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ALSTON, J. J. 514
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12 February 1962

MEMORANDUM FOR THE RECORD

1. Scotty Reston, of the NEW YORK TIMES, telephoned me on Sunday, 11 February 1962, saying that he would like to see the Director to discuss the Powers case. Mr. McCone told me to have Reston at his house at 5 PM. Mr. Houston, the General Counsel, also was present.
2. In answer to Mr. Reston's questions, he was informed in substance as follows. A letter signed by a Mrs. Abel last year suggesting the possibility of an exchange resulted in Donovan (Abel's lawyer) getting in touch with United States officials to inform them of this letter and to sound out Governmental views on his continuing efforts toward the end of a commutation of Abel's sentence with the Soviet Russians commuting Powers' sentence. At no time was this a Government to Government affair but as Donovan was negotiating as a private lawyer. No one ever saw Mrs. Abel until Donovan briefly saw someone purporting to be Mrs. Abel in East Berlin. Further feelers were made by the Russians and last fall the idea of an exchange, which would not be called an exchange, was resumed. Donovan eventually made trips to East Berlin where he visited the Soviet Embassy and talked to Mr. Shishkin, the Second Secretary, and with Vogel, and East German lawyer who was representing Mrs. Abel and who incidentally was the lawyer appointed to represent Pryor, the American student who was tried in East Germany. A week ago it looked to Donovan as though the Russians wanted Abel back and Donovan tried to get the release of not only Powers but also Mackinnon and Pryor, but he insisted that Abel would not be returned until Powers had been turned over to the U.S. officials.

Mr. Reston, the General Counsel, also was present.

2. In answer to Mr. Reston's questions, he was informed in substance as follows. A letter signed by a Mrs. Abel last year suggesting the possibility of an exchange resulted in Donovan (Abel's lawyer) getting in touch with United States officials to inform them of this letter and to sound out Governmental views on his continuing efforts toward the end of a commutation of Abel's sentence with the Soviet Russians commuting Powers' sentence. At no time was this a Government to Government affair but as Donovan was negotiating as a private lawyer. No one ever saw Mrs. Abel until Donovan briefly saw someone purporting to be Mrs. Abel in East Berlin. Further feelers were made by the Russians and last fell the idea of an exchange, which would not be called an exchange, was resumed. Donovan eventually made trips to East Berlin where he visited the Soviet Embassy and talked to Mr. Shishkin, the Second Secretary, and with Vogai, and East German lawyer who was representing Mrs. Abel and who incidentally was the lawyer appointed to represent Fryor, the American student who was tried in East Germany. A week ago it looked to Donovan as though the Russians wanted Abel back and Donovan tried to get the release of not only Powers but also Mackinnon and Fryor, but he insisted that Abel would not be returned until Powers had been turned over to the U.S. officials.

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3. Donovan worked with the Attorney General's office on this and the commutation of Abel's sentence was approved by the President on condition that Powers be released. Abel was flown to New York ready to be flown to Germany when word would come from Donovan that Powers would be returned. The East Germans agreed to commute the sentence of Fryor and the Russians held out some future hope for Mackinnon's release. Last week the arrangements were completed. Abel and Powers were exchanged on the Glienicke Bridge between Potsdam and Berlin on Saturday, 10 February 1962, with a delay of twenty minutes because Fryor had been released in a different location and the Americans wanted to make sure that Fryor was in their custody before they would give up Abel for Powers.

4. Reston was informed that Powers is in good health mentally and physically, that Donovan had come back on the same plane with him, and that the family is now with him. Mr. McCone advised that he would name a Board of Inquiry to investigate all the circumstances incident to the contractual relations of Powers and why he didn't complete his mission and other questions, including what salary if any would be paid to him, etc.

5. After Mr. Reston left, Mr. McCone told Mr. Houston to get busy on this Board, and there was some discussion of its composition. Mr. McCone stressed to Reston that it would be advisable not to emphasize that an "exchange" had taken place and, if possible, not to bring Mackinnon into the picture because this might endanger or delay commutation of his sentence. The Russians particularly did not want the exchange idea stressed but rather state that this was an exercise of clemency by them to Powers. Reston said he would so inform his New York Office.

6. Questions as to whether Powers had been shot down at 30,000 feet or whether his engine had died out and there had been a near hit around 30,000 feet, were not answered because Mr. Malone said we would know the answers after the exhaustive debriefing that Mr. Powers would receive. As to the question of whether or not it was believed that Mr. Powers was a defector, the Director said of course a small segment of people in the U.S. may think so, but there was nothing so far that would give credence to that belief.

STANLEY J. CROGAN
Assistant to the Director

