

Mr. Bernard Fensterwald  
1707 H St., NW 10th floor  
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12/15/76

Dear Bud,

Odd coincidence that you should <sup>ask Jim to</sup> speak to me about Gonzales the same day I thought of writing you about what I believed you should know.

As Jim has probably told you I believe Gonzales as chairman would be a disaster.

You may have forgotten but we discussed this when you and Pattie were here about two months ago. My views now are even stronger, based on performance.

I'd have written you earlier only some tendon trouble with the right arm for several weeks was inhibiting.

When I met with Sprague and others on 10/20 once when Sprague was called to the phone I asked Rick for copies of what Downing presented to the Rules committee, including the Kohly stuff. Rick got real uptight. He has not done it. I need nothing like this if I want to clobber Downing, which I do not. I think Downing was had. I wanted to know more about it and of course I would like this for archival purposes. If I wanted to belabor Downing I need no more than one of the things I would have mentioned to you if you had phoned, his puff for the Warner reprint of Morrow's wretched fake. Warner is distributing that widely. A reporter sent me a poor copy. Morrow's broadcasts are more than enough if one wants to go after Downing. Obviously I have not.

This is a public record. There ought to be no problem providing it. I can't afford to pay the Rules committee for it and ought not have to think of this with all the free time I've given Downing and Rick and the committee. I killed two days herealone with Rick and Tiny and went to Washington to see them at their request when I was hardly over the pneumonia and pleurisy, was not able to drive it myself.

Having it for other than historical purposes means nothing to me. Its denial does.

I'd also appreciate transcripts of the committee's public proceedings until the new session. These also are public records. In the 1930s it was my responsibility to make these available to writers and I knew of no change in Congressional policy. In this case I think there is a better reason for this request being honored: I gave them 14 volumes of transcripts Oser promptly represented to the committee came from the prosecutor. They were not to give anything from me to any other, particularly not to Lane. They agreed nothing would get out of their offices. I am sure Ken Brocton will tell you that these did. As of now I still do not have one of my originals. They replaced it with a xerox. For my purposes that is fine but for their keeping of their word?

If you care about keeping these people straight, about protecting against the inevitable attacks, please arrange this. It should be no problem for Downing and he should have someone on whom he can call when he may think he has been bullkitted, as he has been. Again it is obvious I have no interest in going public on this or I would. I have had disagreements. I have not gone public with them. Where you have not been responsible, as in these cases I am certain you were not, I believe it also serves your interest. I will read whatever I am sent as soon as I receive it, mark it up and be prepared to answer questions. You should be aware that I could have asked WTTG for time. I have not and do not intend to. I don't want to spend my time that way. On the other hand I did arrange for a National Public Radio response to Gillan the day I saw the doctor about my arm. They have not yet aired it. From this what I do not intend should be clear enough. The only reason I can think of for some of these people not wanting me to have transcripts is their certainty of what is in them that should not be. That should interest Downing and you. From the news accounts I can give you enough specifics.

I will be glad to do as you ask. I asked Jim only that it not appear that I took the initiative. I should have asked that if this is wanted it be scheduled for as early in

TIP

the day as is convenient for O'Neill. I am not driving that distance. I'll have a ride that will get me in D.C. by or before 8:30. When I take the bus it has me at the station at 8:30. Almost always now I have the ride. If this is early I can be available to others who might want to talk to me or if there are none for other work. I do not go there very often any more. As of now I do not plan to go to my next hearing the afternoon of 1/3, the next time after Friday I have anything scheduled.

Some unsolicited budget advice if this interest you or Downing. Sprague told me he plans to use PSEs and ~~polygraphs~~ polygraphs not as prime evidence but to test honesty. Maybe with run-of-the mill checks but not in this field. You know people who could defeat these devices regularly. If they have to compromise, whether or not Sprague likes it this is a prime sacrifice. He'll get clobbered on this if he uses these gadgets anyway, regardless of his prior experience. I can do it right now - and would I love to be really heaped! Include O'Toole, who has been conned on his own device. Reporters have sent me tapes of him in person certifying perjurers as honest people. On this subject.

Again I think it should be obvious that if I wanted to make stinks with this kind of stuff I'd have done it or in any event would not be telling you about it. If I will not run from any I would prefer to avoid all that can be avoided. To me Gonzalez and his gang cannot be avoided.

If what you have in mind does not work I can give you some other ideas. As I told you when you were here we are on the same beam on this.

If you want to talk to me about this and if it reaches you in time I will be in Washington on Friday with a flexible schedule after 11 a.m. I'm going in for the post-plebitic regular checkup and to be measured for new venous supports. The second appointment is around the corner from you on 18th St. at 10:30. Maybe I'll just step in on my way to "in's, in case.

If you are busy or are not in I want to caution you again about how others can interpret some of what has happened and hold you responsible. Including flipped-out Jimmy and his new racist lawyer. Apparently he hates you whether or not he and you have ever met.

Sincerely,

Ja, HR only,

12/14/76

Strange ironies, strange coincidences, strange perspectives in the best of possible worlds - for some.

Jim saw Bud this afternoon. He phoned me at Bud's request to be John Alden. Chuckling all the way to the bank, if there is to be a ~~walk~~ walk.

The coincidence has two parts, one Bud's supposed friendship with Downing, the other that Downing still has a short while to redeem himself or in years to come to live with himself. With all the insanity I can't escape it, it was on my mind this morning, and I did write Bud hoping that he might get out of his own head long enough to see straight. I did this while awaiting the mail. It was not as late as usual for the Christmas season so I did not get to mail the letter.

So what is this big thing that Bud can't pick up his own phone and ask me about?

Would I be willing to speak to speak to Tip O'Neill?

About how disastrous it would be for Gonzalez to be the chairman of the new committee in the coming session.

Of course, I said, if I do not have to invite myself in.

Bud must be desperate about Gonzalez. Impotent. Detached from all reason to think that the Speaker would be content to ask but one question on such a subject. Or that if asked - assuming I waited to be asked - the questioning would be restricted to but one question when the largest single appropriation for a committee in the history of the Congress also will be in the Speaker's mind.

Why did he not ask me himself?

Well, he thought it might be easier if Jim did it. Still chuckling with all chins.

I do not think it will happen. I think there will come a rational moment when Bud realizes that the odds are I will not have to volunteer anything, will be asked. On the other hand, he may have that much hate and care about ~~me~~ nothing else.

There was not a thing in the message to me except Gonzalez. A good question but for one of decent concern hardly all.

There is already a stink about the spending of \$150,000 in so short a period of time, also what I wrote Bud about. With nothing to show for it. I do mean nothing in the sense of worse than nothing. Except a few vacations, family visits, PSE and xerox rentals and the like. They have been so diligent in wasting they are going to be without money for the payroll before the end of the session and then there will be a period before which any appropriation can be enacted - after the committee's life is renewed, assuming that. Grasshoppers! And for what?

I did talk to Gardner briefly today. He had to go up there for a press conference. Rather late in the day for one. Not that the news was worth evening TV but too late for if it were it. They have selected two subordinate chief investigators, in the sense of investigators, not lawyers pretending to be. Guess what - both black. Butter in blacks. Sprague told Jim and me that he would avoid the FBI types but would seek out retired cuty cops. In black that spells Tom. Not Sam ~~Spade~~ Spade. Almost certainly Sambo. Frightful, but the immobilizing of the black members. Unless they tumble.

George appears not to be aware of it but I told him that these people had no idea how to be congressional investigators and would waste more than a good, definite beginning would require in nothingness. There must have been a subliminal effect or an editorial directive. Today I asked him what they have to show for it. He came up with nothing. Maybe he'll follow that up. I did tell him to get the transcript of their one public session. He was out of town then. If he did not see a story I would show him one. I do not expect this but I did offer and I can produce. For whatever good that would do O'Neill, if he invites, or the Post it prints. In a letter I received today it was spelled "ward."

*Not sent*

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Dear Bud,

For the most part my advice, even when sought, has been unwelcome. Almost always I am publicly silent about it. Not much more often do I discuss it in private with other than friends. Reading Lardner's this morning's story while I await today's mail is certainly a reminder - I did anticipate, I was right and, naturally, this was and is unwelcome and will create greater dislike of me and my advice and my record for a pretty fair degree of accuracy in approach and forecast.

I do not think that there is much chance of anything now happening that can save your friend Downing from himself and his friends and the utter irrationality of it all. Certainly I am taking no initiative to do this. I've wasted too much time on the weird mixture of nuts and disinformationists. If you have not been told after the last of a series of incidents the seriousness of which I did underestimate I wrote Sprague I was having no more to do with any of them as long as he and Ozer are on the staff or any of them has anything to do with Lane. I did and do mean it. The one exception I do not expect but I also did forecast it when I was asked, testimony. They do not want it. Now they can't stand it.

The best of these people old enough to have body hair are like just-foaled jackasses. They are ~~just~~ crazy except where their records suggest the more sinister, entirely lost, totally incompetent in running an investigation and as insensitive to the needs of Hill survival as a determined effort would account for. It is the first caution I gave Sprague. If Rick could not do better than what I have seen, not only what Lardner reports, then what is he for except sucking on the public teat?

I do not know all but I know more than most because much comes back to me and I see some. If there is a single trap they side-stepped it is not known to me. If there is a single wrong-step they could make on their own initiative and not make I do not know of it. If they have a branch for creating stupidities it is their one efficiency and success.

I had my own ways of making my own readings quite separately from what I know others could be expected to say and create. On 10/20 I urged Sprague and the others with whom I met separately to check things out with me and my files instead of being the victims of their own lack of knowledge. Not once has any one of them and they have done the incredible. I'd see Sprague spending his time talking to a Richard Lewis of supposed fact, something he never discussed with me. For that matter not one of them has spoken to me of JFK. Well, it happens that a job applicant was there then. He was aghast. He phoned me. I got my file out and read it to him. It may have prevented Lewis' employment but this is a way for them to spend time? And on the Sprague level?

From your experience, once they went for the planted non-story about the Mexico City bugging, they did the right thing to send unprepared staff on a holiday trip there immediately? Or even to call Phillips in without having the slightest notion what to ask him about? They can't use subpoenas to have witnesses appear and save staff time or use it to ~~xxx~~ prepare for questioning? Planes don't fly both ways?

These are relatively minor. I have no desire to talk about the more serious ones now. I do tell you they are very serious. Regardless of what follows what the correct approach was and that this approach was not it are clear. Nobody will learn from this, especially not if they are continued. With this handling of money it will not likely be at the scale requested - and should not be. It is, for example, insane to spend all they project on the dubious PSEs and polygraphs. If they need these devices they have no reason to exist.

Why all the big brains could not see this in advance - or heed it when they had it spelled out with what now appears to be considerable precision 20 months ago at NYU - is not a problem for me. I can't compete with those of sick ego and baser motivation when they have nothing else to do and I do. I'm sorry if Downing is your friend. Sincerely,