

Dar Jim, Re 1448 and 1996, government claims in 6/17/76

Two stories in this morning's Post suggest possible usefulness in our suits what happened in others. One reminds me that I've been meaning to suggest to you that we seek to use Morton Halperin as an expert witnesses in 1448, now via affidavit.

Bob Woodward's story merely says FOIA was used in getting the records of Hays travels. My hunch is that perhaps the right-to-privacy argument was made by the government. If this is true and if the case came to decision we have another decision to cite to Green.

I notice the words Freedom of Information while skimming the page. I do not need the clip.

The questions of national security and phoney invocation of it are important in 1448. Here we have still another example of the phoniness of the claim and of embarrassment being an underlying reason, again as it relates to CIA.

(I have a prtial file on false invocations of national security to which I'll add this story.)

While it is true that despite 99 fake national-security claims the 100th can be a legitimate one, among the needs we have to meet is the presumption of government good faith. Statistics can be of help there. So can testimony about the falsity of the common claim. Halperin is an authentic expert on both national security and the legitimacy with which it is claimed.

He may be unwilling because of his relationship with Lane.

He may also have filed duplicating suits for Jane. I understand this did happen with spectro.

It would be better if you phone Woodward, I think, if you think it is worth inquiring about. We are not enemies or anything like that. He still calls me, if infrequently. However, he is hungup over the past and what he knows I know he suppressed to get his Pulitzer.

Best,