

Dear Jim, Re the non-responses of June 2 in CA75-1996 -- 6/14/76

The 5/18 transcript came today. I've not had time to read it but I took time to check a matter of some interest to me. It is as I suspected and addressed differently in the long drafts.

This again persuades that regardless of cost we do need the transcripts. It is, of course, better to await the government's order of a copy to reduce the costs to us. But I realize thing they are a need and worth the cost.

As you know I tend to regard legal matter in factual rather than legal terms and often the terms are not identical, as with "contempt." As a matter of fact if not of law Dugan is in contempt of her 5/18 order with which he said he'd comply by 6/2/76. Were his FBI filing a compliance, as it is not, he would still be in contempt because as I suspected she did not limit or intend to limit to the FBI. She did for openness to get some kind of responses going suggest that they only begin with our 4/15/75 request. This means and she meant the whole Department, not the FBI. Dugan has filed nothing from any other component despite the directive and promise.

He has always been trying to shift this into an FBI case. We have to straighten that out. If you can file something on this I think it is called for. In the transcript this begins on p. 25.

But as I've been saying all along, they get away with every dirty trick, every stall, and as it is now going there will be no end. Other ideas for the future are gradually forming on this. We can talk later but they make me no less anxious to proceed. Especially when I have had to hire someone to transcribe the tapes I have not even had time to listen to for the heck.

If I'm not mistaken you said to the judge on June 10 that the FBI did not get in touch with Time on the pix until we forced it and then solicited the letter they got. If not there is internal evidence to support if not prove this position. I have my own reasons for being certain that Seaman did not consult their files. And he is careful not to date the phone call or even who did the calling. "Recent" can have been the day before, the day of our repeated demand, the day we saw the pix.

These interrogatory answers in G.A.75-1448 came today. I bound them to the news and will read them probably first thing in the a.m. I'm tired again. I'd rather not be when I read them. I'll make notes but I've forgotten our specific purposes in the questions.

I think we'll have to be definitive in the coming set of interrogatories going all the way back to the beginning, with "heads" basis for classifying and swearing as he did, why Briggs certified for CIA, what his qualifications are, etc. I think we can throw some of the old stuff to them, esp. the 1/27/64 transcript case. "Why should they be believed now when they have always been untruthful in the past on these questions of fact?"

On this question of integrity, especially when there tends to be a disposition to credit the government with good faith, it might be a good idea to compare their reasons for refusing to answer the earlier set of interrogatories with their answers. I'd be surprised if the answers do not prove they were unfaithful in their earlier refusals to respond.

I'm to hear from Les tomorrow after I read what he has sent on the "my case." Ordinarily I would refer him to you if there are questions I can't answer but I'm wondering if you ought not be publicly silent on this for the time being.

Back to Dugan/FBI: they did not comply if they were full and truthful as they stated my requests because they restricted it to their revision despite my many protests of this and I think it should be a separate issue before Green. I think our need is to give her her needs and proofs. So she can shape them up or hold them to account in some way.

Best,