

Dear Jim,

later early a.m. 5/23/75

There are several things I want to add to what I wrote earlier about the spectro suit. In my haste I omitted them.

When I discussed the "filthy affidavit with Paul R and gave him my opinion that the FBI had deliberately selected a man who, having no first-hand knowledge, could not easily be charged with perjury, he said that this is standard FBI SOP. I did not tell him of the Williams affidavit, which is the same approach.

Whether or not this is FBI SOP I believe it will be readily apparent to the press and the Congress whether or not we can make it a problem for the wandering judge. So, I think it is something you should strike at hard in your motion to strike. I think I went into it a little in the draft of the affidavit.

Legally I would think it is highly improper, as you indicated in court. I think there should be more than mere mention, that the obvious and preferable alternatives should be cited (Frazier) and that the only purpose served by having the wrong man execute what still is not a meaningful affidavit cannot be regarded as ignorance of the requirements by either the U.S. Attorney or The Department of Justice.

Especially after the long discussion with George Lardner do I feel even more strongly that the need for vigor and speed in getting the affidavit filed is urgent. Also, with the Congressional committees now having jurisdiction and active so-called investigations besides the normal responsibilities of the Judiciary committees. And the continuing indications of what the Rockefeller Commission is up to.

In the course of all of this I believe we must make it clear that as the errant Department of Justice, by subterfuge, misrepresentations and assorted other misconduct rewrote the law in the first spectro case and in clear violation of the expressed intent of Congress, they have now undertaken to do the identical thing with the new law and the new case about which the Congress has been so explicit.

To this end I would like to add to my affidavit at whatever point you deem appropriate the charge that I believe and therefore aver that the Department of Justice, having deliberately done other than it was required to in the investigation of the assassination for the Warren Commission, is not engaged in the same kind of malpractice, the same kind of deception of the courts and the denials of my rights, with a combination of objectives in mind: rewriting the law, again frustrating the clear intent of the Congress expressed so overwhelmingly this time; and to hide its own misdeeds of the past on so vital a national subject as the assassination of a President and the subverting of the entire electoral process that this means.

I do want to include these charges about intent specifically and pointedly.

I do believe them. And I am without any doubt at all that under oath and under ever cross examination when the time comes I will more than make out a case, as what I've sent you in the past should indicate.

They are lying. I think one of our priority projects should be to get the right liar under oath and to this end I am willing to jeopardize the case. There will never be a better case for this and never a more urgent need. There will never be a better chance to do something about this rotten method of official illegality and I'd rather face it sooner than later. Out this as strongly for me as you see fit and in whatever detail you want. But I want to say that all of this is an effort to violate the law and to accomplish the objectives of perjury while diminishing or eliminating the risk.

I want to say also, if you think it right, that I regard it as the duty of the courts to protect citizens, from this kind of distortion of the law rather than to be party to it. If I haven't included this.

The more I have time for snatches of thinking about this the more important speed, vigor, definitiveness and explicitness in making and filing the charges appears to be.

I'll be writing some letters but it is early and perhaps you can still get this tomorrow.

Best,