

8/5/67

Dear Sylvia,

Enclosed are copies of a number of letters I have written demanding "fairness doctrine" time to respond to Roberts and Nizer. If you know of any other exposures they have had where I can make the same demand, please let me know and I'll do it. This has become all the more necessary because the effort to suppress has become stronger and is working in many places. Here I think the AP series did more with individual stations than the network specials, and I base this on experience with some.

You will notice that the letters to AP and UPI seek to broaden the meaning of the FCC's court-supported (Red Lion) decision to include syndicated shows originating with and distributed by these agencies, which regard themselves as the sources of news and impartial. If I can get legal support on this I will fight it in the courts when they reject it. I think it is an important thing to do but will not be able to afford to do it. I am bearing part of the expense of the Bringuier suit. It was unceremoniously tossed out of court in New Orleans Wednesday, with no reporting. The retained local lawyer got is \$1,000.00, to be shared by Dell, Saga and me. There will be other costs, fees and expenses, especially if he appeals. He is not without support, and there are indications of official support. Interestingly enough, I can connect his lawyer with Ricardo Davis. The Washington ACLU promised me assistance if I faced nuisance suits, in advance of my publication of WHITEWASH for general distribution. In view of the fierce partisan attitude of the New Orleans ACLU, or perhaps I should say its executive directors, I did not avail myself of this for on the local level it would have been a disaster.

The Bringuier suit succeeded in preventing distribution of PHOTOGRAPHIC WHITEWASH in New Orleans. The distributor, Roufa, whose lawyer is mine, refused it on this specified ground, despite his own lawyer's assurance there was no libel in it and Bringuier was not mentioned. In Philadelphia, the wholesaler, who owed me a thousand dollars, declined the book without first reading it. He ordered them when I phoned him and told him I was about to be on McKinney's show and gave him the idea I would discuss suppression, the denial of Philadelphia book-buyers of the opportunity to buy and read. How much good this will do, I do not know, for other distributors have done nothing. Checks at Paul Elder's this week disclose no copies, no knowledge of the book at one branch, yet he sold out of WHITEWASH II in one day in 12/66, I wrote him separately, and his wholesaler asked for 1,000 flyers, which he would mail separately and specially to each of his customers. I have heard no report of it being in a single LA bookstore. Need I add that Elder and his wholesaler owe me considerable money? Yet Elder has II in his window.

I think we must fight on this line, now. It is part of the same fight.

My own course is clear. Despite this, I will continue to write and publish, but the prospect of bankruptcy is not pleasant. I shall, as I can, turn more to mail, and have begun to do this. It is also not cheap and is very time consuming. And who has time? Here the suppression, and I cannot find a kinder word, by Arnoni, Liberation and the rest of the liberal-left press is very hurtful, for from them, at least, I might have expected mention.

Sincerely,

Harold