

Powell

Dear Jim, 1996 conferences and FBI continued withholding from me 11/15/77

Good faith being an important issue at this point, particularly the FBI's good faith or lack of it, I think that what I learned from a hook memo of 10/8 but not mailed until 11/9 is important for Friday and perhaps for Monday's in-camera conference - that for all my FOIA JFK requests and for all their saying these were being processed they released records to others long ago without letting me have them.

These assume added importance - and to me only - because they relate to the Army and the Army and Army intelligence have assured me under FOIA that they have no records. If true this means they were destroyed, a fact that should have considerable impact.

I am confident I remember Army intelligence's deprecation of the assassination, the use of a phrase like "indigent" and a few other words.

For the litigation people this should hold other significances. It also should make them wonder what else we'll come up with at my trial.

Fortunately, in addressing non-compliance we alleged with an abundance of uncontested proof that I am singled out for special non-compliance. His color shows that. That we went into this all in court more than a year ago without subsequent compliance gilds the lily.

I doubt Lil will do any copying before the mail so I'll send you Paul's memo in the next mailing and I'll have it selected for use on Friday, with a copy of the Army letters that you already have.

With the proof I've given you that the FBI does index and their claim last week that they have no indexes and the other things relating to good faith I think Bill and Lynne will have some eye-openers-and problems. I also think that as a further indication of our good faith and desire for compliance over just scoring points or saving embarrassing surprises in the event of trial I'll write and tell her. This has an advantage for her and for Bill, enabling them to satisfy themselves in advance. The advantage it can hold for us is the possibility that they may tell the FBI to stop playing games. I am further inclined to do this because this Friday we are scheduled to talk about other Departmental components. They may think the FBI's part of the problem is past. I may not be able to get the memo to her in today's mail but I'll try. Meanwhile, I'll mail this in time. My car is in the shop to get some rust spots touched up before winter so I can't make a trip into town to make a mail and save a day for her.

Hastily,