

comparable statutory provision is contained in 38 U.S.C. 711. Wholly apart from any legal barrier to the payment of accrued pay and allowances to Private Slovik's widow, there were no funds due him at the time of his death from which payments of that nature could have been made. On the date of his death he was indebted to the Government in the amount of \$45.53 as the result of the overpayment of allotments from his pay and allowances. His widow was not eligible for the death gratuity payable under the provisions of 10 U.S.C. 903 (1940 ed. Supp. IV). That statute authorized the payment to a widow of a gratuity in an amount equal to six months pay of the member concerned at the time of his death. The gratuity was payable in cases of deaths "from wounds or disease" not as a result of the members "own misconduct." If Private Slovik had died from "wounds or disease" not as a result of his "own misconduct" his widow would have been entitled to a gratuity of \$330. The current statutory provision relating to death gratuities provide that payments may not be made if the decedent was put to death as lawful punishment for a crime or a military offense (10 U.S.C. 1480).

Other benefits to which Private Slovik's widow may have been eligible, if he had died from "wounds or disease" not as a result of his "own misconduct," are payable under programs administered by the Veterans' Administration and the Social Security Administration. Requests for information concerning the scope and cost of benefits payable on an individual basis should be directed to the agency charged with administration of each respective benefit.

Under rules of long-standing, the Army does not comment on proposed legislation except in response to a request to do so from the Chairman of the Congressional Committee having the bill under consideration, and then only after appropriate coordination both within and without the Department of Defense has been accomplished. Accordingly, I regret that I am unable to express any opinion with respect to legislation which would provide benefits for the widow of Private Slovik. Please be assured, however, that if you introduce a bill in her behalf, and the Army is asked to comment thereon, it will be given full and fair consideration.

I trust the foregoing information will prove of assistance to you.

Sincerely,

(Signed) Donald G. Brotzman

Donald G. Brotzman
Assistant Secretary of the Army
(Manpower and Reserve Affairs)

1 Incl
as

Honorable John D. Dingell
House of Representatives
Washington, D.C. 20515

DAAG-TCZ-C Slovik, Eddie
(15 Sep 75)

Mr. Edward P. Woods
523 Edgemont Avenue
Lansdale, PA 19446

Dear Mr. Woods:

On behalf of President Ford, I am replying to your mailgram of 15 September 1975 regarding Private Eddie Slovik.

You have previously been advised that 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.

The Clemency Program you refer to pertained only to personnel who received an undesirable, bad conduct, or dishonorable discharge for desertion, absent without leave, and certain other offenses during the period 4 August 1964 to 28 March 1973. Therefore, there is no authority by which the provisions of this program may be extended to Eddie Slovik.

Sincerely,

NOT USED

PAUL T. SMITH
Major General, USA
The Adjutant General

cc: DAGS DSW (2)
CCS DSD

ESW

JS

RETURN TO DAAG-TCZ-C WH case 27704 (26 Sep 75)

6
Mil. Dist

MGMWSHT HSB
2-030216E258 09/15/75
ICS IPMMTZZ CSP
2158558152 MGM TDMT LANSDALE PA 100 09-15 0339P EST
ZIP

western union Mailgram



THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

► PRESIDENT GERALD R FORD
WASHINGTON DC 20500

TO DOD - FOR APPROPRIATE HANDLING
DATE _____

SEP 22 1975

PLEASE REFER TO MY TELEGRAM OF SEPTEMBER 5TH 1974 REQUESTING CLEMENCY FOR PRIVATE EDDIE D SLOVIK, DETROIT, THE ONLY DESERTER EXECUTED SINCE THE CIVIL WAR. THIS HAS BEEN FOLLOWED IN THE PAST YEAR BY MANY COMMUNICATIONS OF WHICH YOUR OFFICE RECEIVED COPIES MY ASSOCIATE AND I MR ROBERT DEFINIS HAVE NOT HAD THE COURTESY OF A REPLY FROM YOU OR YOUR OFFICE. TODAY IS THE LAST DAY FOR CLEMENCY UNDER EXISTING LEGISLATION. WE AGAIN RESPECTFULLY REQUEST YOUR CONSIDERATION IN GRANTING EITHER LEGISLATIVE OR EXECUTIVE CLEMENCY, YOUR RECENT INCIDENT WHERE YOU WERE THANKFULLY SPARED SHOULD GIVE YOU GREATER INSIGHT INTO THE TERROR THAT FACED THIS SOLDIER WITH NO CHANCE TO ESCAPE CERTAIN DEATH. LETTER FOLLOWS

EDWARD P WOODS
ARMY DEFENSE COUNCIL FOR
PRIVATE EDDIE D SLOVAK

15:39 EST

MGMWSHT HSB

A

WH 27704

5241 (R2-74)

[7,19]

PRESIDENT GERALD R FORD
WASHINGTON DC 20500

TO DOD - FOR APPROPRIATE HANDLING

TO REPLY BY MAILGRAM, PHONE WESTERN UNION TOLL FREE ANY TIME, DAY OR NIGHT:

ALABAMA	800 325 5300	NEW YORK	
ARIZONA	800 648 4100	Areas 315, 518, 607 & 716	800 257 2221
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CALIFORNIA	800 648 4100	Except Manhattan	962 7111
COLORADO	800 325 5400	Bronx	962 7111
CONNECTICUT	800 257 2211	Queens	459 8100
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DISTRICT OF COLUMBIA	800 257 2211	NORTH CAROLINA	800 257 2231
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MISSOURI	800 342 5700	WASHINGTON	800 648 4500
MONTANA	800 325 5500	WEST VIRGINIA	800 257 2221
NEBRASKA	800 325 5100	WISCONSIN	800 325 5200
NEVADA	800 992 5700	WYOMING	800 648 4500
NEW HAMPSHIRE	800 257 2221		
NEW JERSEY	800 632 2271		
NEW MEXICO	800 325 5400		

OR DIAL WESTERN UNION'S INFOMASTER SYSTEM DIRECTLY:

FROM TELEX 6161

FROM TWX 910 420 1212

OFF SECY OF DEFENSE
23 SEP 75 09 06

RECEIVED



AFTER 5 DAYS RETURN TO

ROBERT J. SABADOS
22124 DONALD
EAST DETROIT, MI
48021



ZIP CODE



President Gerald R. Ford
The White House
1600 Pennsylvania Ave.
Washington, D.C.
#20013

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COUNCIL No. 54
DOM POLSKI - 3426 JUNCTION AVE.
DETROIT, MICHIGAN 48210



HONORABLE GERALD R. FORD
PRESIDENT UNITED STATES OF AMERICA
WASHINGTON, D. C.

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Ofc of Mil A. to the Pres - OK

THE WHITE HOUSE

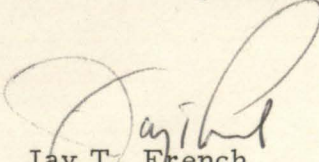
WASHINGTON

February 4, 1975

MEMORANDUM FOR

Colonel Kenneth R. Bailey
Office of the Secretary of Defense

In accordance with your recommendation that the DOD respond on behalf of the President to the attached correspondence, I am returning the enclosed material.


Jay T. French
Assistant Counsel

Enclosure

WH 4703

17,43

Office of the Secretary of Defense - OK

THE WHITE HOUSE

WASHINGTON

February 4, 1975

MEMORANDUM FOR

Colonel Kenneth R. Bailey
Office of the Secretary of Defense

In accordance with your recommendation that the DOD respond on behalf of the President to the attached correspondence, I am returning the enclosed material.

Jay T. French
Assistant Counsel

Enclosure

RECEIVED
6 FEB 75 16 47
OFF SECY OF DEFENSE

15
Military Dist

TO DOD - FOR APPROPRIATE HANDLING
DATE: APR 01 1975

Edward P. Woods
c/o Robert N. DeFinis
523 Edgemont Avenue
Lansdale PA 19446
March 31, 1975

Dear Mr. President:

I have sent you a telegram and a letter asking to have Pvt. Eddie D. Slovik considered for amnesty and clemency. (copies attached).

Your present clemency program which ends today March 31, applies only to the 130,000 Viet Nam war offenders; Although you have seen fit to pardon former President Richard M. Nixon, Jimmy the Greek (James G. Synodias) plus forty six others and offered clemency to Viet Nam deserters and draft dodgers. Apparently, the replys I've received from the Defense Department, Father Hesburg and Chairman Goodell, would indicate that you have not personally seen my request.

Only you, Mr. President, can forgive this soldier by a Presidential pardon, including permission to return his remains to the United States. Also in your clemency could you provide that his widow receive the proceeds of his National Service Life Insurance, which has been denied her.

Certainly his offense, one of omission, is no more serious by present day standards then the clemency you have offered and granted so many others.

Thank you for your kind consideration in this matter.

Respectfully,
Edward P Woods

Edward P. Woods, Captian Infantry
Defense Counsel for Pvt. Eddie Slovik
November 11, 1944, Rotgen, Germany

A

WH 12969

DAAG-TCZ-C Slovik, Eddie
(31 Mar 75)

10 APR 1975



Mr. Edward P. Woods
c/o Robert N. DeFinis
523 Edgemont Avenue
Lansdale, PA 19446

Dear Mr. Woods:

On behalf of President Ford, I am replying to your letter of 31 March 1975 with further reference to a Presidential pardon for Eddie Slovik.

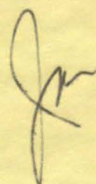
A Presidential pardon in the case of Eddie Slovik is not appropriate. The President is without authority to grant a posthumous pardon, as delivery and acceptance are prerequisite to the validity of a pardon.

Sincerely,

 Verne L. Bowers 

VERNE L. BOWERS
Major General, USA
The Adjutant General

MFR: Based on TJAG Comment on previous similar cases.



DAAG TCZ C WH 12969

MGMWSKT HSB
2-068198E128 05/08/75
ICS IPMMTZZ CSP
2158552690 MGM TDMT LANSDALE PA 100 05-08 1056P EST
ZIP

western union Mailgram



THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

*pd
07
mil post previous to
you 4-1-75*

PRESIDENT GERALD R. FORD DOD - FOR APPROPRIATE HANDLING
WASHINGTON DC 20500

DATE MAY 1 9 1975

PLEASE REFER TO OUR CORRESPONDENT RELATED TO THE CASE OF, THE UNITED STATES VERSUS PRIVATE EDDIE D SLOVIK, A TELEVISION VERSION WILL BE AIRED ON TUESDAY EVENING MAY 13 ON THE NBC NETWORK. IF THE LIMITATIONS OF YOUR SCHEDULE WILL PERMIT, THIS PRESENTATION MOST CERTAINLY WILL CONVINCE YOU OF THE FAIRNESS TO CONSIDER AMNESTY TO PRIVATE SLOVIK, DOES HE NOT HAVE A GREATER RIGHT TO BE RETURNED TO THE UNITED STATES THAN THOSE WHO FLED TO CANADA? OR WILL HE FOREVER REMAIN IN FOREIGN SOIL, AS COULD THE LAST TWO U.S. MARINES WHO DIED AND WERE FORGOTTEN IN VIETNAM

MAJOR EDWARD P WOODS
DEFENSE COUNSEL FOR PRIVATE EDDIE D SLOVIK

22:56 EST

MGMWSHT HSB

A

FAA NO SUSP

WH 18284

5241 (R2-74)

27463

PRESIDENT GERALD R. FORD DOD - FOR APPROPRIATE HANDLING
WASHINGTON DC 20500

DATE MAY 2 1975

TO REPLY BY MAILGRAM, PHONE WESTERN UNION TOLL FREE ANY TIME, DAY OR NIGHT:

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COLORADO	800 325 5400	Bronx	962 7111
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INDIANA	800 325 5200	PENNSYLVANIA	
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NEVADA	800 992 5700	WYOMING	800 648 4500
NEW HAMPSHIRE	800 257 2221		
NEW JERSEY	800 632 2271		
NEW MEXICO	800 325 5400		

OR DIAL WESTERN UNION'S INFOMASTER SYSTEM DIRECTLY:

FROM TELEX 6161

FROM TWX 910 420 1212

NO STPS
744

[Red handwritten mark]

18881 HW

James Ventimiglia
19262 COLEMAN
MT. CLEMENS, MICH.
48043



The WHITE HOUSE
% PRESIDENT FORD
1600 PENNSYLVANIA AVE.
WASHINGTON D.C. 20013

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1975

7
TO: PRESIDENT GERALD R. FORD
From: Jam. Ventimiglia
RE: BENEFITS FOR MRS. EDWARD SLOVAK.

TO DOD - FOR APPROPRIATE HANDLING

DATE MAY 12 1975

mil apt
DEAR Mr. Ford,

I am sure that you watched or heard of the movie that was aired on ABC about 2 years ago called "The Execution of PRIVATE SLOVAK." It was about a man charged with desertion in World War 2. Now to the best of my knowledge, this man was not guilty of such a crime.

The execution was ordered by Gen. Dwight D. Eisenhower. The order was carried out on Jan. 31, 1945. As I said before, I do not think that he was guilty of any crime, but that is over and done with.

The reason that I am writing this letter is because Pvt. Slovak left a wife living in Detroit. To the best of my knowledge, she is still living there. I feel that she is entitled to certain benefits by the United States Army, which I think she is being deprived of.

I am asking from the bottom of my heart, that you take into deep consideration this letter and those benefits that Mrs. Slovak is entitled to. If you seen the movie or read the book, or even hear about it, I am sure that you feel the same way I do.

Yours Very Truly,
James Ventimiglia

WH 18168

A

DAAG-TCZ-C Slovik, Eddie
(May 75)

20 MAY 1975

Mr. James Ventimiglia
19262 Coleman
Mt. Clemens, Michigan 48043

Dear Mr. Ventimiglia:

On behalf of President Ford, I am replying to your recent letter regarding Eddie 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 the Army.

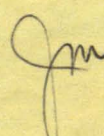
Your interest in the welfare of Mrs. Slovik is appreciated. However, the nature of the offense for which Private Slovik was convicted precludes the granting of benefits or assistance by the Department of the Army.

Sincerely,

Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General

MFR: Based on similar prior requests.



DAAG TCZ C WH 18168 20 MAY 75

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
REFERRAL SLIP

(Will remain with correspondence)

FILE NUMBER

WH 18284

DATE

14 May 75

ROUTING A-Action I-Information

	ROUTING	A-Action	I-Information
OSA		ACSI	CINFO
CLL		CNGB	CMH
DCSOPS	<input checked="" type="checkbox"/>	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

File action
w/o
me
15 May 75

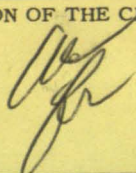
GROSBIE E. SAINT

BY DIRECTION OF THE CHIEF OF STAFF:

Colonel, GS

Deputy to the Director
of the Army Staff
(Executive Services)

X77425/70740



Shirley Seip
22212 Blackburn Ave.
St. Clair Shore, Mich.
48080



President Ford
c/o White House
1600 Pennsylvania Ave. N.W.
Washington, D. C. 20500

TO DOD - FOR APPROPRIATE HANDLING

DATE MAY 14 1975

5-7-75

11
Mil. Assist.

Dear Mr. President:

I'm writing to you concerning something that happened when Eisenhower was the President. I feel that it should be taken care of once and for all.

11 It concerns the execution of Pvt. Slovik, I feel that his body should be brought home so as his wife can bury him properly. I think that she has waited long enough for this one request.

I hope this doesn't sound a little out of line, but if you found it in your heart to let all those who fled this country for parts unknown to come home and all is forgiven. Why in the hell can't he come home? Why must he stay there and be buried along rapist and what not?

I know he was shot for being a coward, but weren't those who fled this country cowards too? What possible problem could come from his returning home?

Please let his wife be happy and have this one ~~rd~~ request granted by you!

I hope this letter made some sense and not sound like some babbling fool.

Thank you very much for taking time to read this (even though it's probably some secretary) Thanks again!

Sincerely,

Shirley Seip

A

WH 18400

DAAG-TCZ-C Slovik, Eddie
(7 May 75)

211 MAY 1975

Mrs. Shirley Seip
22212 Blackburn Avenue
St. Clair Shore, Michigan 48080

Dear Mrs. Seip:

On behalf of President Ford, I am replying to your letter of 7 May 1975 regarding Eddie 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 the Army.

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 31 December 1951.

Sincerely,

Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General

15 May 75

SEIP, SHIRLEY (Ms)

18400

UUUU

33867

DATE	NAME	FILE NUMBER	WH/SUSPENSE NO.	CLASSIFICA
WHITE HOUSE CASE <input checked="" type="checkbox"/>	SUMMARY Return of Lt Slovik's remains to US		SUSPENSE	
OCSA CASE <input type="checkbox"/>			OCSA	COB 21 May 75
SMA CASE <input type="checkbox"/>			OSA	
			OSD	

ROUTING						A-Action		I-Information		ACTION	
DCSOPS	COA	TSG	CMH	CLL						<input checked="" type="checkbox"/> Direct reply to <u>writer</u>	
DCS PER	ACSI	TJAG	A TAG	MILPERCEN						with <u>2</u> copy(ies) to <u>DACS-DSW</u>	
DCSLOG	TIG	CNGB	CAR							Cite WH Susp No	
DCSRDA	COE	CINFO	CCH							<input type="checkbox"/> Prepare (draft) (final) reply for signature of _____	

REMARKS

Provide assistance as required

Coordinate with _____

Appropriate action *Smiddele*

AGENCY ROUTING

BY DIRECTION OF THE CHIEF OF STAFF

1. 2. 3. 4. 5.

DAA6
20 MAY 75
FINAL

UP

Cynthia A. Miller
~~Box 617, R. D. 1~~
New Cumberland
Pennsylvania 17070

304
Shuey
Rd.



The President of the United States
The White House
Washington, D.C. 20500

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5947

3 Shuey Road
New Cumberland, Pa. 17070
8 May 1975

2
MIL. ASST.
TO PRESS

The President of the United States
The White House
Washington, D. C. 20500

Sir:

TO DOD - FOR APPROPRIATE HANDLING
DATE MAY 14 1975

Some time ago you offered a clemency program to Viet Nam War resisters and deserters. Just this week you asked the nation to close ranks, bind up our wounds and care for the Vietnamese and Cambodian refugees.

Now I ask that you show clemency to a widow from World War II and the background to this request is necessary.

On 31 January 1945 Pvt. Eddie D. Slovik, 36896415, of Co. G, 109th Infantry, 28th Division, United States Army, was executed by a firing squad of that same army in France for the crime of "desertion to avoid the hazardous duty of close combat." He was the only American to be executed for such a crime since 1864.

I do not say the United States had no right to execute him. I only offer the following:

- (1) Of 40,000 men who deserted before the enemy during World War II, military courts approved death sentences for 49.
- (2) Of those 49, only one paid the extreme penalty-Slovik- and only because Major Frederick J. Bertolet, reviewing the case, stated that the death penalty "should be imposed in this case...to maintain discipline..." Thus, Slovik was used as an example of disciplinary measure.
- (3) Slovik was a paroled convict, overly nervous, with bad feet and legs. Unable to wear the heavy, G.I. regulation shoes, he was allowed to wear light slippers. These things would normally defer a man. The 4-F classification was changed, however, and he was inducted in 1944. A poor recruit, he cheated on the rifle range to make a passing score. He was a replacement, not a member of a trained team; therefore, he did not go into battle with soldiers and leaders he had trained with and under and whom he could trust.
- (4) His wife, Antoinette, had been born with one leg three inches shorter than the other and later became a victim of polio. After Eddie's induction she suffered a miscarriage, epileptic seizures, failing eyesight, and with mounting debts, she lost her job. Despite all of these hardships Eddie was not discharged.
- (5) Three hundred and seventy-two days after he entered the army, Slovik was executed for refusing to serve the United States and buried in an unmarked grave. His widow was not informed of his execution, only that he had "died in the ETO." Later, when she inquired about his insurance, she was informed it could not be paid because he had "died under dishonorable circumstances." She did not know the truth until 1953.

A

WB 18397

8 May 1975

It could be said that Pvt. Slovik never deserted in the face of the enemy. Landing at Omaha Beach in France the replacements were trucked to Elbeuf past destruction and dead bodies. At the edge of the town shelling started and foxholes were dug. There was a lot of troop movement and confusion and the replacements were separated. (During the Falaise action many soldiers became separated from their units.) After a night of shelling Slovik and another man, Pvt. Tankey, joined a passing company of Canadians, and sent radiograms to the 109th informing them where they were. This was charged as Slovik's first desertion although Tankey was never charged. The two men stayed six weeks with the 13th Provost Corps--behind the lines--and Slovik was well regarded by the Canadians. Upon joining their assigned outfit Slovik told the commander that he was "too scared" to serve with the rifle company and unless he could stay in a rear area he would run away. This was charged as the second desertion and Slovik turned himself in.


The general court martial tried, convicted and sentenced him "to be dishonorably discharged, to forfeit all pay and allowances due or to become due, and to be shot to death with musketry." He was told the sentence would be overturned if he went back to the rifle company, but he could not agree to this and was returned to the stockade. Most likely, he thought that his sentence would eventually be commuted. After all, it was happening almost every day with military men who had been convicted of murder or rape and it had been almost 100 years since a soldier had been executed for desertion.

Very few of those involved in the court martial thought the sentence would be carried out. They assumed that a higher authority would commute the sentence. However, they and Slovik misunderstood. The military needed an example so that no other soldier would ever again question higher authority--and who would make a better example than a convicted felon.

General Norman D. Cota, commander of the 28th Division, approved the sentence, but "only so much of the sentence as provided that the accused be shot to death with musketry." This altered the court's finding so that the \$10,000 Army insurance policy and the accumulated pays and allowances could be paid. He did not want Slovik's dependants penalized. General Eisenhower confirmed the sentence.

The Veterans Administration, however, would not honor Gen. Cota's wishes. So in 1954 Sens. Homer Ferguson and Charles E. Potter of Michigan prepared to introduce resolutions directing payment by the Court of Claims. White House opposition stopped them. Then Mrs. Slovik asked the Senate and the President, but payment was never made. General Eisenhower was then president and the White House thought these efforts were being made to embarrass the president.

Perhaps Pvt. Eddie Slovik was a weak, hopeless man in the battle climate. I am not asking that you declare him guiltless and executed without cause. I am saying that many of the Viet Nam deserters could legally have faced the death penalty as he did. Since you offered them clemency, I am asking you to review this case and decide whether Mrs. Slovik should be paid the insurance, accumulated pays and allowances. With your review, I recommend William Bradford Huie's book, "The Execution of Private Slovik," and the ABC network movie, "The Execution of Private Slovik," which will be televised Tuesday, May 13, at 8:30 p.m.



8 May 1975

There are several compelling reasons why now would be the time for payment:

- (1) Mrs. Slovik is 60 years old, ill and unable to work, and on welfare. She has no children.
- (2) Gen. Cota amended the sentence so that Mrs. Slovik would be paid and the division judge advocate agreed. To date, payment has not been made.
- (3) President Eisenhower is dead. There would be no embarrassment to him now, nor was there ever meant to be. It was never a question of his right to confirm sentence of execution. After all, he was the theater commander and the army legal authority recommended that no clemency be shown. I believe he might have granted the insurance payment while he was president, but his aides were afraid that such an act would reflect back on his judgment of the case. I believe, also, the aides misjudged the people's warm feelings for the president. The people liked him and he was the last president they thought of as a father. His granting of the insurance payment would have, in no way reflected on his direction of the war or the nation.
- (4) Eddie Slovik was a native of Detroit, Michigan. His widow still lives in Michigan. As a former congressman from Michigan and now as president, this case would naturally be among your interests.
- (5) Clemency has been offered to those who deserted during the Viet Nam War.

Now is the time to right the wrong against Mrs. Slovik. I hope you will do what I think President Truman would have done--direct the payment to Mrs. Antoinette Slovik of the \$10,000 Army insurance and the accumulated pays and allowances that she should have received thirty years ago.

Sincerely,

Cynthia A. Miller

(Ms.) Cynthia A. Miller

DAAG-TCZ-C Slovik, Eddie
(8 May 75)

21 MAY 1975

Ms. Cynthia Miller
304 Shuey Road
New Cumberland, PA 17070

Dear Ms. Miller:

On behalf of President Ford, I am replying to your letter of 8 May 1975 regarding Eddie 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 the Army.

Although I appreciate your interest in the welfare of Mrs. Slovik, the nature of the offense for which Private Slovik was convicted precludes the granting of benefits by the Department of the Army. Entitlement to proceeds of National Service Life Insurance policies are determined by the Veterans Administration as provided by the laws under which that agency operates.

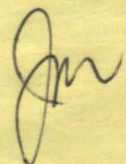
Sincerely,

Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General



MFR: Based on info used in prior cases.



DAAG TCZ C MH 18397 20 May 75

Pam Wichterman
3522 Middlehurst Rd.
Norton, Ohio 44203

WHITE HOUSE MAIL
RECEPTION & SECURITY

MAY 16 1975

Processed by

President Gerald Ford
White House
Washington D.C.

Gen. Richter
Ed. Richter

[1,60]

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MIL. ASST
TO PRES

3522 MIDDLEHURST RO.
Norton, Ohio 44203
May 14, 1975

TO DOD - FOR APPROPRIATE HANDLING
DATE MAY 21 1975

Dear Sir,

I AM WRITING BECAUSE I DON'T UNDERSTAND ANY OF THE CASE AGAINST EDDIE SLOVIK. IF HE WAS EXECUTED FOR AN EXAMPLE WHY WAS IT KEPT A SECRET? DID SOMETHING HAPPEN SOMEWHERE IN BETWEEN? DID THEY KNOW THEY MADE A MISTAKE? OTHERWISE I FIGURE THERE WOULD HAVE BEEN MORE SHOT & THAT WOULD HAVE JUSTIFIED EDDIE'S CASE TO ME! IN MY VIEW AN EXAMPLE CANNOT BE AN EXAMPLE UNLESS IT IS MADE KNOWN TO PEOPLE. NEWS LIKE THAT SHOULD HAVE HIT HEADLINES. WHO WAS IF THAT BRIEFED GENERAL EISENHOWER? WHY WAS IT THAT MR. EISENHOWER BELIEVED THAT EDDIE WAS HUNG WHEN HE SIGNED THE PAPER THAT SAID HE WAS TO BE SHOT? WHAT MAKES A MAN SIGN A PIECE OF PAPER ALMOST WITHOUT BLINKING TO EXECUTE ANOTHER MAN JUST AS EQUAL ALTHOUGH NOT AS POWERFUL? WHY DIDN'T THEY LET THE MOVIE BE MADE UNTIL AFTER MR. EISENHOWER'S DEATH? IF HE BELIEVED WHAT HE DID WAS RIGHT HE SHOULDN'T OF BEEN BOTHERED BY IT. HE SHOULD HAVE BEEN LIKE EDDIE & STOOD UP FOR WHAT HE THOUGHT WAS RIGHT. HOW CAN THEY SAY EDDIE'S PAST RECORD DIDN'T INFLUENCE THEM? I KNOW THAT THEY KNEW ABOUT HIS RECORD & THAT MADE IT

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easier on them to do it! Why was he changed from 4-F to 1-A? He was doomed & helpless, I know it just as he knew it! Now, ABOUT HIS WIFE! Why wasn't Antoinette informed of how he was killed? Why didn't she get his insurance money?

I know, the Insurance Act of 1940 says:
"No insurance shall be ~~payable~~ payable for DEATH INFLECTED AS LAWFUL PUNISHMENT FOR CRIME

However, ~~the~~ Look at the Bertolat-Betts review:
If the death penalty is ever to be imposed for desertion it should be imposed in this case, NOT AS A PUNITIVE MEASURE NOR AS A RETRIBUTION, BUT TO MAINTAIN THAT DISCIPLINE UPON WHICH AN ARMY CAN SUCCEED AGAINST THE ENEMY.

Eddie, wasn't shot for a punishment, but, AS AN EXAMPLE so she deserves the money because in this case it doesn't imply to this law. Plus THE FACT THAT WHEN General Cota only put AS MUCH OF THE sentence AS "the accused be shot to death with musketry" no more to it - no less! When the original sentence said, "to be dishonorably discharged the service, to forfeit all pay & allowances due or to become due." & of course the rest. Also General Cota stated that he had ALWAYS ASSUMED THAT THE NEXT OF KIN received the INSURANCE AND ACCUMULATED PAY & ALLOWANCES AS

IT SAY IN THE BOOK. I ALSO UNDERSTAND General COTA re-read THE BOOK AND COULD HAVE HAD ANYTHING TAKEN OUT CONCERNED WITH HIM THAT HE DIDNT AGREE WITH. Why wasnt Eddie brought over here to be buried? Instead, of the disgrace OF AN unmarked grave. I think that that is A DISGRACE to our country - trying to hide e' disgrace even after death - Eddie! I really feel AS though I knew him and he's a mighty good friend! I look AT him AS A hero for no coward could STAND UP TO THE WHOLE U.S. Army because he WAS TO nervous AND plain old didnt have the guts or cruelty to kill other people just because they think a little different. All he wanted WAS not to fire A gun e' I look up to him for it because I know I'd never under ANY circumstances fire A gun AT AN ANIMAL LET ALONE A PERSON THAT I HAVE NO REASON TO hate, that I'll never meet. I just pray women will never be drafted "cuz" I know where that would put me..

I paid for flowers to be put on his grave would they allow it? He deserves A LITTLE respect! Buried in a mattress cover, without A funeral, in AN unmarked grave. Sure, I'm proud to say I'm American but I'm also proud Eddie WAS. And, may God

have mercy on ANYONE INVOLVED in ANYWAY
WITH THE execution of Private Storik - may
he rest in peace - at least that will be
something he didn't have while he was alive.

Thank you,
(Pam Wickterman)

P.S. I DO BELIEVE THERE IS something else
TO THE CASE & IF ITS THE LAST THING I DO
I'll find out - for Eddie's sake & respect!

DAAG-TCZ-C Slovik, Eddie D.

29 MAY 1975

Ms. Pam Wichterman
3522 Middlehurst Road
Norton, Ohio 44203

Dear Ms. Wichterman:

On behalf of President Ford, I am replying to your letter of 14 May 1975 regarding the court-martial and execution of 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 the Army.

In attempting to understand the circumstances surrounding the execution of Private Slovik, it should be noted that at the time when judgment was passed on him, 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 his trial, American forces in Belgium were suffering heavy casualties in 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

DAAG-TCZ-C Slovik, Eddie D.

no front line duty and his conduct demonstrated a deliberate attempt 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.

The official records of Eddie Slovik show that Mrs. Slovik was notified by telegram on 24 February 1945 of the death of her husband. This was confirmed by letter on 27 February 1945. In addition, a Catholic Chaplain wrote Mrs. Slovik on 1 March 1945 regarding her husband's execution.

Entitlement to proceeds of National Service Life Insurance policies is determined by the Veterans Administration as provided by the laws under which that agency operates.

Public Law 383, 79th Congress and Public Law 368, 80th Congress authorized the Secretary of War, upon application by the next of kin, to return the remains of those deceased during World War II to the homeland of the decedent.

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

Sincerely,

H Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General

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ALWAYS USE
ZIP CODE



Secretary of Army
Pentagon
Washington D.C.

L70571

Kindy Stein

4230 Coleridge Street

Pittsburgh, Pennsylvania

15201

To Whom It May Concern,

DAES

I was watching television one night and I saw the "Execution of Private Eddie Solvik". Now what I want to know is why he was shot to death just for going A.W.O.L? Why out of all the other men who went A.W.O.L was Private Solvik shot to death? Was he shot to death for going A.W.O.L. or just for being an example to other men who were going to go A.W.O.L? Please try to answer my questions because I am confused.

Thank you,
Mindy Stein

RECEIVED
ADMINISTRATIVE SUPPORT
GROUP

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OFFICE
SECRETARY OF THE ARMY

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OFFICE, CHIEF OF STAFF
UNITED STATES ARMY

[8017]

[P.W.]

29 MAY 1975

DAAG-TCZ-C Slovik, Eddie
(May 75)

Ms. Mindy Stein
4230 Coleridge Street
Pittsburgh, PA 15201

Dear Ms. Stein:

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

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, American forces in Belgium were suffering heavy casualties in 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.

I trust the above will help you to understand the Department of the Army's position in this matter.

Sincerely,

Verne L. Bowers
VERNE L. BOWERS
Major General, USA
The Adjutant General

MR reply based on part cleared & coordinated similar cases.

DAAG
C 27 May 75

32 S. Terrace
Valley Stream N.Y.



President Ford
The White House
Washington D.C.

[7.10]

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

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5/11/75

300 Dear President Ford:

mil asst

ask that you suggest to Congress that
TO DOD FOR APPROPRIATE HANDLING
DATE MAY 29 1975

I write to you to

a. Pardon for Private E Slovick be voted.

I am Polish as was PVT.

Slovick. If this is done, at least his family will have something

Sincerely yours
Maurice Goldman

A

WH 1946 71

DAAG-TCZ-C Slovik, Eddie
(19 May 75)

3 JUN 1975

Mr. Maurice Goldman
32 S. Terrace Place
Valley Stream, New York 11580

Dear Mr. Goldman:

On behalf of President Ford, I am replying to your letter of 19 May 1975 with further reference to a Presidential pardon for Eddie Slovik.

A Presidential pardon in the case of Eddie Slovik is not appropriate. The President is without authority to grant a posthumous pardon, as delivery and acceptance are prerequisite to the validity of a pardon.

Sincerely,

Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General

*MFR: Based on TJAG Cmt.
on prev. similar cases.*

EW

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DAAG-TCZ-C
WH 33215
19 JUN 75
3 JUN 75

~~DOSP~~
3 June 75

→ → OM

304 Shuey Road
New Cumberland, Pa. 17070
30 May 1975

Verne L. Bowers, Major General, USA
The Adjutant General
Department of The Army
Washington, D. C. 20310

Dear Major General Bowers:

Thank you so much for replying to the letter which I sent to President Ford concerning Mrs. Eddie Slovik.

I realize now how foolish it was to take the time to write such a letter. After all, this government has better things to do with its money.

I'm sure every good American would prefer that his tax money go to support a man like Richard Nixon. He did try to steal the Constitution, but, after all, rank has its privileges, and certainly we don't want to lower his standard of living.

And, of course, supporting every corrupt right-wing dictator around the world would preclude wasting any precious dollars on Mrs. Slovik.

I feel especially bad about worrying the Army about such a matter at a time when it has plenty to do catering to the Vietnamese refugees as they tell the Army to get them chopsticks and complain about the food they receive.

Money for Mrs. Slovik? Why of course not!

Sincerely,

Cynthia A. Miller

(Ms.) Cynthia A. Miller

cc: The President of the United States

JOHN D. DINGELL
16TH DISTRICT, MICHIGAN

WASHINGTON OFFICE:
ROOM 2210, RAYBURN HOUSE OFFICE BLDG.
WASHINGTON, D.C. 20515

DISTRICT OFFICE:
4917 SCHAEFER ROAD
DEARBORN, MICHIGAN 48126

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

August 8, 1975

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE
MERCHANT MARINE AND FISHERIES
CHAIRMAN, SUBCOMMITTEE ON
FISHERIES AND WILDLIFE CONSERVATION
AND THE ENVIRONMENT
SELECT COMMITTEE ON SMALL
BUSINESS
CHAIRMAN, SUBCOMMITTEE ON
ACTIVITIES OF REGULATORY AGENCIES
MIGRATORY BIRD
CONSERVATION COMMISSION

RECEIVED
ADMINISTRATIVE SUPPORT
AUG 11 3 17 PM '75
OFFICE
SECRETARY OF THE ARMY

Honorable Martin R. Hoffmann
Secretary
Department of the Army
Washington, D. C.

Dear Mr. Secretary:

The televised showing last year of the film, "The Execution of Private Slovik," evoked considerable sympathy and concern throughout the American public. Questions continue to be raised as to the fairness of the military justice system, which in this particular case called for the execution of Private Slovik, the only soldier executed for desertion in World War II, and the only soldier executed by the Army since the Civil War. Many are of the opinion that fault lies with the induction system, which in the troubled days of war failed to properly screen out those individuals who were neither physically nor emotionally able to serve.

The widow of Private Slovik, Ann LaVassaur, is a constituent of mine residing at 2540 Junction, Detroit, Michigan 48209. She and others, who feel the case represents a gross miscarriage of justice, now are urging the introduction of a private claims bill which would compensate her in the amount of \$10,000, a sum which she was denied as the beneficiary of Private Slovik's National Service Life Insurance Policy, and for benefits which she otherwise would have been entitled as the widow of a serviceman. For your information, Private Slovik's service number was #36896415.

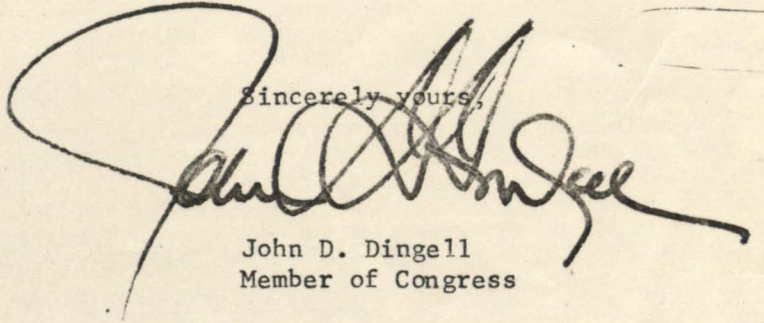
I would appreciate your comments as to how the Department of the Army would view such legislation. I also would appreciate your providing information as to other benefits that would have accrued to

the widow under normal circumstances and their estimated costs.

I shall await word from you in this regard.

With every good wish,

Sincerely yours,

A large, stylized handwritten signature in black ink, which appears to read "John D. Dingell". The signature is written over the typed name and title.

John D. Dingell
Member of Congress

k

2 SEP 1975

Dear John:

This responds to your recent letter requesting the views of this Department concerning the proposed introduction of a private relief bill on behalf of the widow of former Private Eddie D. Slovik. Such bill, if introduced, would provide that the claimant be paid \$10,000 as the beneficiary of Private Slovik's National Service Life Insurance, which she was denied because of the circumstances of his death. The bill would also compensate for the benefits she would have received in addition to National Service Life Insurance, if her husband's death had not been under circumstances which barred her receipt of widow's benefits. You requested that such additional benefits be identified and that you be advised of the cost of legislation to provide them.

Department of the Army files disclose the following facts: Eddie D. Slovik was born on February 18, 1920, and was inducted into the Army on January 4, 1944. He designated his wife, Mrs. Antoinette Slovik, as his beneficiary to receive any accrued pay and allowances in case of his death. A monthly deduction was made from his pay for the premium on a policy of National Service Life Insurance. As the National Service Life Insurance Program is administered by the Veterans' Administration rather than the military departments, the files of this Department do not disclose the name of the beneficiary of the policy. (Private Slovik was tried by general court-martial at Rotgen, Germany, on November 11, 1944. He was found guilty of two specifications of desertion with intent to avoid hazardous duty and to shirk important service (action against the enemy) in violation of Article of War 58. The sentence as approved by the Commanding General who appointed the court was that he be shot to death with musketry. A Board of Review with the concurrence of an Assistant Judge Advocate General of the Army found the record of trial to be legally sufficient to support the sentence. General Eisenhower, Commanding General, European Theater of Operations confirmed the findings and sentence and the accused was executed on January 31, 1945.) The specific reasons for approval of the sentence are given in the inclosed indorsement signed on January 6, 1945. Although Private Slovik was the only soldier executed for a purely military type offense during World War II, he was not the only soldier executed as the result of a sentence by court-martial.

Payment of the face amount of the National Service Life Insurance Policy issued on the life of Private Slovik was barred by the provisions of 38 U.S.C. 312 (1940 Ed.). That statute prohibited payment of the face value of such a policy in case of death of an insured inflicted as lawful punishment for crime, or for military or naval offense. Only the cash surrender value, if any, on the date of death of the insured was payable to the beneficiary. The current

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