this office is CM ETO 5555. For convenience of reference, please place that number in brackets at the end of the order: (CM ETO 5555).

4. Should the sentence as imposed by the court and confirmed by you be carried into execution, it is requested that a full copy of the proceedings be forwarded to this office in order that its files may be complete.

E. C. McNEIL,
Brigadier General, United States Army,
Assistant Judge Advocate General.

1 Incl:
Record of Trial

5555

(Sentence ordered executed. GCMO 27, ETO, 23 Jan 1945)

FACT SHEET: COURT-MARTIAL OF GENERAL TOMOYUKI YAMASHITA

General Tomoyuki Yamashita served as the Commanding General of the Fourteenth Army Group of the Imperial Japanese Army in the Philippine Islands from 9 October 1944 until his surrender on 3 September 1945. During this period, he was both the Commander of all Japanese forces in the Philippines and the Military Governor of the Philippines. Upon his surrender, he became a prisoner of war.

On 25 September 1945, General Yamashita was charged with a violation of the law of war specifying that he "unlawfully disregarded and failed to discharge his duty to control the operations of the members of his command, permitting them to commit brutal atrocities and other high crimes . . . ." On 8 October 1945, he was held for trial before a military commission of five Army officers appointed by General Styer, Commanding General of the U. S. Army forces, Western Pacific. The order also appointed six Army officers all lawyers, as defense counsel. As a result of a motion made by the Defense during the accused's arraignment, the prosecution submitted a Bill of Particulars containing 64 specifications and later a Supplemental Bill of Particulars containing an additional 59 specifications. These specifications were prefaced by statements that troops "under the command of the Accused committed the following . . ." and were permitted to commit the following . . ." crimes during the period of General Yamashita's command.

Trial commenced on 8 October 1945, and concluded on 7 December 1945, after hearing 286 witnesses and receiving 423 documents in evidence. The evidence substantially supported the commission of the atrocities alleged in most of the 123 specifications of particulars. There was testimony that some of the offenses occurred in the immediate vicinity of General Yamashita's headquarters, and testimony indicating direct knowledge on the part of General Yamashita that the war crimes were being committed. There was testimony that certain offenses reflected official policy. General Yamashita's staff judge advocate, Colonel Hideo Nishiharu, testified that he advised General Yamashita that a large number of guerrilla suspects were in custody, that there was insufficient time to give them proper trials, and that the Kempei Tai "would punish those who were to be punished." Knowing that this meant that the guerrillas would be executed without trial General Yamashita nodded in apparent approval. (Trial Record, U. S. v. Tomoyuki Yamashita, at 3762, 3763, 3814, 3815). General Yamashita subsequently issued a written order to the Kempei Tai unit responsible for the executions commending them for their "fine work." (Tr. 905, 906, 3763).

The Commission found General Yamashita guilty on 7 December 1945. Instead of only rendering a verdict of guilty or not guilty, the members of the Commission (none of whom were lawyers) issued a written opinion. The Commission rejected a standard of strict command liability for the action of subordinates, stating that it was absurd "to consider a commander a murderer or rapist because one of his soldiers commits a murder or a rape." (Tr. 4059-4063). It found, however, that the crimes committed were "so extensive, widespread, both as to time and area, that they must have been willfully permitted by the Accused, or secretly ordered by the Accused," which was a violation of the customary international law of war. The Commission's decision concluded that the series of atrocities committed by troops under General Yamashita's command were "not sporadic in nature but in many cases were methodically supervised by Japanese officers . . ." and that the Accused "failed to provide effective control" under the circumstances. The Commission found General Yamashita's contention that he knew nothing of the criminal acts impossible to believe given the evidence adduced at trial.

During the trial, the Defense brought forth no evidence of any command action to prevent atrocities, nor was there any evidence of any personal intervention on the part of the commander to require adherence to the law of war, nor was there any showing that the processes of Japanese military justice were invoked to punish any perpetrators of war crimes.

General MacArthur confirmed the findings of the Commission, basing his confirmation upon the advice of a board which reviewed the records of trial, rejecting the accused's profession of ignorance as incredible. The board concluded that Yamashita both knew of the offenses and was in communication with his troops. An excerpt from the board's opinion is attached.

After the conviction, the Supreme Court of the Philippines denied General Yamashita's petition for habeas corpus. The case was subsequently argued in the U. S. Supreme Court, which denied the petitions for writs of habeas corpus and prohibition. (327 U. S. 1 (1945)).

The Supreme Court addressed three issues: (1) the jurisdiction of a military commission over the accused; (2) whether there was a failure to state an offense against the law of war; and (3) whether the proceedings before the commission were legal.

On the issue of the commission's jurisdiction, the Court, speaking through Chief Justice Stone, concluded that "the order creating the commission for the trial of petitioner was authorized by military command, and was in complete conformity to the Act of Congress sanctioning the creation of such tribunals for the trial of offenses against the law of war committed by enemy combatants." (327 U. S. 1, at 11).

On the issue of whether the crime with which General Yamashita was charged was an offense under the laws of war, the Court cited relevant portions of the Hague and Geneva Conventions and concluded that "These provisions plainly imposed on petitioner . . . an affirmative duty to take such measures as were within his power and appropriate in the circumstances to protect prisoners of war and the civilian population" (at 16). As mentioned above, no evidence was introduced to indicate that General Yamashita took any measures to prevent the atrocities.

On the procedure issue, Yamashita's lawyers argued that depositions and hearsay were improperly introduced. The Court in rejecting this argument found that some of the procedural rights granted by Congress for court-martial cases were not "applicable to the trial of an enemy combatant by a military commission for violation of the law of war" (at 19). The Court also rejected the Accused's contention that several provisions of the 1929 Geneva Convention were violated. The Court found that the provisions cited by the Defense did not apply in cases involving violations of the law of war committed while a combatant. The Court concluded by saying that it could not find that the commission "violated any act of Congress, treaty or military command defining the commission's authority" (at 23).

The case was subsequently returned to the military for final disposition on 4 February 1946. On 7 February 1946, General Douglas MacArthur approved the finding and sentence of the commission. General Yamashita was hanged on 23 February 1946.

The Yamashita case was the first major war crime trial completed by the Allies after World War II and its procedural standards became a precedent for the Nuernberg Tribunals. The evidence considered by the Commission was clearly sufficient as a matter of law to permit the finder of fact to reach a finding of guilty as to the charge and many of the specifications under the Bill of Particulars. The procedures applied were consistent with the laws applicable to military tribunals and with the international law standards of 1945.

INCLOSURE: General Headquarters, United States Army Forces, Pacific Office of the Theatre Judge Advocate, Review of the Record of Trial by a Military Commission of Tomoyuki Yamashita, General, Imperial Japanese Army, 26 December 1945.

The only real question in the case concerns accused's responsibility for the atrocities shown to have been committed by members of his command. Upon this issue a careful reading of all the evidence impels the conclusion that it demonstrates this responsibility. In the first place the atrocities were so numerous, involved so many people, and were so widespread that accused's professed ignorance is incredible. Then, too, their manner of commission reveals a striking similarity of pattern throughout.... In many instances there was evidence of prearranged planning of the sites of the executions. Almost uniformly the atrocities were committed under the supervision of officers or noncommissioned officers and in several instances there was direct proof of statements by the Japanese participants that they were acting pursuant to orders of higher authorities, in a few cases Yamashita himself being mentioned as the source of the order. There was also a similarity of method in cases involving prisoners of war and civilian internees. All this leads to the inevitable conclusion that the atrocities were not the sporadic acts of soldiers out of control but were carried out pursuant to a deliberate plan of mass extermination which must have emanated from higher authority or at at least had its approval. Evidence in the form of captured diaries and documents also indicates that the executions of civilians were ordered by higher command.... Especially noteworthy was an order of the Kobayashi Group, commanded by accused through General Yokoyama. This order was found in the Manila area and directed that all people on the battlefield in and around Manila, except Japanese and special construction units, be put to death. This group was commanded by a major general and the source of the order therefore comes high in the chain of command, close to the accused himself. From the

widespread character of the atrocities as above outlined, the orderliness of their execution and the proof that they were done pursuant to orders, the conclusion is inevitable that the accused knew about them and either gave his tacit approval to them or at least failed to do anything either to prevent them or to punish their perpetrators. Accused himself admitted that he ordered the suppression or "mopping up" of guerrillas and that he took no steps to guard against any excesses in the execution of this order. One cannot be unmindful of the fact that accused, an experienced officer, in giving such an order must have been aware of the dangers involved when such instructions were communicated to troops the type of the Japanese.

There was some evidence in the record tending to connect accused even more directly with the commission of some of the atrocities. His own Staff Judge Advocate, Colonel Nishiharu, told him that there was a large number of guerrillas in custody and not sufficient time to try them and said that the Kempei Tai "would punish those who were to be punished". To this proposition that guerrillas thus to be executed without trial accused merely nodded in apparent approval.... Accused stoutly insists that he knew nothing of any of the atrocities and assigns as the reason for his lack of knowledge the complete breakdown of the communications incident to the swift and overpowering advance of the American forces and to his complete preoccupation with plans for the defense of the Philippines. He states that his troops were disorganized and out of control, leaving the inference that he could not have prevented the atrocities even had he known of them. With respect to Manila, he insists that he had only tactical command of naval troops operating in the city and although he had authority to restrain such troops committing disorders, he could not discipline them, the situation being thus complicated by dual control between himself and the Navy. Here in particular the defense witnesses testified to a breakdown of communications with the forces in Manila. While, however, it may be conceded that the accused was operating under some difficulty due to the rapidity of the advance of the Americans, there was substantial evidence in the record that the situation was not so bad as stated by the accused. General Yokoyama admitted

that he had communication with troops in Manila until 20 February and with the accused until June and made frequent reports to him. Surely a matter so important as the massacre of 8,000 people by Japanese troops must necessarily have been reported. Since accused had authority to control the operations of the naval troops he cannot absolve himself of responsibility by showing that others had the duty of punishing them for disorders. There is no suggestion as to any breakdown in communications with Batangas where late in February some of the most widespread atrocities occurred, nor is there any substantial proof that communications with the other points in the islands at which atrocities occurred were at all interrupted. It is also noteworthy that the mistreatment of prisoners of war at Ft. McKinley occurred while accused was present in his headquarters only a few hundred yards distant and some of the other atrocities transpired close to the proximity of Baguio where he had his headquarters after removal from Manila. Taken all together, the court was fully warranted in finding that accused failed to discharge his responsibility to control his troops thereby permitting the atrocities alleged and was thus guilty as charged.

CONFIDENTIAL

Branch Office of The Judge Advocate General
with the
European Theater of Operations
APO 887

BOARD OF REVIEW NO. 1 6 JAN 1945

CM ETO 5555

UNITED STATES v. Private EDDIE D. SLOVIK (36896415), Company G, 109th Infantry	28TH INFANTRY DIVISION Trial by GCM, convened at Rotgen, Germany, 11 November 1944. Sentence: To be shot to death with musketry.

HOLDING BY BOARD OF REVIEW NO. 1
RITER, SARGENT and STEVENS, Judge Advocates

1. The record of trial in the case of the soldier named above has been examined by the Board of Review, and the Board submits this, its holding, to the Assistant Judge Advocate General in charge of the Branch Office of the Judge Advocate General with the European Theater of Operations.

2. Accused was tried upon the following Charge and specifications:

CHARGE: Violation of the 58th Article of War.

Specification 1: In that Private Eddie D. Slovik, Company G, 109th Infantry did, at or near Elbeuf, France, on or about 25 August 1944, desert the service of the United States by absenting himself without proper leave from his organization, with intent to avoid hazardous duty and to shirk important service, to wit: action against the enemy, and did remain absent in desertion until he was delivered to United States military authorities by Canadian military authorities at or near Brussels, Belgium, on or about 4 October 1944.

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Specification 2: In that * * * did, at or near Rocherath, Belgium, on or about 8 October 1944, desert the service of the United States by absenting himself without proper leave from his organization, with intent to avoid hazardous duty and to shirk important service, to wit: action against the enemy, and did remain absent in desertion until he surrendered himself at or near Rocherath, Belgium, on or about 9 October 1944.

He pleaded not guilty and, all of the members of the court present at the time the vote was taken concurring, was found guilty of the Charge and both specifications thereunder. No evidence of previous convictions was introduced. All of the members of the court present at the time the vote was taken concurring, he was sentenced to be dishonorably discharged the service, to forfeit all pay and allowances due or to become due, and to be shot to death with musketry. The reviewing authority, the Commanding General, 28th Infantry Division, approved only so much of the sentence as provided that accused be shot to death with musketry and forwarded the record of trial for action under Article of War 48. The confirming authority, the Commanding General, European Theater of Operations, confirmed the sentence, as approved, and withheld the order directing execution thereof pursuant to Article of War 50½.

3. Uncontradicted evidence for the prosecution showed substantially the following:

Sometime after 25 July 1944 accused came overseas from Fort George G. Meade, Maryland, as a member of a group of replacements (R8). The group proceeded via England to Omaha Beach, France, thence to "a couple of different places" and thereafter to the Third Replacement Depot (France), where accused was assigned to the 28 Infantry Division. On 25 August the group went to the division headquarters and accused, together with 14 other replacements, was assigned to Company G, 109th Infantry (R8-9,10; Pros.Exs.1,2,3). At division headquarters an officer gave the group, including accused, an orientation lecture (R9,10,11) and ammunition was issued to them (R9). According to the testimony of one of their number, Private George W. Thompson, it was a matter of common knowledge and general conversation among the members of the group as to what company they were to join, where the company was and whether or not it was engaged in combat (R10). Witness explained that the members of the group "didn't know what to expect and didn't come to any definite conclusion about where we were going", but "had a pretty strong suspicion" that the division was engaged with the enemy. They did not know definitely what Company G was doing but "just imagined that it was fighting" (R9).

On the same day, 25 August, according to Thompson's testimony, the group entrucked at division headquarters for Company G, then located at Elbeuf, France (R9,10). (Elbeuf is approximately 80 miles west-northwest of Paris). En route, the replacements including accused, "saw some damage, some burned out vehicles and shelled places", but saw no action (R10,11). After proceeding for about two or three hours they stopped at what apparently was a rest area, left their packs, and continued on the trucks to the outskirts of Elbeuf, where they detrucked. After moving along the edge of the city they reached an open lot where they "dug in" at about 2300 hours. Thompson saw accused with the group at this time. Between 2300 and 2330 hours the replacements, including accused, entered the city of Elbeuf to join Company G (R9,10). There were "a lot of troop movements and shelling" and

> "it took quite a while because there was a lot of confusion. We moved around some but stayed close together so none of us would get lost" (R10).

Thompson knew accused was at Elbeuf with the group about 0100 hours 26 August because he knew and recognized accused's voice. This was the last time he "saw" him, however, and so far as he knew, accused was not present for duty with his company at any time thereafter (R11). The company remained at Elbeuf on 26 August until Canadian troops "took over" and it then proceeded through Paris, Belgium and Luxembourg to the Siegfried line (R10). During this movement occasional enemy action was encountered and up until the time of trial the company was engaged generally in fighting and campaigning in the invasion (R11).

Captain Ralph O. Grotte, company commander of Company G, 109th Infantry, testified that at the time of trial [11 November] he had been in command thereof for a month and a half and that accused physically joined Company G on 8 October when it was reorganizing and not in contact with the enemy. Accused "had been absent without leave and had been returned to me through the battalion". Witness never granted accused permission to be absent (R13), and no permission was requested. Accused was never present with the company for duty except on 8 October for one or two hours (R14). On that day a battalion sergeant major brought him to the company command post where witness assigned him to the 4th platoon, turned him over to the platoon leader and forbade him to leave the company area unless he had permission from witness. The platoon leader conducted accused to his platoon and introduced him to his squad leader (R13). Thereafter accused came to witness and inquired of him if could be tried for being absent without leave. Grotte told him he would find out and caused him to be placed in arrest and returned to his platoon area, where Grotte directed him to stay. About an hour later accused witness "'If I leave now will it be desertion?'" and witness replied that it would be. Accused left and thereafter he was not seen in

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the company nor was he present with the company for duty. On 8 October accused did not request permission to be absent, nor did witness grant him the same. Since the time Grotte assumed command, the company campaigned generally and both before and after 8 October engaged in fighting, during which it attacked the enemy on one occasion (R14).

About 0830 hours 9 October accused came to the Military Government Detachment, 112th Infantry, which since the preceding day was located at Rocherath , Belgium, handed a cook a green slip of paper containing handwriting, and stated that he, accused, had made a confession. The cook informed his "commanding officer", Second Lieutenant Thomas F. Griffin, of the matter when the latter returned to the detachment about 1100 hours. Griffin thereupon telephoned the S-1 of the 109th Infantry and requested that someone call for accused (R14-16). About 1230-1245 hours a sergeant arrived (R15) and drove accused to the orderly room of the 109th Infantry, where he handed the green slip of paper to the temporary military police officer, First Lieutenant Wayne L. Hurd. The latter testified that he read the slip and directed the sergeant to deliver accused to the military police for temporary dustody. Hurd then delivered the slip first to the adjutant and then to Lieutenant Colonel Ross C. Henbest. Subsequently on the same day accused signed the slip in the presence of Hurd and Henbest, both of whom also signed the same (R12; Pros.Ex.4). The green slip of paper, a U.S. Army Post Exchange flower order form, with writing in ink on each side thereof, was admitted in evidence as Pros.Ex.4. The defense stated it had no objections to the admission of the exhibit (R12) which reads as follows:

[Handprinted in ink]

"I Pvt. Eddie D. Slovik #36896415 confess to the Desertion of the United States Army. At the time of my Desertion we were in Albuff in France. I come to Albuff as a Replacement. They were shilling the town and we were told to dig in for the night The flowing morning they were shilling us again. I was so scared nerves and trembling that at the time the other Replacements moved out I couldn't move. I stayed their in my fox hole till it was quite and I was able to move. I then walked in town. Not seeing any of your Troops so I stayed over night at a French hospital. The next morning I turned myself over to the Canadian Provost Corp. After being with them six weeks I was turned over to American M.P. They turned me lose. I told my commanding officer my story. I said that if I had to go out their again Id run away. He said their was nothing he could do for me so I ran away again AND ILL RUN AWAY

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AGAIN IF I HAVE TO GO OUT THEIR.
Signed Pvt. Eddie D. Slovik [handwritten]
A.S.N. 36896415".

[Reverse side, on printed form, handwritten in ink]:

"Rocherath, Belgium
Oct 11, 1944*

This statement is made in the presence of Lt. Col Ross C. Henbest 0237158 and 1st Lt Wayne Hurd, O-463853

I have been told that this statement can be held against me and that I made it of my own free will and that I do not have to make it.

Signed:*
Eddie D. Slovik

Above statement was signed in the presence of the undersigned:

/s/ Ross C. Henbest
Ross C. Henbest *
Lt Col, Infantry

/s/ Wayne L. Hurd
Wayne L. Hurd *
1st. Lt.Inf"*(Pros.Ex.4).

*Handprinted.

Hurd testified "Everything that appears on the green slip of paper was made very clear to the defendant" (R12).

4. After full explanation of his rights to testify, make an unsworn statement or remain silent, accused elected to remain silent. The defense introduced no evidence (R16).

5. Specification 1 of the Charge as originally drafted charged in part that accused absented himself without leave

"with intent to avoid hazardous duty, to wit: action against the enemy, and did remain absent in desertion until he surrendered himself to the 507th MP Battalion at or near Brussels, Belgium".

Acting on behalf of the appointing authority, the Staff Judge Advocate, 28th Infantry Division, subsequent to the investigation under the 70th Article of War, amended the above quoted portion of the Specification to read as follows:

"with intent to avoid hazardous duty and to shirk

important service, to wit: action against the enemy, and did remain absent in desertion until he was delivered to United States military authorities by Canadian military authorities at or near Brussels, Belgium, on or about 4 October 1944".

Specification 2 of the Charge as originally drafted charged in part that accused absented himself without leave

"with intent to avoid hazardous duty, to wit: action against the enemy, and did remain absent in desertion until he surrendered himself to military authorities at or near", etc.

The Staff Judge Advocate, subsequent to the investigation under the 70th Article of War, amended the above quoted portion of the Specification to read as follows:

"with intent to avoid hazardous duty and to shirk important service, to wit: action against the enemy, and did remain absent in desertion until he surrendered himself at or near", etc

Paragraph 34, Manual for Courts-Martial, 1928, page 22 reads in part:

"Action by officer exercising court-martial jurisdiction.-

* * *

the charges may be redrafted over the signature thereon, provided the redraft does not involve any substantial change or include any person, offense, or matter not fairly included in the charges as received".

The addition to each Specification of the words "and to shirk important service" amounted essentially to no more than an additional description and characterization of the essential object which accused was charged with intending to avoid, namely, "action against the enemy". It added nothing that was not fairly inferable from the specifications as a whole as originally drafted. The alteration from the allegation of surrender to a military police organization to that of delivery by Canadian military authorities to United States military authorities (Specification 1) and the elimination of the words "to military authorities" following the words "surrendered himself" (Specification 2) were not substantial modifications. As the offense of desertion is complete when the person absents himself without authority from his place of service with the requisite intent (MCM, 1928, par.67, p.52; par.130a, p.142), and since the maximum punishment for desertion however terminated is now death (AW 58; E.O. 9048, 3 Feb. 1942, (sec. IV, Bull.6, WD, 9 Feb 1942, MCM, 1928, par.104c, p.97, note)), the

manner of termination is not material (Cf: CM ETO 2473, Cantwell). In view of the foregoing it is concluded that the redraft involved no substantial change and did not include any offense or matter not fairly included in the charges as received.

The pleading of both specific intents under Article of War 28 in one specification was proper and left the prosecution free to prove either or both of the intents alleged (CM ETO 2432, Durie; CM ETO 2481, Newton; CM ETO 3234, Gray), and in any event, as above inferred, it seems clear that the hazardous duty alleged, to wit: action against the enemy, necessarily involved important service.

6. The question for determination is whether the record contains substantial competent evidence of each of the four elements of each offense charged, namely:

(1) that accused absented himself or remained absent without leave from his place of service, as alleged;

(2) that his unit "was under orders or anticipated orders involving either (a) hazardous duty or (b) some important service" (MCM, 1921, par409, p.344);

(3) that notice of such orders and of imminent hazardous duty or important service was actually brought home to him; and

(4) that at the time he absented himself he entertained the specific intent to avoid hazardous duty or shirk important service (CM ETO 2368, Lybrand and authorities therein cited; CM ETO 3234, Gray).

(a) As to Specification 1:

(1) That accused absented himself without leave at sometime on the night of 25-26 August 1944 is established by the testimony of one of the other replacements in his group that accused was with the group when it joined Company G, 109th Infantry, at the city of Elbeuf, France, but was not present with them after about 0100 hours 26 August. The company commander testified that accused did not physically join the company until 8 October and that he had no permission to be absent prior to that date. In his voluntary confession accused stated that he was separated from his unit on the night in question, spent the night at a French hospital, surrendered to the "Canadian Provost Corp" on the following morning, passed six weeks with them and was then turned over to "American M.P.". The fact that the record does not show clearly that accused was physically present with his company at the time he absented himself does not constitute an essential variance from the allegation that he absented himself without leave from his organization, as he was under military control of divisional or regimental officers and under orders to join his company (CM NATO

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1259 (1944), Bull. JAG, Vol.III, No.1, Jan 1944, sec.385, pp.7-8). He was not effectively returned to military control until his delivery to the United States Military authorities (AR615-300, 25 Mar 1944, par.14; SPJGA 251.22, Sept 2, 1942, Bull. JAG, Vol,I, No.4, Sept 1942, AR 345-155, p.251; SPJGA 1943/19359, 31 Dec 1943, Bull. JAG, Vol.III, No.1, Jan.1944, sec.419 (2), p.9). The lack of proof of the allegation that accused was delivered "at or near Brussels, Belgium", is immaterial as is also the lack of specific proof that this occurred on or about 4 October (251.19, Jan 9, 1919, Dig.Op.JAG, 1912-1940, sec.416 (14) p.271; CM ETO 2473, Cantwell; Cf: CM ETO 2444, Warner).

(2) The evidence is not clear whether or not when accused so absented himself he had become attached to Comapny G or was still a member of the group of 15 replacements engaged in the process of joining Company G. Assuming the latter in accused's favor, the evidence leaves no doubt that his unit, the group, was under orders to join Company G, which on the day following the group's arrival, proceeded from its station near Elbeuf through France, Belgium and Luxembourg to the Siegfried Line, encountering enemy action en route, as was reasonably to be anticipated. It is thus evident that both the orders mentioned and future orders to be anticipated with respect to Company G's movements involved the hazardous duty and important service of action against the enemy.

(3) Accused was a member of a group of replacements which had come together from the United States, through England, to France and there to a replacement depot where they were assigned to the 28th Infantry division. At division headquarters accused and the other members of the group heard an orientation lecture and were issued ammunition. En route to the company to which accused and the others were assigned they saw no current enemy action but saw the unmistakable effects of past enemy action - "some damage, some burned out vehicles and shelled places". The group, including accused, stopped and left their packs at a rest area and continued on to the vicinity of the company to which they had been assigned, where they "dug in". When the group, which according to some prosecution testimony still included accused, proceeded to join Company G, there were "a lot of troop movements and shelling". In accused's confession he stated "They were shilling the town" when the group "dug in" and again the following morning.

Notice of the orders and anticipated orders involving the hazardous duty and important service of action against the enemy could hardly have been more forcefully brought home to accused, who obviously knew what was in store for him and the others and who, according to his own statement, "was so scared nerves and trembling that at the time the other Replacements moved out", he "couldn't move".

(4) Accused absented himself without leave on 25 or 26 August and his group either joined or were about to join Comapny

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G under the circumstances above described. He remained absent until 8 October, at which time the company was reorganizing and was not in contact with the enemy. The company commenced its forward movement sometime on 26 August, less than a day after the commencement of accused's unauthorized absence, and, as stated, encountered expected enemy action on its course through France and Belgium. Accused's absence was calculated to and did result in his avoidance of the hazardous duty and shirking of the important service of action against the enemy. At the trial accused offered no explanation of his absence. Even apart from his confession, the foregoing evidence supports an inference of intent on accused's part at the time of absenting himself to avoid such duty and to shirk such service. His confession specifically states that he confesses "to the Desertion of the United States Army" at "Albuff" and that he told his commanding officer "that if I had to go out their again Id run away". His commanding officer testified that when accused came to the company on 8 October he asked if he could be tried by court-martial for absence without leave. The confession and this evidence remove any reasonable doubt, if any exist, that accused's intention, when he absented himself without leave on 25 or 26 August 1944, was to avoid the hazardous duty and important service of action against the enemy.

The Board of Review is of the opinion that the evidence convincingly establishes all elements of the offense alleged in Specification 1 of the Charge and fully supports the court's findings of guilty thereof (CM ETO 3473 Cantwell; CM ETO 2368, Lybrand; CM ETO 4743, Gotschall; CM ETO 5117 DeFrank; CM ETO 5293, Killen and authorities cited in those cases).

(b) As to Specification 2:

(1) The testimony of Captain Grotte, company commander of Company G, establishes that accused absented himself on 8 October after being present with the company for only one or two hours, and that he neither requested nor was granted permission to leave. He remained absent until about 0830 hours 9 October when he surrendered to the Military Government Detachment, 112th Infantry, at Rocherath, Belgium. It is reasonable inferable from the evidence that Company G was located at or near that place, as alleged, when accused absented himself.

(2) At the time accused absented himself, his company, according to the testimony of its commanding officer, "was reorganizing", and although not then in contact with the enemy, it thereafter engaged in close contact and fighting therewith. Thompson testified that the company proceeded from Belgium through Luxembourg to the Seigfried Line and that the 109th Infantry encountered occasional enemy action en route. The company on 8 October was obviously under orders or at least anticipated orders involving the hazardous duty and important service of action against the enemy.

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(3) When accused came to Company G on 8 October, he knew that it had advanced from Elbeuf, France, to the vicinity of Rocherath, Belgium. At the company command post he was assigned and physically conducted to the 4th platoon and introduced to his squad leader. Accused knew that he was at that point an integral part of a fighting organization which in all likelihood would not remain static but would press forward against the enemy. The evidence points unmistakably to the conclusion that notice of the orders or anticipated orders involving the hazardous duty and important service of action against the enemy was directly brought home to accused before he absented himself without leave on 8 October.

(4) Shortly after coming to Company G on 8 October, accused asked if he could be tried for absence without leave. Having in mind the facts and circumstances mentioned in (3), supra, and after being placed in arrest by his company commander, accused asked him "'If I leave now will it be desertion'" and received an affirmative answer, after which he left the company, wrote out and signed his confession and surrendered the following day to the Military Government Detachment, 112th Infantry. Coincidently with his surrender he delivered his confession to military authorities and later affirmed and signed the statement in the presence thereof. In the confession accused stated that he told his commanding officer his story and

> "said that if I had to go out their agains
> Id run away. He said their was nothing
> he could do for me so I ran away again
> AND ILL RUN AWAY AGAIN IF I HAVE TO GO
> OUT THEIR".

This evidence leads inevitably to the conclusion that accused deliberately absented himself on 8 October with the intent of deserting the military service so that he would be tried by court-martial and incarcerated and thus avoid the hazardous duty and shirk the important service of action against the enemy.

The Board of Review is again of the opinion that the evidence convincingly establishes all elements of the offense alleged in Specification 2 of the Charge and fully supports the court's findings of guilty thereof (CM ETO 2473, Cantwell; CM ETO 2368, Lybrand; CM ETO 4743, Gotschall; CM ETO 5117 DeFrank; CM ETO 5293, Killen; and authorities cited in those cases).

7. Careful and painstaking examination of the record of trial reveals that accused was accorded fully due process of law as provided by the Articles of War (Cf: United States ex rel Innes v. Hiatt 141 Fed. (2nd) 664; CM ETO 2297 Johnson and Loper), and fails to show any action, or ruling by the trial court which prejudiced in any degree the substantial rights of accused. Eleven days elapsed between the service of charges upon him and the date of trial (R5), at which defense counsel specifically stated that accused was "ready

to proceed with the trial at this time" (R7). The voluntariness of his confession is attested by the evident fact that he himself wrote it on the flower order form and signed it wholly on his own initiative before submitting it to military authorities. Under the circumstances it constituted a particularly credible and damning piece of evidence, as accused obviously intended it should be. In view of the clear evidence of accused's guilt of each Specification, the presence of leading questions in the record of trial may not be deemed to have injuriously affected his substantial rights (CM ETO 4820, Skovan). There is nothing in the record of trial to indicate that accused was other than sane and responsible for his acts either at the times of the offenses or at the time of trial. The statement of the division pneuropsychiatrist dated 26 October 1944, and contained in the accompanying papers, is an affirmative indication of accused's sanity and responsibility at those times.

8. The charge sheet shows that accused is 24 years eight months of age and was inducted at Detroit, Michigan, 3 January 1944 and subsequent service as follows:

> "assigned D-59 Inf Tng Bn, Cp Wolters, Tex 31 Jan 44; attached GFRD #1 Ft Meade Md 11 July 44; attached to GFRS 14 Aug 44; attached to 3rd Replacement Depot 19 Aug 44; assigned to Co G, 109 Inf"

9. The court was legally constituted and had jurisdiction of the person and offenses. No errors injuriously affecting the substantial rights of accused were committed during the trial. The Board of Review is of the opinion that the record of trial is legally sufficient to support the findings of guilty and the sentence.

10. The penalty for desertion committed in time of war is death or such other punishment as the court-martial may direct (AW 58).

B. Franklin Pitts, Judge Advocate

Edward H. Lorgsen, Judge Advocate

Edward L. Stevens, Jr., Judge Advocate

~~CONFIDENTIAL~~

(162)

1st Ind.

War Department, Branch Office of The Judge Advocate General with the European Theater of Operations. 6 JAN 1945 TO: Commanding General, European Theater of Operations, APO 887, U.S. Army.

1. In the case of Private EDDIE D. SLOVIK (36896415), Company G, 109th Infantry, attention is invited to the foregoing holding by the Board of Review that the record of trial is legally sufficient to support the sentence, which holding is hereby approved. Under the provisions of Article of War 50½, you now have authority to order execution of the sentence.

2. This is the first death sentence for desertion which has reached me for examination. It is probably the first of the kind in the American Army for over eighty years, - there were none in World War I. In this case, the extreme penalty of death appears warranted. This soldier had performed no front line duty. He did not intend to. He deserted from his group of fifteen when about to join the infantry company to which he had been assigned. His subsequent conduct shows a deliberate plan to secure trial and incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe sentence would only have accomplished the accused's purpose of securing his incarceration and consequent freedom from the dangers which so many of our armed forces are required to face daily. His unfavorable civilian record indicates that he is not a worthy subject of clemency.

3. When copies of the published order are forwarded to this office, they should be accompanied by the foregoing holding, this indorsement and the record of trial which is delivered to you herewith. The file number of the record in this office is CM ETO 5555. For convenience of reference, please place that number in brackets at the end of the order: (CM ETO 5555).

4. Should the sentence as imposed by the court and confirmed by you be carried into execution, it is requested that a full copy of the proceedings be forwarded to this office in order that its files may be complete.

E. C. McNEIL,
Brigadier General, United States Army,
Assistant Judge Advocate General.

1 Incl:
Record of Trial

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(Sentence ordered executed. GCMO 27, ETO, 23 Jan 1945)

JAAJ-CC

8 MAY 1974

Miss Pam Wichterman
3522 Middlehurst Road
Norton, Ohio 44203

SLOVIK

Dear Miss Wichterman:

This is in reply to your letter of 8 April 1974 concerning the court-martial and execution of Private Eddie D. Slovik.

In a letter, dated 27 December 1953, addressed through Mr. C. A. Pearce, of Duell, Sloan and Pearce, Inc., to Mr. William Bradford Huie, Major General Norman D. Cota stated that he could not recall the reason why he had deleted from Private Slovik's sentence the words pertaining to a dishonorable discharge and the forfeiture of all pay and allowances. He further stated that he assumed that his action had been taken because of advice from his staff judge advocate that the deleted words did not properly belong in the sentence.

General Cota's assumption was correct. The staff judge advocate of the 28th Infantry Division had advised General Cota that: "The sentence is excessive in that there is no authority for a court-martial to impose dishonorable discharge and total forfeitures in addition to death for violation of Article of War 58."

In any case, the sentence of the court-martial would have had no effect on either the payment of pay and allowances or the payment of the life insurance. Because of allotments paid for Private Slovik while he was in a non-pay status, his pay account reflected a balance of $45.53 due the United States Government. The life insurance payments are administered by the Veterans' Administration. It should be noted that the pertinent law provides: "No insurance shall be payable for death inflicted... for military...offenses."

I trust that this provides the information you desire.

Sincerely yours,

ABRAHAM NEMROW
Clerk of Court

CPT Anthony/pwc/756-1193/8May74

3524

3522 Middlehurst Rd.
Norton, Ohio 44203
April 8, 1944

Dear Sirs,

You didn't understand my letter that I wrote in March you see I do think it was murder but there's nothing to do about that now that Mr. Eisenhower is dead cause I figure Eddie and him are settling it and this time Eisenhower can't back away, he'll have to listen to Eddie.

According to Eddie's sentence it said: To be dishonorably discharged the service, to forfeit all pay & allowances due or to become due or to become due, and to be shot to death with musketry.

But General N. Cota wrote this:

Headquarters
28th Infantry
07 November 1944

In the foregoing case of Private Eddie N. Slovik, 36896415, Company G, 109th Infantry, only so much of the sentence as provides that the accused be shot to death with musketry is approved and the Record of Trail forwarded for action under Article of War 48.

Signed: Norman D. Cota

over

so I'd like to know why she isn't getting
his money ($10,000 + all his pay)? General Cota
said that that is why he approved only
that part about him being shot to death.
So why is Eddie laying in Plot E in a
mattress cover I think there should be a
marker put up. And like Eddie said in his
last letter to his wife they couldn't let
us be happy, I won't be happy till something
is done

Concerned,
Pam Wichterman

Pam Wichterman
3522 Middlehurst Rd.
Norton, Ohio 44203

JAAJ-CC

BARBERTON, OH
APR 8
1974
PM
44203

Department of the Army
office of the Judge Advocate
Washington D.C. 20310

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
REFERRAL SLIP
(Will remain with correspondence)

FILE NUMBER	DATE
WH5577	26 Apr

	OSA		ACSI		CINFO
	CLL		ACSC-E		CMH
	DCSOPS		TAG		CAR
	DCSPER		C of Engrs		TPMG
	DCSLOG		TSG		COPO
	COA		C of CH		C of Spt S
	CRD	X	TJAG		CUSAAA
	CORC		TIG		AVC of S
	ACSFOR		CNGB		DCDPO
	AAFSM		SENSM		

ATTN: VS ACSA Clerk of CS

☐ Prepare reply for CofS signature
☐ Direct reply. Furnish copy of reply to 26 Apr

☒ Information (TAG has action)
☒ Provide assistance, as required.
☐ Appropriate action ☐ Advance copy
☐ Copy furnished to
☐ Coordinate with

REMARKS

WALTER W. PLUMMER
Colonel, CS
Deputy Secretary of
the General Staff
(Staff Services)
X77425/70740

BY DIRECTION OF THE CHIEF OF STAFF:

OCofSA Form 159, 1 Apr 69 ☐ SEE REVERSE

DISPATCHED

1974 APR 26 15 20

OFFICE CHIEF OF STAFF
DEPARTMENT OF THE ARMY

SECRETARY OF DEFENSE ROUTING SL

TO		ADV ACT COPY TO	INFO COPY TO	TO	
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL
	THE SPECIAL ASSISTANT				ASST TO SEC DEF
	SECRETARY OF THE ARMY				ATSD *(Atomic En*
	SECRETARY OF THE NAVY				ATSD *(Legis*
	SECRETARY OF THE AIR FORCE				DEFENSE
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFE
	DIR OF DEF RESEARCH & ENGINEERING				D
	ASD *(Comptroller)*				
	DASD *(Administration)*				
	ASD *(Health and Environment)*				ANCE AGENCY
	ASD *(Installations and Logistics)*				NCY
	ASD *(Intelligence)*				NATIO Y AGENCY
	ASD *(International Security Affairs)*				
	ASD *(Manpower and Reserve Affairs)*				
	ASD *(Public Affairs)*				
	ASD *(Systems Analysis)*				
	PREP OF REPLY FOR SEC OF D RE				INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP S IGN RE				COMMENTS AND OR RECOMMENDATION
	REPLY DIRECT *(Fwd cy*				COORDINATE REPLY WITH
	APPROPRIATE ACTIO				

REMARKS

Opening parag e rep ate "On behalf of President Nixon, I am replying to y of ate ng....."

WHITE HOUSE

ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ATER THAN	ROUTING DATE	OSD CONTROL NUMBER
1 1974	26 APR 1974	WH 5577

14

PREVIOUS EDITIONS ARE OBSOLETE.

MILITARY ASST! TO

26481 Via Gorrion
Mission Viejo, California 92675
April 19, 1974

TO DOD - FOR APPROPRIATE HANDLING
DATE APR 24 1974

The President
The White House
Washington, D. C.

Mr. President:

Hopefully, you are aware of the recent notoriety lended to the television film entitled: "THE EXECUTION OF PRIVATE SLOVIK." After the film was aired, I was compelled to read the book to ascertain similarity of fact. The book, in my opinion, more vividly details the atrocity committed against Mr. Slovik than the film.

I feel that it is imperative that some degree of restitution be afforded Mrs. Slovik. Certainly, she should receive Pvt. Slovik's insurance monies. This is such a small token when compared to the injustice done to both of them. Further, every effort should be made to have Eddie rest besides the other men who gave their lives for their country.

When apprised of the facts, it is inconceivable to me how one could judge the man a coward. He simply stated his limitations and made no secret of the fact that he would go to any means not to have to fight. Hasn't it been said that a wise man knows his limitations? Assuredly, he did not steal away in the dark of the night as is the way of a true coward. His sentence did not befit the crime!

Mr. Huie, the author of the book, states that this execution caused considerable embarrassment to many men in esteemed positions. However, too much time has passed and embarrassments should be asided so the entrinsic values our men died for can be upheld.

Purportedly the execution was done as a deterrent to future deserters, yet no one knew it [the execution] had taken place save for those few involved. Surely, this in itself is some admission of guilt on the powers that be.

Being a compansionate man, and one who also has been unjustly accused, I pray you will use the influence of your Office to take whatever measures necessary to see that some form of justice is carried forth.

Respectfully yours,

Patricia G. Smith

WH 5577

26 APR 1974

JAAJ-CC

Mrs. Dorothy W. Ross
3211 Tallywood Drive, #5
Fayetteville, North Carolina 28303

Dear Mrs. Ross:

This is in reply to your letter of 15 March 1974 concerning executions, desertions, and absences without leave in the United States Army.

The courts-martial manual in use in 1944 explains absence without leave in Article of War 61 as follows:

"Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct."

Article of War 58 states:

"Desertion is absence without leave accompanied by the intention not to return, or to avoid hazardous duty, or to shirk important service."

The Manual provides further, "Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct."

Private Eddie Slovik was not the only soldier executed during World War II. He was, however, the only one who suffered the extreme penalty solely for a desertion offense. Five other individuals were executed by firing squad for a variety of multiple offenses, which usually included murder.

JAAJ-CC

26 APR 1974

Mrs. Dorothy W. Ross

During World War II approximately 67 soldiers were executed by hanging. These occurred world-wide, but not at the United States Disciplinary Barracks, Fort Leavenworth, Kansas. During the period 1950 through 13 April 1961, six executions were conducted at Fort Leavenworth by hanging. Offenses included murder, rape, and robbery, with combinations of two or all of the stated offenses.

The maximum punishment for desertion today, in time of peace, is five years. The most serious specification under this charge is desertion with intent to avoid hazardous duty.

I trust that this will provide the information you desire.

Sincerely yours,

ABRAHAM NEMROW
Clerk of Court

MR:
1. Statistical information furnished by Mrs Coleman, JAAJ-CC.
2, Articles of War quoted directly from Manual for CM, 1928

Mr Robinson/pwc/756-1193/26Apr74

26Apr74

ROUTING AND TRANSMITTAL SLIP		ACTION
1 TO Clerk of Court Abraham Memrow US Army Judiciary Office of the Judge Advocate General Department of the Army	INITIALS DATE	CIRCULATE COORDINATION
2 Nassif Building 5611 Columbia Pike Falls Church, VA 20315	INITIALS DATE	FILE INFORMATION
3 Special Actions Br.	INITIALS DATE	NOTE AND RETURN PER CONVERSATION
4	INITIALS DATE	SEE ME SIGNATURE

REMARKS

1. The attached letter of 15 March 1974 from (Mrs.) Dorothy W. Ross, 3211 Tallywood Dr. # 5, Fayetteville, NC 28303, is forwarded for appropriate action and direct reply.

2. Mrs. Ross was notified of this referral by DA Form 209.

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions

FROM	DATE
D. FINKE Chief, General Reference Branch	26 Mar 74 PHONE 26 Mar 74

OPTIONAL FORM 41
AUGUST 1967
GSA FPMR (41CFR) 100-11.206

A GPO : 1969 OF—352-829 5041-101

Mrs. John D. Ross
3211 Tallywood Dr. #5
Fayetteville, N.C. 28303

Department of the Army
Historical Information
~~The Pentagon~~
Washington, D.C.

3211 Tallywood Dr. #5
Fayetteville, N.C. 28303
March 15, 1974

Department of the Army
Historical Information
The Pentagon
Washington, D.C.

Gentlemen:

After watching the movie concerning Pvt. Eddie Slovik, the soldier who was executed via firing squad in 1945, I have some questions that I would like to ask and have answered. During his era in the service, what constituted desertion and what constituted AWOL?

I have been told that Slovik was the only one executed via firing squad but that other men have been punished or murdered by hanging at Ft. Levenworth, Kansas. If this is so, what was the reason they were hanged and were any of them for desertion. How many have been hanged, when, and for what reasons?

Is Slovik the only person that has ever deserted and what is the punishment for this today?

A prompy reply at your earliest convenience reference to this matter shall be appreciated.

Respectfully yours,

Dorothy W. Ross

(Mrs.) Dorothy W. Ross

3-74

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
19 Apr 74	EALE, JERRI L		5293	UUUU	9988

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 24 Apr 74

OSA

OSD

SUMMARY

Execution of Pvt Slovik.

ROUTING			A-Action		I-Information				
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Final - 24 Apr 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF:
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
OGALSA Clerk of Ct 19 APR	19 Apr 74	22 Apr 74 AAJA-ZO		

Slovik

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

DISPATCHED

1974 APR 19 10 55

OFFICE CHIEF OF STAFF
DEPARTMENT OF THE ARMY

INFORMATION OF BAE STRAZE

3888

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
APR 24 1974	19 APR 1974	WH 5293

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Mr. Jerri L. Hale

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 5293, 19 Apr 74 (2)

CPT Anthony/pwc/756-1193/22Apr74

APPROVAL				RECORD		
DIV CH	ASST O	JO CH				
AM						

JAAJ-CC

23 APR 1974

Mr. Jerri L. Hale
5872 Southeast Harney Drive
Apartment B
Portland, Oregon 97206

Dear Mr. Hale:

On behalf of President Nixon, I am replying to your letter postmarked 8 April 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

Complaining mail received (?)

Military-Executive
E.H. President

Mr. Nixon,

I am troubled by the notes that you are sending me, you just send me one of those cards that says, "thank you for writing,"!

C/82

I half to have an answers to my question, please help.

I saw the killing of Private Slovic on T.V. Eisenhower is the one who signed for the killing.

If it were up to you, would you have signed the paper say; "place Slovic in front of the fireing squad,"?

Please answer in a suitable way.

A

Peri L. Hale

Jerri L. Hale
6872 S.E. Harney Dr.
Portland Oregon
97206

President Nixon
White House
Washington D.C.

1974 1974 1974 1974 1974

OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV

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DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20310

24 APR 1974

Honorable Lucien N. Nedzi

House of Representatives

Dear Mr. Nedzi:

This is in further reply to your letters to the Secretary of Defense and the Secretary of the Army regarding the court-martial and execution of Private Eddie D. Slovik.

Private Slovik was convicted by a General Court-Martial for absenting himself without proper leave from his organization to avoid hazardous duty and to shirk important service, that is, action against the enemy. He was sentenced to be shot to death with musketry. Although there were other executions during World War II, Private Slovik was the only individual executed for desertion.

When judgment was passed on Private Slovik, this nation was engaged in an all-out war with a power which was dedicated to enslaving the world. The lives of thousands, both those on the battlefield as well as those in the infamous prisons of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, forces in Belgium became engaged in what became known as the Battle of the Bulge. Heavy American casualties were being sustained while the record of trial was under review; indeed the success of the Allied campaign was uncertain at the time. This undoubtedly had an effect on the officials who reviewed the sentence of one who refused to fight in the face of the enemy.

The specific reasons for approval of the sentence for Private Slovik are given in the attached indorsement signed on 6 January 1945 when the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, who was then the Commanding General of the European Theater of Operations, for his consideration. The review and the subsequent approval of the sentence were made in full recognition that Private Slovik would be the first American soldier to be executed for desertion since the Civil War.

CF:
OTJAG

Honorable Lucien N. Nedzi

24 APR 1974

Private Slovik and several others who were executed overseas for serious crimes committed during World War II were buried in an isolated area which was available in the Oise-Aisne American Cemetery. To ensure anonymity, the graves were identified only by small, individually numbered grave markers. In an effort to protect the privacy of the relatives and friends of those buried there, a policy was established to restrict any publicity or visits to the plot. Periodically, this policy is reviewed; to date it has not been changed.

Because of the nature of the offense for which Private Slovik was convicted, Mrs. Slovik is not eligible for any benefits administered by the Department of the Army. Any benefits or assistance, which may be available to her from other agencies of the Federal Government, are determined by the specific agency involved. Accordingly, I would recommend that you refer your question on life insurance to the Administrator of Veterans Affairs, Veterans Administration, Washington, D. C. 20420.

I hope this information, which represents the position of the Department of the Army now, as well as during the 1950's, will be useful to you.

Sincerely,

Robert W. Berry

Robert W. Berry
General Counsel

(162)

1st Ind.

War Department, Branch Office of The Judge Advocate General with the European Theater of Operations. 6 JAN 1945 TO: Commanding General, European Theater of Operations, APO 887, U.S. Army.

1. In the case of Private EDDIE D. SLOVIK (36896415), Company G, 109th Infantry, attention is invited to the foregoing holding by the Board of Review that the record of trial is legally sufficient to support the sentence, which holding is hereby approved. Under the provisions of Article of War 50½, you now have authority to order execution of the sentence.

2. This is the first death sentence for desertion which has reached me for examination. It is probably the first of the kind in the American Army for over eighty years, - there were none in World War I. In this case, the extreme penalty of death appears warranted. This soldier had performed no front line duty. He did not intend to. He deserted from his group of fifteen when about to join the infantry company to which he had been assigned. His subsequent conduct shows a deliberate plan to secure trial and incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe sentence would only have accomplished the accused's purpose of securing his incarceration and consequent freedom from the dangers which so many of our armed forces are required to face daily. His unfavorable civilian record indicates that he is not a worthy subject of clemency.

3. When copies of the published order are forwarded to this office, they should be accompanied by the foregoing holding, this indorsement and the record of trial which is delivered to you herewith. The file number of the record in this office is CM ETO 5555. For convenience of reference, please place that number in brackets at the end of the order: (CM ETO 5555).

4. Should the sentence as imposed by the court and confirmed by you be carried into execution, it is requested that a full copy of the proceedings be forwarded to this office in order that its files may be complete.

E. C. McNEIL,
Brigadier General, United States Army,
Assistant Judge Advocate General.

1 Incl:
Record of Trial

5555

(Sentence ordered executed. GCMO 27, ETO, 23 Jan 1945)

JAAJ-CC CM 290498 15 April 1974

Mr. Charles P. Barker, Jr.
720 Melany Lane
Colorado Springs, Colorado 80907

Dear Mr. Barker:

Reference is made to your letter dated 18 March 1974 wherein you request a copy of the record of Private Eddie D. Slovik's trial by general court-martial.

This record of trial is available in my office and may be perused any day Monday through Friday between the hours of 7:45 to 4:15. In the alternative, you may obtain a copy of this record of trial by sending to this office a certified check or money order in the amount of $6.20, made payable to the Treasurer of the United States.

Sincerely yours,

ABRAHAM NEMROW
Clerk of Court

AO: HEARRELL/pls

aw

March 18, 1974

Charles Barker
720 Melany Lane
Colorado Springs, Colo 80907

Judge Advocate General

Dear Sir,

I am a high school student at Cornado High School in Colorado Springs, Colorado. I intend to finish high school and, become a lawyer. I am thinking very strongly of going to Fort Monroe, Virginia to study Military Law. I intend to render my services to my Country by serving in the Judge Advocate Corps.

I would like to know if it would be possible to obtain some information? The information I seek is the Courtmarshal File of a P.F.C. Edward Slovik.

It has come to my attention that this man was Executed in Paris in 1944 or 1945 for treason and desertion of his Post. I also understand that he was the only man Executed during the 20th Century by Military Courtmarshal.
Being the most famous of military Courtmarshals with the exception of the Courtmarshal of General Billy Michel.
To better understand Military Justice and Courtmarshal proceedure, I would like to read the transcript of the trial of the above mentioned P.F.C. Edward Slovik. I would appreciate it greately if you would make this file availible to me.

Sincerly yours,

Charles P. Barker Jr.

Charles P. Barker Jr.


RECEIVED
12 APR 1974
CLERK OF COURT
US ARMY JUDICIARY
OTJAG

RECEIPT FOR REGISTERED OR INSURED MAIL For use of this form, see AR 341-2; the proponent agency is The Adjutant General's Office.	FOR	DATE
TO: Defense Post Office #12	DATA	11 Apr 74

Messengers or clerks must check each entry on this receipt and draw diagonal lines through unused spaces.

BILLING CLERK AND TIME	NO.	NAME	REGISTRATION NUMBER OR INSURED NUMBER	ROTARY LOCK NUMBER OR OFFICE OF ORIGIN
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DA FORM 1 DEC 66 3094

Charles P. Barker Jr.
720 Melany Lane
Colo. Spgs. Colo. 80907

DELIVER TO ADDRESSEE ONLY

RETURN RECEIPT REQUESTED

REGISTERED NO. 377525

Judge Advocate General
Dept. of the Army
Washington D.C. 20032

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these

☐ Show address where delivered

☐ Deliver ONLY

DELIVER TO ADDRESSEE ONLY

RECEIPT
Received the numbered article described below

REGISTERED NO. 37725

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

WASHINGTON, D.C. REG. DIV. USPO APR 10 1972

APR 6 1972 PENTAGON

DAAG-TCZ-C
Mr. Wallace/70922

D R A F T

Dear

This is in reference to your inquiry in behalf of the court-martial of regarding Private Eddie Slovik.

The ~~official~~ military ~~personnel~~ records of Private Eddie D. Slovik show that he was tried by General Court-Martial, on 11 November 1944, for desertion by absenting himself without proper leave with intent to avoid hazardous duty and to shirk important duty, to wit: ~~avoid~~ action against the enemy on 25 August 1944 and 8 October 1944. He was sentenced to ~~be~~ dishonorably discharged ~~from the service~~ ~~or forfeit~~ forfeiture of all pay and allowances, ~~[illegible]~~ and to be shot to death with musketry. Only so much of the sentence as ~~imposed execution~~ provided for death by musketry was approved. He was executed on 31 January 1945 at Ste. Marie Auxmines (Vosges) France.

The records further show that Mrs. Slovik was notified by telegram on 24 February 1945 of the death of her husband. This was confirmed by letter from The Adjutant General dated 27 February 1945.

Private Slovik is interred in a cemetery in France maintained by the American Battle Monuments Commission. Before his death he went to confession, attended Mass and received Holy Communion. After his death the Catholic Chaplain in attendance administered the Sacrament of Extreme Unction and pronounced the prayers for the dead. The grave is marked with a small concrete marker with an identifying number.

The final disposition of the remains of the Dead of World War II was carried out under the provision of Public Law 383, 79th Congress and Public Law 368, 80th Congress which authorized the Secretary of War, upon application by the next of kin, to return such remains to the homeland of the decedent.

In the case of Eddie Slovik, there is no record that his next of kin requested return of his body and in the absence of such request, his remains were interred in Oise-Aisne Cemetery, France. A provision of the law specifically ended all authority to make further disposition of the remains on and after December 31, 1951.

[Because of his status he would not be eligible for burial in a national cemetery.] Deleted

Because of the nature of the offense for which Private Slovik was convicted, Mrs. Slovik is not eligible for any benefits administered by the Department of the Army. Benefits or assistance, which may be available to her from other agencies of the Federal Government are determined by the specific agency involved.

Sincerely,

JAAJ-CC
Mr. Thomas D. Gillett

11 April 1974

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

As evidenced by the cooperation accorded Mr. William Bradford Huie, the author of the book on Private Slovik's case, more than twenty years ago, it would not appear that there has been a suppression of the evidence of the matter.

I trust that this provides the information you desire.

Sincerely yours,

ABRAHAM HEMROW
Clerk of Court

SLOVIK

CF:
CSA Exec

CPT Anthony/pwc/756-1193/11Apr74

JAAJ-CC 11 April 1974

Mr. Thomas D. Gillett
East High School
1801 East Main Street
Rochester, New York 14609

Dear Mr. Gillett:

This is in reply to your letter of 16 March 1974, addressed to General Creighton Abrams, concerning the court-martial and execution of Private Eddie D. Slovik.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
REFERRAL SLIP
(Will remain with correspondence)

FILE NUMBER: CS 201 Slovik, Eddie (16 Mar 74)
DATE: 19 MAR 1974

	OSA		ACSI		CINFO
	CLL		ACSC-E		CMH
	DCSOPS		TAG		CAR
	DCSPER		C of Engrs		TPMG
	DCSLOG		TSG		COPO
	COA		C of CH		C of Spt S
	CRD	✓	TJAG		CUSAAA
	CORC		TIG		AVC of S
	ACSFOR		CNGB		DCDPO
	AAFSM				

ATTN: USAL SA Clerk of CA

SGS 19 MAR 1974 20 Mar

☐ Prepare reply for CofS signature
☒ Direct reply. Furnish copy of reply to CSA EXEC
☐ Information (_____ has action)
☐ Provide assistance, as required.
☒ Appropriate action ☐ Advance copy
☐ Copy furnished to _____
☐ Coordinate with

REMARKS

BY DIRECTION OF THE CHIEF OF STAFF:

ROY W. HERRON
LTC, CS
Assistant Secretary of the General Staff

W. J. LIVSEY
Colonel, Infantry
Executive

OCofSA Form 159, 1 Apr 69

☐ SEE REVERSE

74C-442

DISPATCHED

1974 MAR 20 15 35

OFFICE CHIEF OF STAFF
DEPARTMENT OF THE ARMY

RECEIVED
21 MAR 1974
CLERK OF CONGRESS
US ARMY MACHINERY
OFFICE

East High School
1801 East Main Street
Rochester, New York 14609
March 16, 1974

General Creighton W. Abrams
United Sates Army Chief of Staff
The Pentagon
Washington D.C. 20310

Dear Sir:

I am a high school English teacher. Many students in my classes viewed "The Execution of Pvt. Slovik" on March 13, and we discussed the television-film at length in class. Some students are now reading Mr. Huie's book about the incident.

During our discussions, a number of questions were raised about the justice of the "trial" and execution. I and my students wonder how a nation professing our high ideals could exterminate such a pathetic individual as Eddie Slovik while hundreds (thousands?) of other deserters, draft dodgers, black-marketeers and varied criminals went either unpunished or received light penalties. How do you respond to such queries? Also, why was this information supressed for so many years? What are your personal opinions concerning this example of army justice and efficiency?

It is impossible for me, with my personal sensitivities, to defend in any way the army's handling of the Slovik affair. My students and I agree that the United States Army should be invited to answer the questions raised by this television program and our subsequent discussions.

I cautioned them not to be surprised by no response; in fact, we expect our questions to be ignored.

This crass, unjust execution of a cowardly social cripple is a source of deep shame to me as an American.

Sincerely yours,

Thomas D. Gillett

Thomas D. Gillett

Mr. Thomas D. Gillett
East High School
1801 East Main Street
Rochester, New York 14609

General Creighton W. Abrams
United States Army Chief of Staff
The Pentagon
Washington D.C. 20310

JAAJ-CC (CM 290498)
SUBJECT: General Court-Martial Eddie Slovik, ASN 36896415

TO: DAAG FROM: JAAJ-CC DATE: 9 Apr 74 CMT 3
Mr Nemrow/pwc/756-1888

1. A review of the allied papers accompanying the record of trial in the subject case indicates limited information available to answer the general queries set forth in the inclosed letters.

2. It is our view that the questions pertaining to benefits to survivors of members of the Armed Forces should be answered by officials of the Veterans Administration. We note that the statute pertaining to NSLI payments provides: "No insurance shall be payable for death inflicted...for military...offenses."

3. The Pardon Attorney, Department of Justice, opined in a letter, dated 9 September 1960, that the President is without authority to grant a posthumous pardon, as delivery and acceptance are prerequisite to the validity of a pardon.

FOR THE JUDGE ADVOCATE GENERAL:

3 Incl
nc

ABRAHAM NEMROW
Clerk of Court

JAAJ-CC (CM 290498) General Court-Martial Eddie Slovik, ASN 36896415

DAAG-ZC JAAJ-CC 28 Mar 74
CPT Anthony/pwc/756-1193

1. In accordance with your request (DF to DAJA, dated 20 Mar 74), the inclosed suggested reply is forwarded for your use in replying to letters concerning the trial and execution of Private Slovik.

2. Also inclosed, for your use, is a copy of the opinion of Board of Review No. 1, Branch Office of The Judge Advocate General, ETO, dated 6 Jan 45, and a copy of the 1st Indorsement thereto, dated 6 Jan 45, in Private Slovik's case.

FOR THE JUDGE ADVOCATE GENERAL:

3 Incl
as

ABRAHAM NEMROW
Clerk of Court

DAAG-TCZ-C
SUBJECT: Court-Martial of Eddie Slovik, ASN 36896415

TO: JAAJ-CC FROM: DAAG DATE: 5 APR 1974 CMT NO 2
Mr. Miller/70922/be

1. Reference is made to DF from this office dated 20 March 1974 (Inclosure 1) which inclosed a letter to the President from Mr. and Mrs. Jim Leever. (Inclosure 2)

2. During coordination with the White House Liaison Office our reply based on input from your office, was not accepted because the specific points mentioned in the Leever's letter were not addressed from a legal standpoint. Colonel Plummer, White House Liaison Officer, directed this office to obtain legal consideration of these points.

3. Attached as Inclosure 3 is another case received by this office which requires coordination with the White House Liaison Officer and addresses specific points which no doubt will have to be answered.

4. In view of the above, request information which can be used in responding to the issues raised in these two letters.

FOR THE ADJUTANT GENERAL:

3 Incls
wd incl 1, 2, and 3
Added 3 incls
as

for THOMAS E. MINIX
LTC, AGC
Executive Officer

Special Adviser
To The Adjutant General

Dear :

This is in reply to your letter regarding the court-martial and execution of Private Eddie D. Slovik.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

DISPOSITION FORM

For use of this form, see AR 340-15; the proponent agency is The Adjutant General's Office.

REFERENCE OR OFFICE SYMBOL	SUBJECT
DAAG-ZC	Eddie Slovik

TO	FROM	DATE	CMT 1
DAJA	DAAG	20 MAR 1974 Mr. Miller/70922	

1. The attached letters received in this office regarding the case of Private Eddie Slovik, 36896415, are forwarded with request for information upon which to base a reply.

2. Since the information you provide will be used to respond to other similar cases that may be received, request your reply be expedited.

3. The military personnel records of Slovik are in the custody of Mr. Miller of this office (OX 7-0922) if they are needed.

FOR THE ADJUTANT GENERAL:

R B Belnap

THOMAS E. MINIX
LTC, AGC
for Executive Officer

2 Incl
1. WH Case 3637
2. Ltr fm Mrs. Mulch

☆ U. S. GOVERNMENT PRINTING OFFICE: 1974-526-596

DATE	NAME	FILE NUMBER	WHOSDEFENSE NO.	CLASSIFICATION	
18 Mar 74	LEEVER, JAMES A (Mr&Mrs)		3637	UUUU	9259

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 21 Mar 74
OSA
OSD

SUMMARY

Reinstatement of Pvt Slovik; benefits for widow.

ROUTING			A-Action			I-Information		
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG	A	TAG		MILPERCEN
	DCSLOG		ACSC-E		TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Coordinate in order listed.

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[X] COORDINATE WITH (1) WHLO RM3E669 x73658
(2) Sp Asst to the SecDef RM 3E947 x76691

[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1. [ ]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
DAAG-ZC				

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE I

MR. HOST
TO PRES

D

36618 Jackman Dr.
Sterling Hgts, MI 48077
March 14,1974

TO DOD - FOR DIRECT REPLY
DATE MAR 18 1974

Mr. Richard M. Nixon
President of the United States
Washington, D.C.

Dear Mr. President:

After viewing the TV presentation of the EXECUTION OF PVT. SLOVIK, my wife and I feel impelled to write to you to offer these suggestions. These, of course, are based on the assumptions that the facts as presented in the film are true and accurate.

We do not blame the Court Martial Board because we were at war at the time and they obviously did not have access to all the facts regarding Pvt. Slovik's life as we did in the film. In addition, they were trying to discourage others from deserting, but apparently didn't really believe their pronouncement of punishment would stand upon review by the Review Board.

Apparently, all involved in the incident felt he was a brave man and certainly not a traitor. His wife now lives on some form of limited state aid, but lives in fear of that being jeopardized. She has been harassed and almost lives in seclusion because of the execution of her husband.

It would appear to us that the United States Government ought to act now to

1) post humously reinstate Pvt. Eddie Slovik as a soldier in good standing with the United States Army,

2) grant his wife a pension as though Pvt. Slovik was killed in action, and

3) do everything necessary to restore the honor of the United States and that of Pvt. Slovik and his family.

To acknowledge that we made a mistake is not a sign of weakness, but rather of strength, for only the strong and secure can admit their errors.

Thank you for your kindness,

Jim + Carol Leever

Jim & Carol Leever

Mrs. Robert J. Mutch, Sr.
10 Bell Avenue
Fords, New Jersey 08863

Dear Sir,

After having watched the story of the execution of Private Eddie Slovick and reading statistics on the number of men in the Army that were tried for the same offense and found guilty and also sentenced to death, could you please explain to me why only one such sentence was carried out. Why only one man's sentence was actually carried through?

Thanking you in advance for your cooperation in answering my question.

Yours truly,

Beverly Mutch

DATE	NAME	FILE NUMBER	WH SUSPENSE NO.	CLASSIFICATION	
2 Apr 74	MOORE, JUDSON W Jr (Mr)		4149	UUUU	9350

WHITE HOUSE CASE [X] | OCSA CASE [ ] | SMA CASE [ ]

SUMMARY
Clear record of Pvt Slovik; benefits for widow.

SUSPENSE
OCSA COB 4 Apr 74
OSA
OSD

ROUTING

	A-Action		Information		
DEPUTY	ACTION	FYI		CIA	FILE
DEPUTY	ACTN	FYI	A	CAU	MILPERCEN
DEPUTY	ACTION	FYI		FYI	COSAR

REMARKS

Coordinate in order listed.

ACTION

[X] DIRECT REPLY WITH 2 COPIES TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE DRAFT (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[X] COORDINATE WITH (1) WHLO RM3E669 x73658
(2) SpAsst to the SecDef
RM 3E947 x76691

[ ] APPROPRIATE ACTION

S 1 Apr 74

AGENCY ROUTING

1. [ ] 2. [ ] 3. [ ] 4. [ ] 5. [ ]

BY DIRECTION OF THE CHIEF OF STAFF
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)

DAS FORM 77 (Rev 1 Jan 73) REFERRAL SLIP REMAIN WITH CORRESPONDENCE

March 13, 1974

Vice-President Gerald Ford
Washington, D.C.

Judson W. Moore, Jr.
Barrington College
Barrington, R.I. 02806

Dear Sir:

I have just seen the NBC documentary, "The Execution of Eddie Slovik". It deeply saddened me and made me ashamed that such a thing could happen in our society as apparently did.

My main purpose in writing you is not to brood over the dead and/or persons having anything to do with his execution. However, his wife is still living and she has been reportedly denied benefits because of his court-martial. Could you use the power of your Office to perhaps look into any discrepancies that could have arisen? Also, maybe the Department of Defense might realize they have made a mistake, and perhaps clear the record. Please attempt to do this while she is still alive.

Sincerely,

Judson W. Moore, Jr.

WH 4149

Dod-200

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
3 Apr 74	WELLS, KIM		4434	UUUU	9658

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 5 Apr 74

OSA

OSD

SUMMARY

Execution of Pvt Slovik.

ROUTING			A-Action		I-Information			
	OCSOPS		ACSFOR		COE		CMH		CLL
	OCSPER		ACSI		TSG		TAG		MILPERCEN
	OCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Coordinate in order listed.

Final - 5 Apr 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[X] COORDINATE WITH (1) WHLO RM3E669 x73658
(2) SpAsst to the SecDef RM 3E947 x76691

[ ] APPROPRIATE ACTION

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4.	5. [ ]
JSTZSA check in ct 4 Apr	CM 4 Apr 74 5	a. DASP-LD 5 Apr 74	ATTACHED	

BY DIRECTION OF THE CHIEF OF STAFF
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT		✓		ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

BGen Lawson requests DOD respond to Kim Wells as recommended by LTC Bailey.

Coordinate reply with office of The Special Assistant to the Secretary of Defense, Room 3E947, Pentagon.

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
APR 5 1974	2 APR 1974	WH 4435

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE

WHITE HOUSE

JAAJ-CC
Miss Kim Wells

his conduct a deliberate intent to remain safe and avoid such duty by being sentenced to prison. The sentence adjudged was not what Private Slovik had anticipated. The imposition of a less severe punishment would have accomplished his purpose of obtaining freedom from those dangers which his comrades were required to face daily. All of these factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED
LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4435, 3 Apr 74 (2)

CPT Anthony/pls/756-1193/5Apr74

JAAJ-CC

05 APR 1974

Miss Kim Wells
114 Tracy Drive
Grants Pass, Oregon 97526

Dear Miss Wells:

On behalf of President Nixon, I am replying to your letter postmarked 14 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

When judgment was passed on Private Slovik, this Nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of tens of thousands, on the battlefield as well as in the infamous death camps of the Third Reich, depended on our concentrated fighting to bring about an early termination of the war. Shortly after Private Slovik's trial, American forces in Belgium were engaged in what is known as the Battle of the Bulge where they suffered heavy casualties.

When the Army Assistant Judge Advocate General submitted the Board of Review's decision in this case to General Eisenhower, then Commanding General of the European Theater of Operations, he pointed out that not only had Private Slovik performed no frontline duty, but Private Slovik had demonstrated through

Miss Kim Wells
114 Tracy Drive
Grants Pass, Oregon 97526

Dear Miss Wells:

This is in reply to your undated letter, regarding the court martial and execution of Private Eddie D. Slovik. Your comments concerning this case are certainly understandable; war is always tragic in its consequences.

When judgment was passed on Private Slovik, this Nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of tens of thousands, on the battlefield as well as in the infamous death camps of the Third Reich, depended on our concentrated fighting to bring about an early termination of the war. Shortly after Private Slovik's trial, American forces in Belgium were engaged in what is known as the Battle of the Bulge where they suffered heavy casualties.

When the Army Assistant Judge Advocate General submitted the Board of Review's decision in this case to General Eisenhower, then Commanding General of the European Theater of Operations, he pointed out that not only had Private Slovik performed no frontline duty, but Private Slovik had demonstrated through his conduct a deliberate intent to remain safe and avoid such duty by being sentenced to prison. The sentence adjudged was not what Private Slovik had anticipated. The imposition of a less severe punishment would have accomplished his purpose of obtaining freedom from those dangers which his comrades were required to face daily. All of these factors should be remembered when attempting to understand

the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely,

RICHARD NIXON

draft for Ford signature

DRAFT REPLY FOR PRESIDENTS SIGNATURE
DATE MAR 25 1974

Dear Mr Nixon,

My name is Kim Wells I'm 14 and live in Grants Pass Oregon.

I'll you the truth I really dont know who I should be writing this to, but I hope you will read this and understand what I'm trying to say.

On March 13, 1974 I watched the execution of Eddie Slovik and when I watched this it really hurt me inside. I know its kind of late to say much about this true story but I'm going to tell you how I feel.

I think the Army was pretty unfair to Eddie Slovik! This young man had fears just like everybody else in this world and one of these fear was killing, which anybody could understand. But to kill him for these fears was unfair and to also kill him to prove to other people what they could do to deserters. This is pretty Stupid! I dont know

WH 3994

what my words can do, but I just think they should never had done it. And to top it all off they didint tell his wife till eight years after it happened and boy is that getting low down.

When I saw this movie I hurt me pretty bad to see what kind of people we have in this world and it really scares me. Im a fourteen year old girl who doesint really know to much about our world but I know enough.

These were a few of my thoughts and I have a lot more but I dont see what good its going to do to bring them out. But thank you for taking your time to read this.

Sincerely
Kim Wells
9 grader of
Lincoln Savage Jr.
Grants Pass Oregon
1141 Tracy Dr.
G.P. Oregon

Kim Wells
114 Tracy Dr
Grants Pass
Oregon 97526

GRANTS PASS, OR
MAR 4
PM
1974
97526

Mr. Richard Nixon
White House
Washington D.C.

1974 1974 1974 1974 1974

NOV JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN F

5 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
3 Apr 74	MOORE, STEVE		4435	UUUU	9659

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 5 Apr 74

OSA

OSD

SUMMARY

Execution of Pvt Slovik.

ROUTING			A-Action		I-Information			
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[X] COORDINATE WITH (1) WHLO RM3E669 x73658
(2) SpAsst to the SecDef RM3E947 x76691

[ ] APPROPRIATE ACTION

REMARKS

File - 5 Apr 74

Coordinate in order listed.

BY DIRECTION OF THE CHIEF OF STAFF
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1.	2.	3.	4.	5.
[X] USAHSA Clerk of Ct 4 Apr	[ ] 5 Apr 74	[ ] DAJA-ZA 5 Apr 74	[ ]	[ ]

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

BGen Lawson requests DOD respond to Steve Moore as recommended by LTC Bailey.

Coordinate reply with office of The Special Assistant to the Secretary of Defense, Room 3E947, Pentagon.

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
APR 5 1974	2 APR 1974	WH 4434

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Mr. Steven Moore

his conduct a deliberate intent to remain safe and avoid such duty by being sentenced to prison. The sentence adjudged was not what Private Slovik had anticipated. The imposition of a less severe punishment would have accomplished his purpose of obtaining freedom from those dangers which his comrades were required to face daily. All of these factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4435, 3 Apr 74 (2)

CPT Anthony/pls/756-1193/5Apr74

MR: Coordinated with Major Helsworth (WHLO, 73658). Coordination w/ Special Asst to the Chief could not be accomplished, but draft had been approved earlier by the Office

an
5 Apr 74

JAAJ-CC

0 5 APR 1974

Mr. Steve Moore
2600 Petworth Court
Cincinnati, Ohio 45236

Dear Mr. Moore:

On behalf of President Nixon, I am replying to your letter postmarked 14 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he received. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

When judgment was passed on Private Slovik, this Nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of tens of thousands, on the battlefield as well as in the infamous death camps of the Third Reich, depended on our concentrated fighting to bring about an early termination of the war. Shortly after Private Slovik's trial, American forces in Belgium were engaged in what is known as the Battle of the Bulge where they suffered heavy casualties.

When the Army Assistant Judge Advocate General submitted the Board of Review's decision in this case to General Eisenhower, then Commanding General of the European Theater of Operations, he pointed out that not only had Private Slovik performed no frontline duty, but Private Slovik had demonstrated through

ROUTING AND TRANSMITTAL SLIP		ACTION
1 TO (Name, office symbol or location) USALSA	INITIALS	CIRCULATE
	DATE	COORDINATION
2 Clerk of Ct	INITIALS	FILE
	DATE	INFORMATION
3	INITIALS	NOTE AND RETURN
	DATE	PER CONVERSATION
4	INITIALS	SEE ME
	DATE	SIGNATURE

REMARKS

Col Morrow
Sir - These were done originally for the President's signature. We are now asked to go final from here. A copy of what was submitted originally is attached.

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions.

FROM (Name, office symbol or location) JB

JAMES A. BADAMI
Major, JAGC
Assistant Executive

DATE 4 Apr.

PHONE

OPTIONAL FORM 41
AUGUST 1967
GSA FPMR (41CFR) 100-11.206

5041-101-01

* GPO : 1973 OF—499-218

Mr. Steve Moore
2600 Petworth Court
Cincinnati, Ohio 45236

Dear Mr. Moore:

This is in reply to your undated letter, regarding the court martial and execution of Private Eddie D. Slovik. Your comments concerning this case are certainly understandable; war is always tragic in its consequences.

When judgment was passed on Private Slovik, this Nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of tens of thousands, on the battlefield as well as in the infamous death camps of the Third Reich, depended on our concentrated fighting to bring about an early termination of the war. Shortly after Private Slovik's trial, American forces in Belgium were engaged in what is known as the Battle of the Bulge where they suffered heavy casualties.

When the Army Assistant Judge Advocate General submitted the Board of Review's decision in this case to General Eisenhower, then Commanding General of the European Theater of Operations, he pointed out that not only had Private Slovik performed no frontline duty, but Private Slovik had demonstrated through his conduct a deliberate intent to remain safe and avoid such duty by being sentenced to prison. The sentence adjudged was not what Private Slovik had anticipated. The imposition of a less severe punishment would have accomplished his purpose of obtaining freedom from those dangers which his comrades were required to face daily. All of these factors should be remembered when attempting to understand

the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely,

RICHARD NIXON

Dear Mr. Nixon

I have just seen the execution of private Slovik. And I think it was plain murder on the part of the United States Military. I don't know how everybody else feels but thats the way I feel. I just don't know how those men could have sentenced private Slovik to death by a fireing squad. thats been out dated for allmost 100 years. This is just a small note, but if you you would Please write me and tell me your feelings, I might understand it much better

Draft for Pres. Signature

P.S. Please write back

Your Friend

Steve Moore
2600 Setwood ex.
Cincinnati, Ohio, 45236

S. Moore
2600 Petworth st.
Cincinnati, Ohio, 45236

U.S. POSTAL SERVICE 450
AM
14 MAR
1974

ALWAYS USE
ZIP CO

To The President of The United States

1600 Pennsylvania Ave.
Washington, D.C. 20500

1974 1974 1974 1974 1974

JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2

LUCIEN N. NEDZI
14TH DISTRICT, MICHIGAN

COMMITTEE ON ARMED SERVICES

COMMITTEE ON HOUSE ADMINISTRATION

Congress of the United States
House of Representatives
Washington, D.C. 20515

March 28, 1974

The Honorable Howard H. Callaway
Secretary of the Army
The Pentagon
Washington, D.C. 20310

Dear Mr. Secretary:

As you know, NBC Television aired a movie on March 13, 1974, entitled "The Execution of Private Slovik," regarding the only deserting American serviceman in World War II to be executed.

The program aroused particular interest in Michigan, since Private Slovik was from a west side Detroit neighborhood. The media carried a number of stories and there was a call for action to give his widow the $10,000 life insurance benefit which was denied her after his death.

The fact that I am the only Michigan congressman on the House Armed Services Committee, and that I represent part of Detroit (albeit its east side) has made me the focus of a number of inquiries from the media and from concerned private citizens.

I have made it clear, in response, that I would not do anything contrary to the wishes of the widow. News accounts describe her as living in obscurity, using an assumed name, and fearful of aggravating authorities into taking away her small state pension. It is quite possible she does not want anything done and will decline to make any move whatever, such as the filing of papers.

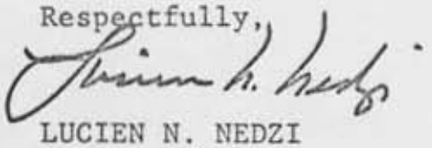
In any event, I believe it is incumbent upon me to proceed, cautiously, to make inquiry, on a preliminary basis, for some background information.

Accordingly, I respectfully request from the Defense Department the following:

(a) A resumé of the Slovik case, from official records, and a summing up of whatever official positions were taken in the 1950's and thereafter when inquiries were directed to the Department.

(b) Some guidance as to what administrative remedies, if any, might be available regarding life insurance and other benefits for Private Slovik's widow.

Respectfully,



LUCIEN N. NEDZI
Member of Congress

LNN/njb

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
9 Apr 74	MORROW, J. B.		4835	UUUU	9883

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 12 Apr 74

OSA

OSD

SUMMARY

Amnesty to deserters and draft dodgers.

ROUTING		A-Action		I-Information					
	DCSOPS		ACSFOR		COE		CMH		CLL
AA	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E		TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

AGENCY ROUTING

1. [X] HRK

2. [ ] AD LAW 11 Apr

NESALSA 11 apr. 11 Apr 74

4. [ ] DAJA-2 12 Apr 74

5. [ ]

BY DIRECTION OF THE CHIEF OF STAFF

WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE I

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER	
APR 12 1974	9 APR 1974	WH 4835	

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

JAAJ-CC
Mr. J. B. Morrow

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4835, 9 Apr 74 (2)

CPT Anthony/pwc/756-1193/12Apr74

JAAJ-CC

12 APR 1974

Mr. J. B. Morrow
11009 Bel Air Place
Oklahoma City, Oklahoma 73120

Dear Mr. Morrow:

On behalf of President Nixon, I am replying to those portions of your letter of 3 April 1974 which pertain to the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

16

April 3, 1974

President Richard Nixon
White House Office
Washington, D.C.

military asst

Dear Mr. President

I recently watched on television a show depicting the "Execution of Pvt. Slovik. I if the story was factual and the facts correctly portrayed. I feel we owe the family of this man our apologies and a correction of this great unjust event.

I do understand times and conditions have changed, but if this man was willing to serve his country was shot -- how then can amnesty be given to draft evaders that leave our country to avoid serving the very freedom of this nation that would keep them from being executed should they ever return?

I feel we would create the same injustice to the families of our M.I.A. and P.O.W. men missing in Vietnam as was done to the family of PVT. Eddie Slovik by providing amenity to the draft evaders.

Thank you sincerely for your time.

I am looking forward to the future years of your leadership.

Very Truly Yours,

J. B. Morrow

11009 BEL AIR PLACE
OKLA. city, OKLA.
73120

J. B. MORROW
11009 BEL AIR PLACE
OKLA. CITY, OKLA.
73120

U.S. POSTAL SERVICE OK 730
PM
3 APR
1974

President Richard Nixon
White House - Office
Washington, D.C.

1974 1974 1974 1974 1974 1974 1974

FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV

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DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
2 Apr 74	PIETRZYK, JENNIE (Miss)		4407	UUUU	9617

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 5 Apr 74

OSA

OSD

SUMMARY

Execution of Pvt Slovik.

ROUTING			A-Action		I-Information			
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Fine - 5 Apr 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
JSAZSA cerh'd 3 Apr	2 Apr 74	DAJA-ZD 4 Apr 74		

BY DIRECTION OF THE CHIEF OF STAFF:
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE I

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
APR 5 1974	8 APR 1974	WH 4407

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Miss Jennie Pietrzyk

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4407, 2 Apr 74 (2)

CPT Anthony/pwc/756-1193/4 Apr 74

APPROVAL				SOCRD
DIV CH	EXEC O	BR CH	ACT O	

JAAJ-CC

05 APR 1974

Miss Jennie Pietrzyk
1505 Apakin Hene
Tallahassee, Florida 32301

Dear Miss Pietrzyk:

On behalf of President Nixon, I am replying to your letter of 16 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

18

D

Military Assistant

1505 Apalachee Ave
Tallahassee Fl. 32301
March 16, 1974

Hon. Richard M. Nixon
President of the United States
The White House
Washington, D.C.

TO DOD - FOR DIRECT REPLY
DATE APR 1 1974

Dear Sir:

Re- "Execution of Pvt. Eddie Slovik"

I saw the NBC film, and think you should investigate why Eddie Slovik was executed under Gen. Eisenhower's order. I realize that would be difficult for you, having been so close to Pres. Eisenhower and having an Eisenhower in the family now. However, for the sake of justice, and to restore the confidence of Americans who doubt you in one way or another these days, this would be something worthwhile to do.

Was he executed because a Polish-American had to be sacrificed to satisfy the Russians, our so-called "friends" at that time? He was a sick man and didn't belong in the Army, in the first place. For the sake of his wife and his good name, you should check into this horrible sentence he was given.

Yours truly,
(Miss) Jennie Pietrzyk

A

WH 4407

PIETRZYK
1505 Apalachee Nine
Tallahassee, Fl. 3230

U.S. POSTAL SERVICE
PM
MAR 18
1974
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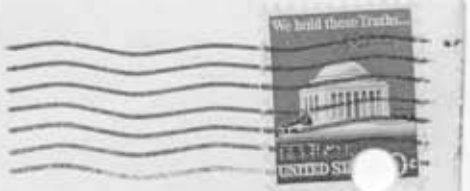

Hon. Richard M. Nixon
President of the United States
The White House
Washington, D.C.

1974 1974 1974 1974 1974

974 J I JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG S

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DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
28 Mar 74	BECK, JANET		4141	UUUU	9065

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 2 Apr 74

OSA

OSD

SUMMARY

Execution of Slovik; CM of Lt Calley.

ROUTING

		A-Action		I-Information					
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	X	TJAG		TPMG		CUSAA
	COA		CORC		CNGR		CAR		~~ODSGS(CAR)~~
	CRD		TIG		CINFO		CCH		

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

REMARKS

Please forward 1 cy of reply to MAJ Berta, 3D635, ODSGS(CAR).

Final - 1 Apr 74

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
VS ACSA clashock 28 MAR	29 March 74	DATA-2D 1 Apr 74		

BY DIRECTION OF THE CHIEF OF STAFF: WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

After Army has responded to their portion case will be transfered to Justice for further action

THIS IS AN -

☐ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
APR 2 1974	28 NOV 1974	WH 4141

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

JAAJ-CC
Miss Janet Beck

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

In regard to your question regarding First Lieutenant William Calley, Jr., United States Army, I am inclosing a fact sheet pertaining to Lieutenant Calley's case. This fact sheet outlines the appellate review procedures of his case and indicates the timing of Presidential appeal.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

1 Incl
As stated

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4141, 28 Mar 74 (2)
MAJ Berta, ODSGS(CAR), Rm 3D635, Pentagon

CPT Anthony/pwc/756-1193/1Apr74

JAAJ-CC

01 APR 1974

Miss Janet Beck
2041 Beatrice Court #9
San Jose, California 95128

Dear Miss Beck:

On behalf of President Nixon, I am replying to your letter postmarked 16 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

35.P Support/Views

D

TO DOD - FOR DIRECT REPLY
DATE MAR 26 1974

Dear President Nixon;

I am writing this letter for several reasons. I don't know exactly how to say what I feel I have to. So I will say it the best I can.

C/S.2

#1 I saw a movie last night. The name of it was The Execution of Private Slovik. I can not see why Private Slovik was executed. If some-one can help me understand why I would appreciate it. Private Slovik tried to tell his commanding officer's that he was not fit for front line fighting. I don't believe in letting draft dodger's or deserter's get by with it. But I don't feel he deserted his country He tried to explain how he felt, but no one had time to listen. I do not feel that was fair. The movie was based on true facts.

#2 I would like to know why LT. Calley was acussed of his crime? I think he was used for politics. I don't think he is guilty, and I probably never will.

#3 Can you tell me why police officers hands are tied so tight. I don't believe in a goverment controlled state or country, but I do think they should have more authority than they have

WH 4141

#4 I would like to know what happened to the idea of "A man is inocent until proven guilty!" Some people are talking about impeachment. I have not heard a verdict inocent or guilty. I don't believe you are guilty. I may not understand every thing

#4 cont. you do, but that doesn't mean you are guilty. I am glad you are not going to back down. I am behind you 100%. I know that isn't much help, but I am fighting with you. I would like to thank you for not letting me down. I voted for you, and I am glad I did. I think it is about time to get down to more important issue's other than watergate.

I love my country very much. That is why I have written this letter. I am only 20 years old, but I feel very strong on these issues. Good luck and keep on fighting! I hope you get this letter personally, and I hope you will write back.

please!

thank you in advance!

May God Bless You
Janet Beck

Janet Beck
2041 Beatrice ct. #9
San Jose, Calif. 95128 - phone - 408 998-4199

Beck
2041 Beatrice ct. #9
San Jose, California
95128

U.S. POSTAL SERVICE, CA 95125
PM
16 MAR

EAST
SEAL
FIGHT CRIPPL

President Nixon
White House
Washington D.C.

1974 1974 1974 1974 1974

JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN

30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
28 Mar 74	SKIBA, NOREEN (Mrs)		4132	UUUU	9056

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUMMARY
Execution of Pvt Slovik.

SUSPENSE
OCSA COB 2 Apr 74
OSA
OSD

ROUTING		A-Action		I-Information				
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG	I	TAG		MILPERCEN
	DCSLOG		ACSC-E	AA	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR	I	USAMAA
	CRD		TIG		CINFO		CCH		

REMARKS
Fine - 1 Apr 74

ACTION
[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW
[X] CITE WHITE HOUSE CONTROL NUMBER
[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF
[ ] PROVIDE ASSISTANCE AS REQUIRED
[ ] COORDINATE WITH
[ ]
[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff (Staff Services)
X77425/70740

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
USAASA clerk not remade	29 Mar 74	DASA-ZD 1 Apr 74		

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☐ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER	
APR 2 1974	28 MAR 1974	WH 4132	

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Mrs. Noreen Skiba

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4132, 28Mar74

CPT Anthony/pwc/756-1193

01 APR 1974

JAAJ-CC

Mrs. Noreen Skiba
22596 Westwood Drive
Strongsville, Ohio 44136

Dear Mrs. Skiba:

On behalf of President Nixon, I am replying to your letter of 20 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

6
Mil Asst

D

March 20, 1974

President Richard Nixon
c/o White House
Washington, D.C. 20500

Dear Mr Nixon:

I am writing this letter as an American Citizen, a Taxpayer and a Voter. After viewing the movie "The Execution of Private Slovik" last week and listening to his wife on a Cleveland talk show this morning I feel it is my duty to write this letter

I think a terrible injustice has been done by our Government, not only the actual Execution but also the withholding of facts from the public. I feel Mrs Antoinette Slovik should be entitled to the $10,000.00 which widows of World War II GI's received and also that Private Sloviks body be brought back from France for burial here in the United States.

I am counting on you as my President to bring this about. I think this is a small payment we can make to Mrs Slovik for the suffering she has endured for the past 30 years.

I find it hard to believe that such a terrible thing could happen and implore

that you do everything in your power to see that Mrs Slovik receives some compensation for her hardships.

Thank you for your time

Very truly yours
MRS. NOREEN SKIBA
Mrs Noreen Skiba
22596 Westwood Drive
Strongsville Ohio 44136

22596 Westwood Drive
Strongsville Ohio 44136

BEREA OH
MAR 21
PM
1974
44017

President Richard Nixon
c/o White House
Washington, D.C.
20500

1974 1974 1974

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
27 Mar 74	MILLER, MARY A (Mrs)		4060	UUUU	9022

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUMMARY

Execution of Pvt Slovik.

SUSPENSE

OCSA COB 1 Apr 74

OSA

OSD

ROUTING			A-Action		I-Information			
	DCSOPS		ACSFOR		COE		CMH		CLL
	OCSPER		ACSI		TSG	I	TAG		MILPERCEN
	DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Final - 1 Apr 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF

WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1.	2.	3.	4.	5.
[X] ALSA US Clerk of Ct 28 Mar 74	[ ] 25 Mar 74	[ ] DAJA-25 27 Mar 74	[ ]	[ ]

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
APR 1 1974	28 MAR 1974	WHH 4060

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Mrs. Mary A. Miller

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4060, 27 Mar 74 (2)

CPT Anthony/pwc/756-1193/29Mar74

DIV CH	BRC O	BD CH			
CM					

JAAJ-CC

02 APR 1974

Mrs. Mary A. Miller
12120 Winthrop
Detroit, Michigan 48227

Dear Mrs. Miller:

On behalf of President Nixon, I am replying to your letter of 20 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

7 Mil Cogs
to Pres

3-20-74

TO DOD - FOR DIRECT REPLY
DATE MAR 25 1974

Dear Mr. President,

This is one letter I hope will reach your desk. It is of great importance to my friends and I, as we were quite upset over the story of the execution of Private Eddie Slovik. I can't understand how something like that could have happend, but I do know that something should be done now to try to undo the wrong that has been done to Mrs. Slovik. My friends and I feel as I'm sure others do, that Mrs. Slovik has suffered enough heartache in her life, and we feel that it is time the government took a good long look at this situation and come to the conclusion that a tragic mistake was made. Mrs. Slovik's lonelyness and harassment should come to an end. She lives

WH 4060

on a small pension
and we think it's time
the government showed that it
does care about the little people.
I also can't help wondering
about the boys that refused to
fight in Viet-Nam, if someday
they come back to this country
will they have to face a firing
squad or does the government just
take one and make an example of him?
I think the shame of it all is
that no one in the white house or
our government gives a damm. It
seems to me that Mr. & Mrs. Slovik
case was shoved under the rug and
no one dare's to take it out for
fear someone might find out how
wrong it was. I guess the real
object of this letter is to get help
for Mrs. Slovik. We know it is in
your power to help her get the
right help from the army. I think

She has been refused long enough, would it be to much to ask if you could make her life just a little happier. Thanks for taking the time to read my letter.

Sincerly
Mary A. Miller

12120 Winthrop
Det. Mich. 48227

MARY Miller
12120 WINTHROP
Det. Mich 48227

DETROIT MI
PM
21 MAR
1974

President of The United States
1600 Pennsylvania Ave.
Washington, D.C.

1974 1974 1974 1974 1974

EB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR A

21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

JAAJ-CC CM 290498 5 April 1974

Mr. James T. Brown
1918 Bluemont Avenue S. W.
Roanoke, Virginia 24015

Dear Mr. Brown:

Reference is made to your letter dated 16 March 1974 wherein you request a copy of the record of Private Eddie D. Slovik's trial by general court-martial.

You may obtain a copy of this record of trial by sending to this office a certified check or postal money order in the amount of $6.20, made payable to the Treasurer of the United States.

Sincerely yours,

ABRAHAM NEMROW
Clerk of Court

AO: HEARRELL/pls

ROUTING AND TRANS[illegible]TAL SLIP		ACTION
1 TO JAAJ-CC ATTN: Mr. Abraham Nemrow 204B - Nassif Bldg	INITIALS DATE 3 Apr 74	CIRCULATE COORDINATION
2 5611 Columbia Pike Falls Church, VA 20315	INITIALS DATE	FILE INFORMATION
3 Operations Branch	INITIALS DATE	NOTE AND RETURN PER CONVERSATION
4	INITIALS DATE	SEE ME SIGNATURE

REMARKS

Reference telecon with Mr. Wike of this office re: missing inclosure to DF Comment 1, dated 26 March 1974, on James T. Brown request, attached is missing letter.

calculate fee —

Admin Fee $3.00
First six pgs 2.00
30 pgs @ .05 1.20
24
$6.20

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions

FROM	DATE
WALTER L. McMANON, Colonel, Inf Chief, Historical Services Division	29 Mar 74 PHONE 30230

OPTIONAL FORM 41
AUGUST 1967
GSA FPMR (41CFR) 100-11.206

* GPO : 1969 OF—352-829 5041-101

James T. Brown
1918 Bluemont Ave., S. W.
Roanoke, Va. 24015

March 16, 1974

HEADQUARTERS
Department of the ARMY

History Division
Court-Martial Records

Dear Sirs;

As I am interested in all phases of the military, I would greatly appreciate it if you could send me a copy of the court martial transcript and the circumstances surrounding the court martial and the execution of private Edward Slovik.

I am looking forward to hearing from you,

Yours truly,

James T. Brown

James T. Brown
1918 Bluemont Ave., S. W.
Roanoke, Va. 24015

3-85

DISPOSITION FORM

For use of this form, see AR 340-15; the proponent agency is The Adjutant General's Office.

REFERENCE OR OFFICE SYMBOL	SUBJECT
DAMH-HSG	Referral of Correspondence

TO JAAJ-CC
ATTN: Mr. Abraham Nemrow
204B - Nassif Bldg.

FROM DAMH-HSG
Tempo ABC

DATE 26 MAR 74

CMT 1

1. The attached communication is referred for appropriate action and direct reply.

2. The writer has been advised of this referral.

FOR THE CHIEF OF MILITARY HISTORY:

Incl
Ltr fr Mr. James T. Brown

John W. Wike
for
WALTER L. MCMAHON
Colonel, Infantry
Chief, Historical
Services Division

DA FORM 1 FEB 62 2496

REPLACES DD FORM 96, EXISTING SUPPLIES OF WHICH WILL BE ISSUED AND USED UNTIL 1 FEB 63 UNLESS SOONER EXHAUSTED.

☆GPO : 1971 — 441-655

OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

1 April 1974

MEMORANDUM FOR Brigadier General Richard L. Lawson
Military Assistant to the President
The White House

SUBJECT: Private Eddie D. Slovik

Pursuant to your request, attached are draft replies to two inquiries regarding the execution of Private Eddie D. Slovik. It does not appear to be desirable to have the President respond to inquiries on this matter. Recommend they be returned for signature by officials within the DoD.

Kenneth R. Bailey
LTC, USA
Military Assistant

Attachments

114 Tracy Drive
Grants Pass, Oregon 97526

Dear Miss Wells:

This is in reply to your undated letter, regarding the court martial and execution of Private Eddie D. Slovik. Your comments concerning this case are certainly understandable; war is always tragic in its consequences.

When judgment was passed on Private Slovik, this Nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of tens of thousands, on the battlefield as well as in the infamous death camps of the Third Reich, depended on our concentrated fighting to bring about an early termination of the war. Shortly after Private Slovik's trial, American forces in Belgium were engaged in what is known as the Battle of the Bulge where they suffered heavy casualties.

When the Army Assistant Judge Advocate General submitted the Board of Review's decision in this case to General Eisenhower, then Commanding General of the European Theater of Operations, he pointed out that not only had Private Slovik performed no frontline duty, but Private Slovik had demonstrated through his conduct a deliberate intent to remain safe and avoid such duty by being sentenced to prison. The sentence adjudged was not what Private Slovik had anticipated. The imposition of a less severe punishment would have accomplished his purpose of obtaining freedom from those dangers which his comrades were required to face daily. All of these factors should be remembered when attempting to understand

the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely,

RICHARD NIXON

2600 [illegible] Court
Cincinnati, Ohio 45236

Dear Mr. Moore:

This is in reply to your undated letter, regarding the court martial and execution of Private Eddie D. Slovik. Your comments concerning this case are certainly understandable; war is always tragic in its consequences.

When judgment was passed on Private Slovik, this Nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of tens of thousands, on the battlefield as well as in the infamous death camps of the Third Reich, depended on our concentrated fighting to bring about an early termination of the war. Shortly after Private Slovik's trial, American forces in Belgium were engaged in what is known as the Battle of the Bulge where they suffered heavy casualties.

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the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely,

RICHARD NIXON

U. S. GOVERNMENT PRINTING OFFICE: 1973—506-845

am

(25 Mar 74)

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
29 Mar 74	Herron	CS 201 Slovik, Eddie		UNCLASS	3361

WHITE HOUSE CASE [ ] OCSA CASE [X] SMA CASE [ ]

SUSPENSE

OCSA		15 Apr 74
~~GSX~~	OCLL	15 Apr 74
OSD		

SUMMARY

NBC's presentation of "The Execution of Private Eddie Slovik"

ROUTING

		A-Action			I-Information				
	DCSOPS		ACSFOR		COE		CMH		CLL
I	DCSPER		ACSI		TSG	A	TAG		MILPERCEN
I	DCSLOG		ACSC-E	I	TJAG		TPMG		CUSAA
I	COA		CORC		CNGB		CAR	I	DSGS (CAR)
	CRD		TIG		CINFO		CCH		

REMARKS

Respond IAW instructions on OSA Form 152 attached.

ACTION

[X] DIRECT REPLY WITH 1 COPY(~~DEX~~) TO OCSA OCLL

[ ] CITE WHITE HOUSE CONTROL NUMBER

[X] PREPARE (DRAFT) (~~FINAL REPLY FOR SIGNATURE~~) ~~OR~~

~~XX~~ PROVIDE ASSISTANCE AS REQUIRED DCSPER, DCSLOG, TJAG

[X] COORDINATE WITH DCSPER, DCSLOG, TJAG

[ ]

[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF

Roy H. Herron

ROY H. HERRON
LTC, GS
Assistant Secretary of the General Staff

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
USA ASA clerk 10 Apr				

DAS FORM 77 (Test), 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE !

CODE	CONSTITUENT	MEMBER OF CONG.	DATES RECD	DATES FWD	OCLL AO	SUSPENSE DATE
242 290	Slovik, Eddie	Various		28 Mar	7-8131 Mrs. O'Keefe	15 April AR 1-20
	DEPARTMENT OF THE ARMY OFFICE OF THE CHIEF OF LEGISLATIVE LIAISON		Do Not Detach This Slip		CONGRESSIONAL	

SUBJECT

NBC's presentation of "The Execution of Private Eddie Slovik"

TO: *(Include ZIP Code)*

SGS

REFERRED FOR:

___ NECESSARY ACTION

___ PREPARATION OF REPORT FOR SIGNATURE OF

___

☐ SIGNATURE BLOCK AS SHOWN ☐ UNDER REMARKS

___ PREPARATION OF FACT SHEET, ATTN: ___

___ INFORMATION UPON WHICH TO BASE A REPLY, ATTN: ___

___ DRAFT OF AN APPROPRIATE REPLY, ATTN: ___

___ DIRECT REPLY TO MC AND COPY FOR OCLL, OSA, ATTN: ___

___ INFORMATION ONLY

ACKNOWLEDGMENT ☐ NOT MADE ☐ MADE BY ☐ PHONE ☐ LETTER

FOR THE CHIEF, OCLL:

CHARLES G. PRATHER, IV
Lieutenant Colonel, GS
Deputy, Congressional
Inquiry Division

REMARKS/INCLOSURES:

Attached are copies of letters to various Members of Congress concerning above mentioned movie -- request draft that will answer questions re benefits to widow, return of body, why wife not notified, name on tombstone, amnesty, etc.

Members of Congress are receiving interims/acknowledgements.

NOTE: Include constituent's SSN in your reply. Also, show OCLL Code on reply.

OSA FORM 152, NOV 71 TRANSMITTAL SLIP

DAVID E. SATTERFIELD III
3D DISTRICT, VIRGINIA

MEMBER OF:
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE
COMMITTEE ON VETERANS' AFFAIRS

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
2348 RAYBURN OFFICE BUILDING

RICHMOND OFFICE:
11805 FEDERAL BUILDING
400 N. 8TH STREET 23240

March 25, 1974

Chief of Legislative Liaison
Department of the Army
Washington, D. C. 20310

Dear Sir:

The media has recently carried the story of the "Execution of Private Slovik". It was reported that his wife was not notified of his execution by the United States Army for nine years. Some of my constituents have asked why she was not notified.

Obviously this presentation was produced for the purpose of discrediting the Army and the U. S. Government and no doubt soften our citizens on the question of amnesty.

In order that I may properly respond to this question in my reply to these constituents, I would appreciate any information on this question which you feel you can provide me.

Sincerely yours,

DAVID E. SATTERFIELD, III

Congressman Herman T. Schneebeli
Room 1336
Longworth Office Bldg
Washington, D.C. 20515

Dear Congressman Schneebeli:

My wife and I were really moved and shocked after viewing "The Execution of Private Eddie Slovik" on television. We believe that a great injustice was perpetrated by the high brass during World War II.

We believe something should be done to rectify this unbelievable event in the American History. This soldier was not a deserter or a draft dodger, not even a traitor but a 4F serving with the Allied Forces.

If Private Eddie Slovik was shot to his death for his desertion, how in heaven or hell can you in Congress and et al even consider amnesty.

"NO AMNESTY! "

The first priority should be: Forget Amnesty and restore Private Eddie Sloviks' name to honorability so that his alienated wife may regain respect for our country and at the same time receive the same benefits as other war widows.

As a former navy man, my service number 802-85-43 I strongly urge you respectfully to see whether something can be done about this inhuman event.

"May Private Eddie SLOVIK Rest In Peace With Honor"

Sincerely yours,

John E Cwiklik
RD 2
Montoursville, Pa
17754

March 13, 1974

Congressman Dave Treen,

I have just watched the T.V. Documentary about Pvt. Eddie Slovik. I think this is an American tragedy. I also read that Pvt Slovik's widow was not told how he died for eight years and has never received her GI Insurance. Please check into this matter and see if this injustice can be corrected. He can not be brought back but his widow could be treated fairly.

Dear Congressman Dorn,

I have just watched the movie "The Execution of Private Slovik." I've never been so heartsick and disgusted at this display of so-called military justice. It would seem that the military was also ashamed of this act since it took thirty years to come to light. How ironic that Private Slovik was executed for refusing to fight and now William Calley is being condemned because he did fight.

It seems to me that after all these years, the country, the military, and our lawmakers should try to ease their conscience by granting Mrs. Slovik her husband's insurance from the military. I know it wouldn't bring her husband back or erase the sin committed against them, but it would ease her burden financially. Why can't this be done? We should be turning our attention back to the people and their needs and justice for them. Afterall the government was created for the people - the people weren't created to be abused by the government. I have the greatest respect for you personally and I'm sorry if this letter sounds bitter. It's just that I seem to lose faith when some of our lawmakers don't know what really on the people's minds - things like food prices, the cost of building a home and letting other able-bodied people carry their load instead of giving them a hand out.

Thank you for hearing my complaints. You may not agree with them, but it does me good to get them in the open.

Sincerely,

A. R. Barnett

CONG. LEE H. HAMILTON DISTRICT OFFICES
DAVID M. McFALL, ADM. ASST.

U. S. POST OFFICE
COLUMBUS, IND. 47201
(5TH STREET ENTRANCE)
TEL: 812. 372-2571

1201 E. 10TH STREET
FEDERAL DEPOT - RM. 122
JEFFERSONVILLE, IND. 47130
TEL: 812. 283-1261

LHH

DATE

RE: Mr. Roger D. Miller
R. R. #2
Columbus, Ind. 47201 #379-2742

3-13-74

Mr. Miller saw the movie on NBC-TV about Pvt. Eddie Slovik. Mr. Miller felt the Gov. was wrong in not giving the widow the $10,000 insurance money. He also felt this man was not guilty of being a deserter. He wanted to know if anything could be done about this. I cut the article from the newspaper so you could understand what I'm talking about.

Phyllis

SIGNED

INSTRUCTIONS TO SENDER:
1. YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

INSTRUCTIONS TO RECEIVER:
1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER

THE REPUBLIC, COLUMBUS, INDIANA, WEDNESDAY, MARCH 13, 1974

Private Slovik's Widow

She'll Be Watching TV Tonight

DETROIT (UPI) — A lonely, gray-haired woman who has been living under an assumed name for a decade will turn on her television tonight to watch a documentary by NBC about the only soldier since the Civil War to be executed for desertion. That man was her husband.

ANTOINETTE SLOVIK

PVT. EDDIE SLOVIK

The woman is near 60 now and she is Antoinette Slovik, who was married in November, 1942, to Pvt. Eddie Slovik of suburban Dearborn.

The 24-year-old Slovik was executed after Gen. Dwight D. Eisenhower signed a death order for Slovik two days before Christmas in 1944.

Of the 10 million Americans inducted during World War II, an estimated 40,000 deserted. Death sentences for 49 were approved, but Slovik was the only man to die. He was executed by a 12-man firing squad on Jan. 31, 1945, in deep snow near St. Marie Aux Mines, France.

Mrs. Slovik said her husband wasn't a coward but hated killing, according to a copyrighted story in the Detroit News.

"He was asked to go deer hunting with some of his friends at the (Briggs) plant the same month we were married," she recalled. "But he told me he couldn't shoot anything, not even a rabbit."

"They took a sick man," she said. "They were really scraping the bottom of the barrel for replacements. He had bad legs and really wasn't fit for combat. He offered to serve in any capacity but combat, but they wouldn't listen," Mrs. Slovik said in the article.

She said in his 372 days in the Army, her husband wrote 376 letters. One said: "Mommy, I am lost without you. . . I think I'm going to have a lot of trouble. Army life don't agree with me."

John Tankey, now 59, was Slovik's best Army buddy. He was with him when he deserted.

In August, 1944, Tankey said he and Slovik and another man, named Thompson, became lost from their unit and spent 45 days with a Canadian Provost until they finally caught up with their outfit at Elsenborn, Belgium.

"I reported to a captain first, and was in there about five minutes," Tankey said. "Then Eddie came in. He was in there a long time," Tankey

better stop your buddy. He's going to get in a lot of trouble."

Less than three months later Slovik was executed.

Mrs. Slovik told the Detroit News her life has been tragic since her husband's death. She also said she applied for, but never received, the $10,000 benefit that went to widows of GI's killed in combat because "of the circumstances."

"I think I'm entitled to something for the suffering I've been through," she said. "They let all the others except Eddie go free.

"The injustice of it all is even more apparent today. They let all the Vietnam deserters go unpunished."

She now lives alone in a southwest city flat and her only means of support is a $160 check monthly from Social Security.

The only article symbolic of her husband is a wedding band. "I don't even have any snapshots."

As for the documentary on television, Mrs. Slovik says, "I wasn't even aware of it. I guess the producers apparently didn't try very hard to find me."

When asked if she'll watch the program, she said: "Yes,

3441st Student Squadron
Lowry AFB, Colorado 80230

EXERCEMUS PRO PACE

13 March 74

Dear Sir,

I have just finished watching the execution of Pvt. Slovik. I was and am appalled. Up until this date I have been proud to be a member of the United States Air Force. As of now I am not! I doubt very much that I will ever regain my pride. Some, but not all.

If Mrs Slovik is still alive I believe she should be given the same benefits that widows of men killed in action are given. That is the very least that we can do. That is the very least that must be done. If we can't even do that, may God have mercy on our souls.

Please tell me, if you possibly can, why did this happen.

Respectively yours,

AIC George M. Henninger
3441st Student Squadron
Lowry Air Force Base
Colorado 80230
PCS B 3635

Pvt. Slovik's widow protests of injustice

MAR 14 '74

DETROIT — (UPI) — For Antoinette Slovik, the widow of the only American soldier to be executed for desertion since the Civil War, the tragedy did not end on Jan. 31, 1945, when Pvt. Slovik stood before a 12-man firing squad in France.

She now lives alone in a two-family flat on Detroit's Southwest Side under an assumed name. She wants to forget the past, and she fears the latest interest in her husband's death is an invasion of her privacy.

Of the 10 million Americans inducted into World War II, Slovik was the only man of 40,000 desserters to die. His death order was signed by Gen. Dwight D. Eisenhower two days before Christmas, 1944.

Mrs. Slovik, near 60, told a Detroit News reporter who found her that she thinks she should have got the $10,000 which widows of World War II GI's got.

Mrs. Slovik did not learn the circumstances of her husband's death until nine years later when author William Bradford Huie's book about the execution of Slovik was published in 1954. Her husband lies in France beneath a headstone that does not even bear his name.

"I think I'm entitled to something for the suffering I've been through," Mrs. Slovik said. "The injustice of death is even more apparent now. They let all the Vietnam deserters go unpunished."

3/14/74

Dear Bill:

We watched this Movie on Wednesday, 3/13/74 and were quite shook to say the least.

We are all for this widow receiving the $10,000.00 and hope that if you can do anything, you will in your power to see to it. Also, would it be too much to ask that the United States Government place a marker on his headstone in France, if it were just plain granite with his serial number.

This passed me by in 1945, I suppose it did a lot of people and while I spent asleep-less night, I am glad that it came to light and let the rest of the world know.

This is really a disgrace when 46,000 other deserters went on as before, this poor devil paid the supreme sacrifice as far as I am concerned.

You see now what and why I feel like I do about amnesty. This chap tried to tell them that it couldn't take it up front, yet thousands of colored were placed in jobs far from the front lines.

That Doctor that examined him should feel real proud of himself, hope he can sleep O.K.

With kindest personal regards, and hello to Shirley, we are

Sincerely yours

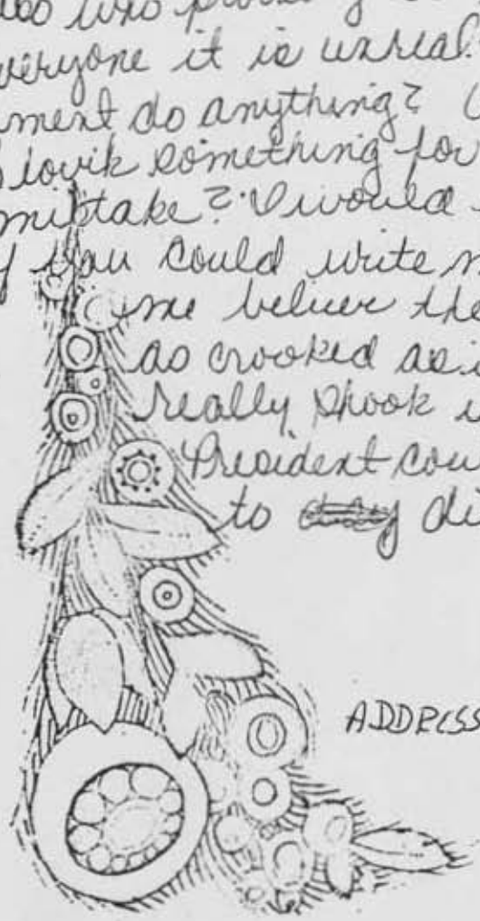
8X5-7104 March 14, 1974

Dear Mr. Reilly,

I've never written a letter to my congressman before, so this is quit exciting for me. This isn't an easy thing to do, for its quit frustrating and very immoral! Last night I watched "The Execution of Private Slovik." In my opinion and probably thousands of other Private Slovik got a very raw deal. I keep asking myself how can they possibly ever sentence a man to death for desertion when thousands of others have done the same and only got jail sentence. Is the American armed forces that cruel that they have to shoot their own men. Sure, that probably seemed right then, but what about now. What about Draft Dodgers? Shouldn't they be shot also? I really believe that Private Slovik sentence should be over-turned? One reason is so the American people won't think that the American

Government is so heartless. You and your Superiors probably think this is just really outragious. That I feel sorry for him. Which is true. I feel sorry for his wife also who probably is so bitter towards everyone it is unreal! But can't the Government do anything? At least pay his mistake? I would appreciate very much if you could write me back and help me believe the Government isn't as crooked as it seems. For I am really shook up that an American President could sentence a man to ~~day~~ die!

Sincerely Yours,
Mrs. Monica Stokes



ADDRESS: MONICA STOKES
1501 BROOK PARK
Toledo, Ohio 43612

March 15, 1974

6601 Wickford Sq #3
Sylvania, Ohio 43560

Dear Sir:

After watching the movie on the Execution of Eddie Slovik I was very angry and confused. America is supposed to be such a great honest country - well, lately we've all been learning very different. If we're going to shoot our own men we may as well be communist like Russia. I'm beginning to think our country is full of propoganda itself. Why did they murder one man - who really wasn't a coward and let all the others live ??

It hardly sums American like to me. Then why was it hidden for so long? Why don't they shoot all the deserters in Canada if they enjoy it so much. What else is hidden from our people? I know of many people who share my opinion. I feel Mrs. Slovik should get alot from the government because they owe her one hell of alot. They can't replace Eddies life and their injustice and lies. And I feel his body should be brought back and buried here and his sentence revoked. In my opinion he belongs in Arlington National Cemetary. There are probably alot of

crooked cowards buried there.
At least Slovik had the guts
to die like a hero and admit
his fear. He never said he
didn't like his country just
asked to be taken off the front
line. Is that grounds to murder
him? Myself and many others
feel the same and we intend
to try and do something about
it. We'd like to see justice
for once. All we see now is
lies + scandle in our government.
If you can't do anything please
at least take it up with your
superiors or write me and
tell me or try to make me

understand why this injustice is allowed. Thank you.

Sincerely,
Mrs. Heather Fischer
Sylvania, Ohio

DATE	NAME	FILE NUMBER	WH SUSPENSE	CLASSIFICATION	
25 Mar 74	SCHNEIDER, BILL (Mr)		3986	UUUU	9047

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUMMARY

Execution of Pvt Slovik.

SUSPENSE

OCSA COB 28 Mar 74

OSA

OSD

ROUTING — A-Action — I-Information

	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Final - 28 Mar 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

AGENCY ROUTING

1.	2.	3.	4.	5.
[X] USAES A Clerk of Ct 25 MAR	[ ]	[ ]	[ ]	[ ]

BY DIRECTION OF THE CHIEF OF STAFF

WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE I

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

✓ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER	
MAR 28 1974	25 MAR 1974	WH 3986	

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE

WHITE HOUSE

JAAJ-CC
Mr. Bill Schneider

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 3986, 25 Mar 74 (2)

CPT Anthony/pwc/756-1193/27Mar74

28 MAR 1974

JAAJ-CC

Mr. Bill Schneider
9181 Trask #15
Garden Grove, California 92644

Dear Mr. Schneider:

On behalf of President Nixon, I am replying to your letter of 14 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

Mil Asst
to Pres

9181 Trask #15
Garden Grove, Calif.
92644
March 14, 1974

TO DOD - FOR APPROPRIATE HANDLING
DATE MAR 22 1974

The Honorable Richard Nixon
The White House
Washington, D. C.

Dear Mr. President:

Last night I saw on television a excellent movie. It was called "The Execution Of Private Slovik". I hope that you were fortunate enough to see this but in case you didn't it concerned the only man executed in the United States Army for desertion since the Civil War.

This movie I not only enjoyed but it shocked me, that this was a terrible thing to happen to a man only thirty years ago. It was barbaric, especially since they knew at that time quite a bit about mental disorder and illness.

What I'd like to ask you is what you would do in this situation? Would you of stopped the execution of Private Slovik, since it would be in your power to do so? I thought this was a unjust and cruel thing to do, since everyone makes mistakes. But Private Slovik wasn't like everyone else, he wasn't forgiven for his mistakes. I think that all men should be forgiven for their wrongs from a private to even someone like the president.

To finish, I hope that if a situation like this ever arises again you would take action to stop it. Because remember anyone can be on trial!

Bill Schneider
Bill Schneider

WH 3986

The President of the United States of America
The White House
Washington, D. C.

974 1974 1974 1974 1974 1
OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
26 Mar 74	CIOFFI, MIKE		4015	UUUU	9010

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUMMARY

Execution of Pvt Slovik.

SUSPENSE

OCSA COB 29 Mar 74

OSA

OSD

ROUTING

	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	AA	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

A-Action I-Information

REMARKS

Final - 28 Mar 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
USAASA Clerk/Ct 26 MAR	27 Mar 74	SAJA-2D 28 Mar 74		

BY DIRECTION OF THE CHIEF OF STAFF

WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
✓	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER	
MAR 29 1974	20 MAR 1974	WH 4015	

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Mr. Mike Cioffi

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4015, 26Mar74 (2)

CPT Anthony/pwc/756-1193/28Mar74

28 MAR 1974

JAAJ-CC

Mr. Mike Cioffi
850 Bluestone Lane
Somerville, New Jersey 08876

Dear Mr. Cioffi:

On behalf of President Nixon, I am replying to your letter postmarked 19 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

Military desertion to the P.

TO DOD - FOR DIRECT REPLY
DATE MAR 25 1974

Dear Mr President,

I was watching t.v. wednesday March 13, 1974. A movie was on called "The Execution of Private Slovik". It was a true story about a man that could not fire his rifle at another man during world war II, he went to a comanding officer and told him he could not shoot his gun at anyone and that he would like to do something else that he would like to helps the U.S in someother way.

He was turned down so he deserted. He was found and tried, his sentence was death. Can you please tell me why his sentence was death and why no one else in this century was killed for deserting except Slovik?

4015

Please send my information to Mike Cioffi, 850 Bluestone lane Somerville, New Jersey 08876
My age is 14

Yours Truly
Mike Cioffi
3/18/74

The Resurrection Of Private Slovik

Fred Hermansky

Martin Sheen, as Pvt. Eddie Slovik, the only American soldier to be executed for desertion in World War II, is readied for the firing squad on "The Execution of Private Slovik,' Wednesday night at 8:30 on NBC. Ned Beatty, left, acts the chaplain who administers the last rites. *Why did it take 20 years to bring his story to the screen?*

By ELLEN COHN

ON Jan. 31, 1945, at 10:05 A.M., in the walled garden of a house in St. Marie aux Mines, France, Private Eddie D. Slovik became the only American soldier executed for the crime of desertion in this century, the first such execution since the Civil War. After his body was anointed with oil by the attending Catholic chaplain, it was placed inside a mattress cover, bound for an unmarked grave. And a shroud of secrecy was drawn around the event.

In 1946, novelist and journalist William Bradford Huie, while researching an article on desertion during World War II, heard about Slovik. For seven years, he made periodic inquiries to the Pentagon trying to get the case declassified. To Huie, Slovik was the "fascinating statistic" that needed to be understood. Huie wanted to know: Why *this* man? Why, when execution is carried out as a deterrent, was this execution performed in secrecy? And why, just three-and-a-half months before the end of the war in Europe, was such an execution performed at all?

In July, 1953, owing to a personnel change in the Judge Advocate General's office, the red tape was suddenly cut. The following year, Huie's book, "The Execution of Private Slovik" — every page checked by the Army for accuracy — appeared. It was well-received at home, was published in 11 foreign languages and, the author reports, "not one week has gone by that I haven't received at least one letter from somewhere in the world about it."

Its presentation on NBC this Wednesday at 8:30 P.M. as a special two-and-a-half hour movie culminates 20 years of efforts to bring Eddie Slovik's story to the screen. Even viewed in brief, "Slovik's" adventures in Hollywood are as much a recap of a part of this nation's political (Continued on Page 15)

Ellen Cohn is a freelance writer.

Mike Cioffi
850 Bluestone Lane
Somerville, NJ
08876

SOMERVILLE, N.J.
PM
MAR 13
1974
08876

Richard M. Nixon
White House
Washington D.C.
Maryland

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICATION	
25 Mar 74	MOORE, STEVE		3993	UUUU	9004

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA 1200 hrs, 28 Mar 74

OSA

OSD

SUMMARY

Execution of Slovik.

ROUTING		A-Action		I-Information					
	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
	COA		COAC		CNGR		CAR		
	CRD		TIG		CINFO		CCH		

ACTION

[ ] DIRECT REPLY WITH ___ COPY(IES) TO ___

[X] CITE WHITE HOUSE CONTROL NUMBER

XX PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF Pres Nixon.

[ ] PROVIDE ASSISTANCE AS REQUIRED ___

[ ] COORDINATE WITH ___

[ ] ___

[ ] APPROPRIATE ACTION

REMARKS Prepare a DRAFT REPLY. Signature of an authorized official will be shown on the attached preprinted transmittal memorandum to Thomas K. Latimer as approving the action. Handcarry completed action to WHLO, RM3D675, ASAP, but NLT suspense date above.

Final - 28 Mar 74

BY DIRECTION OF THE CHIEF OF STAFF

WALTER W. PLUMMER
Colonel, CS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1. [X] USA, SA cont'd/CA 26 MAR
2. [ ] OJ 26 Mar 74
3. [ ] OJ DAJA-ZD 27 Mar 74
4. [ ]
5. [ ]

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT		✓		ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

WHITE HOUSE

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION	✓	See remarks

REMARKS

Prepare a DRAFT REPLY FOR THE PRESIDENT'S SIGNATURE (double spaced on plain bond paper) in three copies (original, courtesy, and OSD file copy). Signature of an authorized official approving the draft reply will be shown on the attached preprinted memo to The Special Assistant to the Secretary and Deputy Secretary of Defense. If required, comments providing background or additional information should be reflected on the preprinted memo. Completed actions should be handcarried to Room 3B923 as soon as possible but not later than close of business of suspense date. Original correspondence is being held by the Correspondence Control Branch, ODASD (A), OASD (C), Phone # 56151.

THIS IS AN -

✓ ☐ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER	
MAR 28 1974	25 MAR 1974	WH 3993	

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

Mr. Steve Moore

points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely,

RICHARD M. NIXON

CF:
DACS-XSW, WH 3993, 25 Mar 74

CPT Anthony/pwc/756-1193/27Mar74

Mr. Steve Moore
2600 Petworth Court
Cincinnati, Ohio 45236

Dear Mr. Moore:

This is in reply to your letter regarding the court-martial and execution of Private Eddie D. Slovik.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following

Dear Mr. Nixon

I have just seen the execution of private Slovik. And I think it was plain murder on the part of the United States Militiary. I don't know how everybody else feels but thates the way I feel. I just don't know how those men could have sentenced private Slovik to death by a firing squad. thats been out dated for allmost 100 years. This is just a small note, but if you you'll would Please write me and tell me your feelings. I might understand it much better

Draft for Pres. Signature

DRAFT REPLY FOR PRESIDENT'S SIGNATURE

DATE MAR 25 1974

P.S. Please write back

Your Friend

Steve Moore
2600 Setzwick ex.
Cincinnati, Ohio, 45236

WH 3993

DATE	NAME	FILE NUMBER	WH/SUSPENS	CLASSIFICATION	
26 Mar 74	MARIANO FRANK JR		4011	UUUU	9014

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUMMARY

Execution of Pvt Slovik.

SUSPENSE

OCSA COB 29 Mar 74

OSA

OSD

ROUTING — A-Action — I-Information

	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG		TAG		MILPERCEN
	DCSLOG		ACSC-E	AA	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

REMARKS

Final - 28 Mar 74

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS-XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
VSA-SA clerk of DA 26 MAR	27 Mar 74	DAJA-AD 28 Mar 74		

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER	
MAR 29 1974	26 MAR 1974	WH 4011	

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

JAAJ-CC
Mr. Frank Mariano, Jr.

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 4011, 26Mar74 (2)

CPT Anthony/pwc/756-1193/28Mar74

APPROVAL				
DIV CH	EXEC O	ER C		

JAAJ-CC

28 MAR 1974

Mr. Frank Mariano, Jr.
6 Stimpson Street
Johnston, Rhode Island 02919

Dear Mr. Mariano:

On behalf of President Nixon, I am replying to your letter of 15 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged

TO DOD - FOR APPROPRIATE HANDLING
DATE MAR 25 1974

6 Stimpson St
Johnston R.I. 2919
March 15, 1974

Dear Sir,

Concerning the movie "The Execution of Private Slovik" on March 13, 1974. In my opinion I think of the movie it was absolutely disgusting. Out of all the Americans sentenced to death for desertion during World War II why was only Mr. Eddie Slovik executed. I understand that this happend during World War II, but even today there are some men who have dodged the draft board. These men have not been fined, put in jail, or even harshly executed as Private Slovik was. For example Mohammed Ali who was drafted during the Viet-Nam war, but not at any time enter the army. Still, today he is in this country making money. While others are not aloud in this country for dodging the draft board. Why hasn't Mohammed Ali been fined, put in jail or exiled from this country. Is it because he has money? Private Slovik an innocent man was executed but Mohammed Ali wasn't why

(over)

WA 4011

I am a concerned student who whatched the movie "The Excaution of Private Slovik" and I'm expressing my opinion.

Respectfully Yours,
Mr. Frank Mariano Jr.

Frank Mariano
6 Stimpson Street
Johnston Rhode Island 02919

U.S. POSTAL SERVICE R.I.
PM
18 MAR
1974

The President
The White House
Washington D.C.

1974 1974 1974 1974

JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5

DATE	NAME	FILE NUMBER	WH/SUSPENSE	CLASSIFICATION	
25 Mar 74	WELLS, KIM		3994	UUUU	9005

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUMMARY

Execution of Pvt Slovik.

SUSPENSE

OCSA 1200 hrs, 28 Mar 74

OSA

OSD

ROUTING		A-Action		I-Information			
DCSOPS		ACSFOR		COE		CMH		CLL
DCSPER		ACSI		TSG		TAG		MILPERCEN
DCSLOG		ACSC-E	A	TJAG		TPMG		CUSAA
COA		CORC		CNGR		CAR		
CRD		TIG		CINFO		CCH		

REMARKS Prepare a DRAFT REPLY for signature of Pres. Signature of an authorized official will be shown on the attached preprinted transmittal memorandum to Thomas K. Latimer as approving the DRAFT. Handcarry completed action to WHLO, RM 3D675, ASAP, but NLT suspense date indicated above. First 28 Mar 74

ACTION

[ ] DIRECT REPLY WITH ___ COPY(IES) TO ___

[X] CITE WHITE HOUSE CONTROL NUMBER

[X] PREPARE (DRAFT) ~~INTERIM~~ REPLY FOR SIGNATURE OF Pres Nixon

[ ] PROVIDE ASSISTANCE AS REQUIRED ___

[ ] COORDINATE WITH ___

[ ] ___

[ ] APPROPRIATE ACTION

BY DIRECTION OF THE CHIEF OF STAFF

WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

AGENCY ROUTING

1. [X]	2. [ ]	3. [ ]	4. [ ]	5. [ ]
USAZSA Clerk of CA 26 MAR	On 26 Mar 74	On DAJA-ZD 27 Mar 74		

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT		✓		ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
	ASD *(Comptroller)*				DEFENSE MAPPING AGENCY		
	DASD *(Administration)*				DEFENSE NUCLEAR AGENCY		
	ASD *(Health and Environment)*				DEFENSE SECURITY ASSISTANCE AGENCY		
	ASD *(Installations and Logistics)*				DEFENSE SUPPLY AGENCY		
	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND/OR RECOMMENDATION
	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION	✓	See remarks

REMARKS

Prepare a DRAFT REPLY FOR THE PRESIDENT'S SIGNATURE (double spaced on plain bond paper) in three copies (original, courtesy, and OSD file copy). Signature of an authorized official approving the draft reply will be shown on the attached preprinted memo to The Special Assistant to the Secretary and Deputy Secretary of Defense. If required, comments providing background or additional information should be reflected on the preprinted memo. Completed actions should be handcarried to Room 3B923 as soon as possible but not later than close of business of suspense date. Original correspondence is being held by the Correspondence Control Branch, ODASD (A), OASD (C), Phone # 56151.

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
MAR 28 1974	25 MAR 1974	WH 3994

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

ROUTING AND TRANSMITTAL SLIP		ACTION
1 TO (Name, office symbol or location)	INITIALS	CIRCULATE
USAZSA	DATE	COORDINATION
2	INITIALS	FILE
Clerk of Ct	DATE	INFORMATION
3	INITIALS	NOTE AND RETURN
	DATE	PER CONVERSATION
4	INITIALS	SEE ME
	DATE	SIGNATURE

REMARKS

Re: White House cases on Wells + Moore

The suspense date or rather time has been slipped to 1400 hours 28 March

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions.

FROM (Name, office symbol or location)	DATE
JB JAMES A. BADAMI Major, JAGC Assistant Executive	26 MAR
	PHONE

OPTIONAL FORM 41
AUGUST 1967
GSA FPMR (41CFR) 101-11.206

5041-101-01

* GPO : 1973 OF—499-618

Miss Kim Wells

points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely,

RICHARD M. NIXON

CF:
DACS-XSW, WH 3994, 25Mar74

CPT Anthony/pwc/756-1193/27Mar74

Miss Kim Wells
114 Tracy Drive
Grants Pass, Oregon 97526

Dear Miss Wells:

This is in reply to your letter regarding the court-martial and execution of Private Eddie D. Slovik.

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the enemy onslaught which has come to be known as the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following

Dear Mr Nixon,

My name is Kim Wells I'm 14 and live in Grants Pass Oregon.

I'll you the truth I really dont know who I should be writing this to, but I hope you will read this and understand what I'm trying to say.

On March 13, 1974 I watched the execution of Eddie Slovik and when I watched this it really hurt me inside. I know its kind of late to say much about this true story but I'm going to tell you how I feel.

I think the Army was pretty unfair to Eddie Slovik! This young man had fears just like everybody else in this world and one of these fear was killing, which anybody could understand. But to kill him for these fears was unfair and to also kill him to prove to other people what they could do to deserters. This is pretty Stupid! I dont know

what my words can do, but I just think they should never had done it. And to top it all off they didint tell his wife till eight years after it happened and boy is that getting low down.

When I saw this movie I hurt me pretty bad to see what kind of people we have in this world and it really scares me. Im a fourteen year old girl who doesnt really know to much about our world but I know enough.

These were a few of my thoughts and I have a lot more but I dont see what good its going to do to bring them out. But thank you for taking your time to read this.

Sincerely
Kim Wells
9 grader of
Lincoln Savage Jr H
Grants Pass Oregon
1141 Dary Dr
G.P. Oregon

DATE	NAME	FILE NUMBER	WH/SUSPENSE	CLASSIFICATION	
25 Mar 74	KREISER, W. R. (Mr & Mrs)		3737	UUUU	9006

WHITE HOUSE CASE [X] OCSA CASE [ ] SMA CASE [ ]

SUSPENSE

OCSA COB 28 Mar 74

OSA

OSD

SUMMARY

Execution of Pvt Slovik.

ROUTING A-Action I-Information

	DCSOPS		ACSFOR		COE		CMH		CLL
	DCSPER		ACSI		TSG	I	TAG		MILPERCEN
	DCSLOG		ACSC-E	AA	TJAG		TPMG		CUSAA
	COA		CORC		CNGB		CAR		
	CRD		TIG		CINFO		CCH		

ACTION

[X] DIRECT REPLY WITH 2 COPY(IES) TO DACS--XSW

[X] CITE WHITE HOUSE CONTROL NUMBER

[ ] PREPARE (DRAFT) (FINAL) REPLY FOR SIGNATURE OF

[ ] PROVIDE ASSISTANCE AS REQUIRED

[ ] COORDINATE WITH

[ ]

[ ] APPROPRIATE ACTION

REMARKS

Final - 28 Mar 74

AGENCY ROUTING

1. [X] USAIS A clerk of 25 MAR

2. [ ] DASA-DA 27 Mar 74

3. [ ]

4. [ ]

5. [ ]

BY DIRECTION OF THE CHIEF OF STAFF:
WALTER W. PLUMMER
Colonel, GS
Deputy Secretary of the General Staff
(Staff Services)
X77425/70740

DAS FORM 77 (Test) 1 Jun 73 REFERRAL SLIP REMAIN WITH CORRESPONDENCE 1

SECRETARY OF DEFENSE ROUTING SLIP

TO		ADV ACT COPY TO	INFO COPY TO	TO		ADV ACT COPY TO	INFO COPY TO
	SECRETARY OF DEFENSE				ASD *(Telecommunications)*		
	DEPUTY SECRETARY OF DEFENSE				GENERAL COUNSEL		
	THE SPECIAL ASSISTANT				ASST TO SEC DEF & DEP SEC DEF		
✓	SECRETARY OF THE ARMY				ATSD *(Atomic Energy)*		
	SECRETARY OF THE NAVY				ATSD *(Legislative Affairs)*		
	SECRETARY OF THE AIR FORCE				DEFENSE COMMUNICATIONS AGENCY		
	CHAIRMAN, JOINT CHIEFS OF STAFF				DEFENSE CONTRACT AUDIT AGENCY		
	DIR OF DEF RESEARCH & ENGINEERING				DEFENSE INTELLIGENCE AGENCY		
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	ASD *(Intelligence)*				NATIONAL SECURITY AGENCY		
	ASD *(International Security Affairs)*						
	ASD *(Manpower and Reserve Affairs)*						
	ASD *(Public Affairs)*						
	ASD *(Systems Analysis)*						

ACTION REQUIRED

	PREP OF REPLY FOR SEC OF DEF SIGNATURE		INFORMATION AND RETENTION
	PREP OF REPLY FOR DEP SEC OF DEF SIGNATURE		COMMENTS AND OR RECOMMENDATION
✓	REPLY DIRECT *(Fwd cy of reply for Sec of Def records)*		COORDINATE REPLY WITH
	APPROPRIATE ACTION		

REMARKS

Opening paragraph of the reply should state "On behalf of President Nixon, I am replying to your letter of (date) regarding....."

THIS IS AN -

☑ ACTION COPY ☐ ADVANCE ACTION COPY ☐ INFORMATION COPY

ACTION DUE NOT LATER THAN	ROUTING DATE	OSD CONTROL NUMBER
MAR 25 1974	20 MAR 1974	WH 3737

SD FORM 1 FEB 72 14

PREVIOUS EDITIONS ARE OBSOLETE.

WHITE HOUSE

was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

SIGNED

LAWRENCE H. WILLIAMS
Brigadier General, USA
Assistant Judge Advocate General
for Military Law

CF:
DACS-XSW, WH 3737, 25 Mar 74 (2)

CPT Anthony/pwc/756-1193/27Mar74

JAAJ-CC

28 MAR 1974

Mr. and Mrs. W. R. Kreiser
419 East Pine Street
Lebanon, Pennsylvania 17042

Dear Mr. and Mrs. Kreiser:

On behalf of President Nixon, I am replying to your letter of 13 March 1974 regarding the court-martial and execution of Private Eddie D. Slovik. As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of Defense.

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OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

22 March 1974

MEMORANDUM FOR Colonel Walter W. Plummer
Deputy Secretary of the General Staff
Office of the Chief of Staff, USA
Room 3E-669

The attached inquiry has been reviewed and, based upon the general tone of the letter, you should simply reply with the standard response which I understand is being prepared to cover "The Execution of PVT Slovik" inquiries. There is no need to address the suggestion regarding life insurance.

Kenneth R. Bailey
LTC, USA
Military Assistant

Attachment

DC
Military Cont.
to the President

Hon. RICHARD M. NIXON, PRES. MAR. 13, 1974
1600 PENNSYLVANIA AVE.
WASHINGTON, D. C. 20006

DEAR PRESIDENT NIXON,

After reading the book + seeing the movie, "THE EXECUTION of PRIVATE SLOVIK," I can't fully express my shock, horror + disgust! To think of such revulsion perpetrated under the guise of deterrence upon a fellow American + human being, makes one hang his head in shame. This is indeed a blot upon civilized Americans for all time.

Honestly, President Nixon, this makes one hate the military and all it stands for! I spent 6 yrs. in the Armed Forces but never again! My children will never serve as "CANNON FODDER" for some self-serving militarist. How Gen. Eisenhower could allow such an atrocity shows the moral fiber he was made from. To think he was President!!

WH 3737

2/

How about the possibility of you helping get the Government to pay Private Slonik's Life Insurance Policy to his widow? I'm sure out of $80 Billion DOLLARS the Dept. of Defense could find $10,000.00 If we can talk of amnesty for Draft Dodgers then this is the very least America can do for this poor soul!

Sincerely

Mr./Mrs. W. R. Kreiser
Mr + Mrs. David R. Kreiser
Mrs. Arnold R. Kreiser
419 E. Pine Street
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W. R. Kreiser
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The White House
c/o Pres. Richard M. Nixon
1600 Pennsylvania Ave
Washington, D. C.
20006

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