

5/25/76

Dear Jim,

When we were discussing the possibility that the government may now elect to simply let me have the missing executive session transcripts, as with that of 1/27/64, two considerations did not occur to me. They did on the way home.

Whether it is part or all of the withheld transcripts, some time ago I promised David Martin of the Associated Press that I would make whatever I get available to all under ~~reasonable~~ conditions he regarded as fair and proper. I want to keep this promise and I want to be able to. This is where you come in.

There is no way of knowing that the government will elect this course. I have reasons we did not discuss for believing it might. The risks of continuing on its present course can be great for individual government employees, for one. I don't think the judge meant to be taken literally in what he said, severe a setback as that is, I think, for the government. I think he was being subtle in saying he expected no fobbling around and the waste of time these employees do not have. Of the many comments he ~~has~~ made so casually, what I think will carry greatest weight is that he'd have the witness room filled if we have to go past interrogatories. His simplification on and to compliance, which means under-oath statements, is going to cause considerable uneasiness to those who have been skirting or committing perjury. We already have some in directly contradictory statements under oath.

Let's assume that maybe we'll get one or more transcripts and I want to keep my word, which really means no more than a) I give all this work away and b) under conditions that give all the press a fair shake.

I don't think the government wants this. They would rather leak to a favored reporter or take a fairly safe gamble, that they can point out a legitimate news story that will overshadow the rest of see if they can persuade with special interpretations, etc. Of the many examples, remember what Rhoads did with the family-GSA contract? This I want to try to avoid.

My legs are still bothering me so I don't want to search files. I think I wrote Rhoads on an earlier occasion when there was reason to believe they might deliver. I want no more than what is my right, the fair shot at first-use. Knowing in time to be there and get it, or your knowing, and a day or the time they'd ordinarily spend in mailing will be enough.

I told Martin I can't pay for xeroxing or a room for a press conference but I'd make my copy available for copying, that everyone could have copies, that the major media should have time to read and prepare questions on a hold-for-release basis, and that at the first moment possible thereafter there would be this conference at which all could have copies and ask questions.

I'll write him. I'd like you to consider writing Rhoads to assure the protection of my rights in the event this is released. If he gets a letter from a lawyer instead of from me it may discourage what he has done in the past.

Please think about this. If you agree, write your own kind of letter. I won't object if you refer to the USA-family bit because he, personally, conceived and did that dirty deed. A reminder now, when I think he'll recall it still, may help him follow the straight and narrow.

If they now do not just give me these pages, I believe there is a reasonably good prospect they may be more hurtful than I'd supposed. We'll see.

Best,