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Dear Dave,

2/26/78

From the time of our first snow my life has had to pretty much center around opening the lane or making it safe of getting it in condition for the next snow. It has been very good in one way - I think the vigorous use of the arms and shoulders has improved arterial circulation. It has been bad in another- it takes so much time!

This is why I hope George Leopold will understand that I'm trying to save time and a separate letter in writing a single one to both of you. I do it while I rest after the longest bout of ice-chopping I've yet had.

I think George's review of Ruby and Oswald is very good. He picked out the most important things to say and he said them very well.

There is something I'd like all of you to think of, reflected in the enclosed letter to Jim. I think Epstein's and the CIA's incaution enables us to address the courts very effectively in FOIA cases, particularly in the current appeal from the decision not to let me have the still-withheld executive session transcripts.

Maybe George and his Tague-project colleague will have time to do what I'd like done.

The Readers Digest is due soon with its condensation of the book. New York Magazine is due to have several more instalments of Epstein(k). He unbars so many cats in the first! I'll be including a copy. Perhaps my markings will show.

But aside from the enclosed to Jim I'm going to try something else which, if I can do it, will prevent my sending a copy of what I see in the New York piece. I'm going to put it on tape and give it to Jim when I see him on the 7th. (Status call in King case.) He'll then get it transcribed down there, when he can.

In addition to what you can see from this enclosure let me try to spell out what I'd like you and your students to be able to do.

Claiming exemptions, like national security, protection of intelligence sources and methods, even the need to protect Nosenko from KGB assassination, the CIA has denied me the Nosenko WC ex. Sess. transcript, 6/23/64. Now we have Nosenko given access to Nosenko by the CIA and repeatedly making it specific that it is the CIA that did it. CIA people spoke to him, present and past, like Holy Jesus the Crusader. This means they have lied and misrepresented to the courts about what is material in this particular case.

I'd like every reference to any kind of official assistance, direct or indirect, having to do with defectors (1/21/64 transcript subject), intelligence (not only but including spies and methods), interviews and what Nosenko and others said or are said to have said. (Have to watch Epstein's language. He suggests what he does not really say.)

Not only CIA - FBI, too, and any other spookery.

If there is what could lead to the identification of any supposedly secret source, that, too.

Or what could lead the KGB or any foreign intelligence agency to identify one of its tyrnocs or defectors.

What is immediately most important is what we can use in court, to establish the most solid and detailed possible proof of misrepresentation and deliberateness of it.

Anything that is spotted having to do with whether or not Oswald was or could have been anybody's agent of any status has separate value.

So also does the palpably silly, the unsupported conjectures that are calculated to make Epstein's project seem reasonable, when it is not.

While I'll be doing this, too, I don't know when. There is much on which I have pressing deadlines that are close. I don't know when I'll see the Digest articles. Or how long it will take for me to get the New York issues. And more than one head is better than one.

There may be some articles, review, radio or TV appearances (although Ep. tends to shun them) and if picked up they may disclose what he does not say in writing.

If everyone is too busy, okay.

Thanks and best to you all,

C