

UNIVERSITY OF COLORADO
BOULDER, COLORADO 80302

~~DEPARTMENT OF AERONAUTICS AND SPACE~~

1006 JILA Bldg.

22 May 1968

President Joseph R. Smiley
Regent Hall
University of Colorado
Campus

Dear President Smiley:

I am happy to learn that the Board of Regents is desirous of looking into the circumstances of the libelous article in Look for May 14 by John Fuller. They will probably also be interested in an article in Scientific Research for May 13, pp. 11 - 12. I had hoped that this and related matters could be settled without bothering you or the Regents. As this does not now appear to be possible, I would like to give you a statement on the situation for transmission to the Regents.

The Look article libels me in the title on p. 58 in which my name is used and also on the magazine's cover where the study is falsely described as a "cover-up." It is based on misinterpretation of a memo dated August 9, 1966, written by R. J. Low and addressed to Deans Archer and Manning. It is important to me that all concerned recognize that I was unaware, until February 6, 1968, that this memo had ever been written, and therefore, whatever meaning it may have to others, it has had no bearing whatever on my conduct as scientific director of the UFO project.

The memo was an internal paper in Regent Hall which was no concern of mine. I think that its author and its recipients should publicly repudiate that memo, pointing out that I did not know of its existence for the first fifteen months of the project (November 1, 1966 to January 31, 1968) and therefore was totally unaffected by it in planning and carrying out the project.

The kind of publicity associated with this memo is as much an attack on the University's integrity as it is on mine. This is evident from a reading of the article in Look, where the misinterpretation is developed that the memo shows the existence of a University administration conspiracy to come up with a pre-determined conclusion. I do not believe there was such a conspiracy by Low, Archer and Manning, but that is the way it is made to look and I am libelled by "guilt by association."

Let me review briefly the history of the project.

One day in late July of 1966, Dr. W. W. Kellogg of NCAR brought to my office Dr. J. T. Ratchford of the AFOSR. They told me of the Air Force's desire for such a UFO study and asked if I would be willing to head it up. We talked for several hours about the difficulties of doing anything actually scientific and the public relations difficulties arising from the fanaticism of some flying saucer believers.

*copies mailed to Regents May 23 1968
Holloway, Little*

Finally I said that I might be willing to undertake the job if the plan seemed acceptable to the University administration and if I could get faculty support enough not to have to go it alone. It was agreed that I would talk it around informally and that, if interest developed, I would arrange a meeting of interested faculty at which Air Force scientists could present the problem and answer questions.

This meeting was held here on August 10, 1966, attended by about 30 persons, including Dean Manning. Low's memo to Archer and Manning was dated the day before that meeting.

After that, various discussions took place, including a trip to the Pentagon by Low and myself during September, leading to the contract between the Air Force and the Regents of the University of Colorado, which was publicly announced on October 7, 1966. Work started in the first week in November, delayed partly by my own involvement in the political campaign.

I hope I am not becoming paranoid myself, but we have been dealing with such immoral persons that I have practiced trying to look ahead to what kind of dishonest moves they might make. Further developing the idea of a Low-Archer-Manning conspiracy it could be argued that Low was planted on the innocent, bumbling Condon to make sure that the aims of that conspiracy were carried out from within the project.

It was stressed at the outset that psychology, as well as physics, was important to the project, so Stuart Cook was included as one of the principal investigators. He was too busy for active participation, but did recommend to me three of his staff: Saunders, Scott and Wertheimer. Scott soon asked to be relieved because of other involvements; Wertheimer stayed on and has been helpful on a part-time basis.

I soon began to be worried about Saunders. Although I do not have a record of the exact dates, memory tells me that on two or three occasions Low and I lunched with Cook to tell him that we were worried about Saunders' integrity. On each occasion Cook reassured us and, as we did not have any definite basis for our doubts, we bided our time.

After mid-September 1967 for reasons that are stated in memos from me to Manning (these are dated March 2, 1968 [attached] and May 13, 1968 [attached]) I became so mistrustful of Saunders as not to let him know of general plans and activities of the project other than the part in which he was directly involved. The first clear-cut indication I had of wrong-doing on his part came on the evening of February 6, 1968, when I read a letter dated January 31 from James McDonald of the University of Arizona, to Low filled with outspoken criticisms and incidentally revealing, by quotation from it, his possession of the August 9, 1966 Low-Archer-Manning memo. This was my first knowledge of its existence. It was immediately obvious how this memo could be used in unscrupulous hands to try to harm the University and the project.

I immediately suspected that it had been passed to McDonald by Saunders and/or Levine. During the morning of February 7, Low and I interviewed the two men separately. Each admitted to a part in having given a copy of the memo to McDonald on the occasion of a meeting with him in Denver on the evening of December

12, 1967, almost two months earlier. They admitted to conscious knowledge that McDonald would try to use the memo harmfully and justified their action by some jumbled talk about their loyalty to science being higher than that to the University. A record of these interviews is contained in memos supplied to Manning. At 3 p.m. Low and I met with Stuart Cook and told him the situation with respect to Saunders, telling him of my intention to discharge the two men. At 5 p.m. we met with Manning and told him the full situation and my intention of firing them, and Manning agreed that this was the thing to do.

The next morning I wrote dismissal notices which were placed on the desks of Saunders and Levine. They had gone skiing on that working day so they did not get the notices until the evening of February 8.

During the afternoon I began to think that they would probably act to give the University bad publicity. On this account it seemed desirable to let the fact of their discharge be publicly known, thinking this would reduce the effect of their expected attack. I did make a brief press release to the Colorado Daily only, from which it was picked up by other papers. There was no malice in this action, only a desire to minimize the harm that they admitted it was their intention to do to the University.

That this harm was not imaginary follows from the fact that the next day, February 9, McDonald wrote to President Seitz of the National Academy of Sciences, attacking the Colorado project and transmitting to him a copy of the stolen August 9, 1966 Low-Archer-Manning memo. We now know from the Keyhoe press conference of April 30 that Saunders gave a copy of this memo to Keyhoe some time after November 14, 1967, that is, several weeks before it was given to McDonald. The relevant quote is from p. 2 of our transcript of that press conference: "We asked also whether the project was being carried out as it was publicly announced in an impartial, scientific manner. The same questions were addressed to Mr. Low. Both men wrote back and refused to answer. [The Condon reply was dated November 14, 1967.] Shortly after that Dr. David Saunders, who was head of the computer section, gave me privately a copy of a memorandum which Mr. Low had drawn up just before, some time before, the contract project was signed."

We thus have the clear picture of a tenured faculty member, drawing salary on the UFO project, working actively to harm the University in its contractual relation to the Air Force for some two months before I caught up with them. This picture is further strengthened by the following quote from p. 3 of our transcript of the Keyhoe press conference which clearly indicates conspiratorial association of Saunders and Keyhoe in planning to exploit their possession of the memo in the most harmful way:

" . . . Now this particular memo was given to me late in 1967. I kept it secret, except for my Assistant Director, Mr. Gordon Lore, because Saunders asked us not to mention it as long as there was any hope of restoring a neutral approach or attain a neutral approach. However, a copy was later given to Dr. James McDonald, an atmospheric physicist at the University of Arizona. He got permission from Saunders to mention the fact to Condon or Low that he did have it. I argued against that because I thought we should wait until the last possible minute, if there was any hope. But when Low received word of this, he exploded and Condon exploded. Condon fired

Saunders and Levine immediately. He stated publicly, to the press, in a signed press release, that they were being discharged for incompetence. They were being discharged for having put out this memorandum. Dr. Condon wrote to the President of the University of Arizona and insisted that he order McDonald to return what he called the stolen papers. The president put it up to McDonald and McDonald refused. Condon wrote McDonald and again insisted that he return the "stolen papers" and McDonald said he would refuse to do it. After this time, when the men were fired, it was decided to break this out in the open. I had expected to do it through NICAP publications but I agreed that if they wanted to do it through a big magazine, it was all right. So we gave part of our information to Look which has the story in the present issue. . . ."

On February 12 I was visited by Roger Harkins, who was then a reporter for the Boulder Daily Camera, who said that he had a copy of the Low-Archer-Manning memo. My lawyer was told today by a member of the Board of Regents that Harkins says he received this memo from Archer. I do not know his source of information nor for sure whether it is correct.

Personally I do not believe this story about Archer told by Harkins. Because of Harkins' close association with Saunders and Levine, I think it more probable that Harkins got a copy from them but then later invented this story to try to cover up his possession of it. (See my memo dated _____ on the subject of Harkins, and a later one dated 30 April 1968 _____ on Harkins' role in helping prepare the Look article.)

During the time since February 8 there have been many detailed developments and I have tried to keep Manning fully advised of them in a long series of memos and in personal conferences, including also conferences with John Holloway.

Holloway wrote, on March 19, to Joseph French, lawyer for Saunders and Levine, to propose working out a settlement of their threatened libel actions against me. So far as I know this letter was not answered.

On April 29, in careful coordination with the newsstand appearance of Look for May 14, French had summonses served on me, thus initiating libel actions, which would not be actual suits until complaints were filed. On advice of former Regent Philip A. Danielson, my personal counsel, I engaged the services of Charles Williams of Williams, Taussig and Trine for this matter. The next day Keyhoe in Washington held his press conference attacking the University and me. Also that week McDonald wrote a letter to the Denver Post further attacking the University and me. Also on May 1, the Rocky Mountain News carried a story in which Saunders attacked the project as a "failure."

Under Colorado law, the summonses served April 29 would lapse in 10 days unless a complaint was filed. On that day, May 9, Holloway, Manning, Williams and I met in Holloway's office and I was asked to grant a waiver extending the effective period of the summons to May 22. This was done on the supposition that Manning would try to act as mediator to arrange a settlement. But as of May 20, so far as I can determine, no real steps in that direction had been taken. I tried to assist Manning in this effort by preparing the attached notes, dated May 13 and actually given to him at his home on the afternoon of May 12.

Suddenly, on May 17, the situation was totally altered by my receipt in the mail of Scientific Research (published by McGraw-Hill) for May 13 which carries a lead article, "Libel Suit may develop from UFO Hassle." This national magazine was the first to reveal the threatened libel actions. The report has not been picked up in local papers so far. It is evident from the article, copy attached, that it was written with the aid of Saunders and Levine. It clearly libels me and defames the University. It completely spoils the atmosphere in which a settlement might have been arranged by May 22.

On May 19 I showed Manning a draft of a letter to McGraw-Hill threatening libel action against them and transmitted this to them on May 20. They have agreed to publish an emasculated version of my letter in their May 27 issue, although I have explicitly stated that their doing so in no way resolves my libel claims against them -- at most it might make future negotiation a little easier. (Separately I send you a copy of my letters to Mr. Joseph Allen, President of McGraw-Hill.)

On May 21 the situation was further complicated by a press release of the U. S. Comptroller-General, (head of the General Accounting Office), that he plans a preliminary investigation of CU and the Air Force UFO contract to determine whether a full investigation is called for.

My lawyers have been in touch with Holloway and on this basis I believe Manning now has given up hope of his being able to mediate the dispute. We are trying to work out a settlement by direct negotiation between my lawyers and the lawyer of Saunders and Levine.

Yesterday afternoon I received a telephone call from Harold Brown, Secretary of the Air Force, responding to my letter to him of May 2, apprising him of the situation. (Copy enclosed.) His delayed response was due to having been in Southeast Asia and in California. He told me of his complete confidence in the Colorado study, and expressed the opinion that the GAO study is just a political gimmick of one Congressman and that nothing will come of it.

In the meantime we have heard that Saunders and Levine are writing a book. We know of two different memos that were stolen from CU files and included in the Fuller article, and we suspect they may have taken much more for use in their book.

This is covered in a May 17 memo with a copy to Manning and Holloway. There must be some way of determining whether they are using additional stolen materials from University files in this book and requiring them to return such materials and not use them in their writings or speeches.

I think this outlines the main points in the administrative history to date. I greatly regret that the University ever got involved in this project, but I still think that we will show up all right in a fair investigation. I stand ready to give you all additional information that I have and to cooperate fully with any study by yourself, the Regents, or the General Accounting Office.

Sincerely,



E. U. Condon

cc: All members of Board of Regents, with enclosures.

Encls:

1. May 13, 1968 memo from Condon to Manning
2. Copy of article in May 13 issue of Scientific Research.
3. Copy of May 2, 1968 letter of Condon to Harold Brown.
4. Memo of April 30 re: Harkins aid to Fuller article.
5. Two letters of Condon to Joseph Allen, dated May 20 and May 22.
6. Memo to file, dated March 2.