

Jim, addition to affidavit or for rephrased inclusion in motion 5/24/75 HW

Can there be a presumption of good faith in the enforcing of a law that is ~~predicated~~ predicated on the certainty and the record that good faith is not always justified?

Can there be the presumption of good faith when after five Attorneys General and so many years the incumbent Attorney General, on May 23, 1975, assured the House Judiciary Chairman of five new illegal FBI operations in addition to those already exposed and his spokesman tells the press "that Levi could not be sure that the FBI did not conduct more Cointelpro operations..." (Washington Post, 5/24/75)

If the FBI repeatedly deceives the Attorney General of the United States, and if the Attorney General cannot be sure of the FBI's "good faith," can there be any basis for any trust in the FBI's word when its performance and integrity are at issue and when there is the clear, and unequivocal record that already exists in this case that the FBI has withheld what it pretends to say it has not withheld and when the withholding is the issue?

To do this would be to fly into the face of reason and to negate the clear purpose of law, clearest of all in this very case to which the Congress addressed itself in particular in amending the law to end precisely the abuses of it that are right now before this very court. (Cite CR 5/30/74 even though he knows it and the conference report even if he knows it.)

To presume "good faith" when there is an undeviating record of bad faith over so long a period of time and in so many cases it to say that laws are without meaning and Congress in enacting laws fritters away its time.