

Mr. Andrew Sciambra  
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4/26/91

Dear Moo,

I'm glad you phoned<sup>d/</sup> to tell me you are going to ~~refuse~~<sup>R</sup> comment to ~~all~~<sup>all</sup> reporters (although I am sorry this is your position) because I expect to hear from George Lardner and otherwise I'd have suggested to him that he speak to you.

When I awakened at my usual early hour your yesterday's call was on my mind and it stayed there during my walking therapy. You have helped me in my own thinking and understanding of my own failings and emotions in reaction to Stone's pimping of Jim's whoring with our history. A part<sup>of it</sup> I told you and have always believed is a major turning-point in our history. If you by any chance want an explanation I'll be glad to provide it.

You were quite correct in saying that he had let all his friends and associates down. I add that he had in fact let ~~the~~ whole nation down. I suppose this may have been in my mind but I do not recall having articulated it before. And, having done this wretched thing he first commercialized it in an entirely false book and now is exploiting it even further in the reprint and in the movie. Publishers Weekly for April 12 says he is getting \$137,500 from Warner for the reprint rights. I do not know what he got from Stone, but he was paid for the movie rights.

In your earlier call you also helped my <sup>understanding</sup> understanding of one of my own failings of which I had had no awareness until George Lardner asked me how it was that I did not fully disassociate myself until the end of the Sunday afternoon before the enpanelling of the Shaw jury that I spent with Al Oser and Bill Alford, if I have his name correctly. (You remembered that I had helped them with the medical evidence. I remembered later that I helped them also in their questions<sup>ING</sup> of FBISA Frazier.) In thinking about this after I realized that my response was inadequate I was not satisfied with what came to mind. When you said that more than half of your time was spent in damage control I realized that this or something like it had to have been a factor<sup>for me</sup> for me.

The position you take is for you alone to decide and I am not now <sup>trying</sup> trying to talk you out of it. I presume you have already thought it through. My belief is that you may not have done this as fully as you might.

Aynsworth and Phelan became what is not usual for reporters, partisans, overtly in what amounted to efforts to intimidate witnesses in the guise of questioning them for stories. Phelan at least is fully aware that you handled the Russo part of the case. If you tell him you rest on the record you made you are inviting him to refer back to what he wrote 22 <sup>y</sup> years ago, or 23. If you want to do that, fine, that is your decision. But I think it makes you vulnerable and invites him to go after you and lay it on thickly. (While I do recall that Matt Herron, who was with Phelan in Baton Rouge as his photographer, disputed some of Phelan's account I do not recall what it was.)

I recorded reasons to doubt Russo in Oswald in New Orleans. You may not have known this and to the best of my recollection we never discussed this but Jim did know it. I never looked him up but on several occasions we bumped into each other and did speak. One of the things he confirmed is that he had been at one of Oswald's literature distributions and had a copy of the handbill. Another, which Wione Turner had told me, is that ~~him~~ the three of them had been friendly and if I recall correctly, had all gone to a football game at Lafayette together.

In general a refusal to comment encourages a reporter to look for reasons. Often they assume it is to hide something. Some follow this with additional digging for answers.

I've been into too much and had too many serious medical <sup>b</sup>problems to have really thought my own failings through <sup>earlier</sup>. In some unrelated writing, and not for the first time, I acknowledged that I had failed in New Orleans. But in thinking back I realized that without having thought it through I had learned from it and determined not to make that kind of mistake again.

When the former Philadelphia <sup>D.A.</sup> Richard Sprague became chief counsel and staff director of the House Select Committee on Assassinations and asked me to confer with him I soon realized how unusual it was that when I had published six books on the JFK assassination he had not asked me a single question about it. This and other things led me to give him a harsh opinion. One of the other things is that I had worked for the Senate and knew it was an environment <sup>strange</sup> to him. In any event, I did warn him that I saw him cutting his own throat. One of those present was Ken Brooten, a Gainesville, Fla. lawyer under him. The very evening it happened Ken phoned me to say that if any man ever was Merlin and remembered the future (From Camelot, Merlin, if you do not recall), I was that day.

When that committee, after he was fired, behaved badly and lied I was the source of most of the stories exposing it, particularly Sprague's successor, Blakey. Some of the stories credited me by name, some didn't. I did not seek anonymity and I was reminded just yesterday in going over some FBI records I'd not examined earlier that I had called to Department of Justice attention Blakey's violation of their agreement. Most of the time I took the initiative and alerted reporters but sometimes they phoned me first.

What I am also saying in this is that I did not make the same mistake twice and I then felt better for it and do now.

These three pending stories are going to create quite a stir, a real scandal, and I believe they will trigger more such attention to what + regard as an obscenity and an additional disgrace to the nation and its history, over and above what Jim did on his own. It was on his own. Neither you nor any of his other assistants could really influence him once he had one of his visions and made his mind up. I believe that many considerations will magnify the interest. One is Stone's prominence. Another is the nature of the <sup>advance</sup> puffery. Still another is the amount of money involved, perhaps as much as \$50 million.



And underlying it all is the totality of the dishonesty and the corruption of our history and of Jim's personal dishonesty and corruption in this. The two of them together are going to greatly magnify journalistic and public interest in this rotten thing in which they and their backers have combined for commercial benefit to both and for Jim, his self-justification.

Be prepared, Moo. I am certain it is going to happen, and soon.

As of now at least I have no reason to believe that <sup>P</sup>eh Phelan, a stranger, or <sup>A</sup>yns-worthy, to whom I spoke only once, will call me. As I told you, I have spoken to Lardner. I believe he will write an accurate and a fair story and that it will get extensive attention. I believe also that honest and fair exposure serves an important national interest, as I told you and Jim Alcock, to whom I wrote just the other day.

Lardner is not an apologist for the government. I enclose a copy of a story he wrote about one of my FOIA lawsuits a dozen years ago. I keep it at hand for a different reason. The penultimate paragraph is the only newspaper mention of which I know of the fact that I was responsible for Congress amending <sup>FOIA</sup> the investigatory files exemption in 1974.

After more than 20 years all of us have forgotten much. Both the accuracies and the inaccuracies of the coming stories will remind us of much. I do hope that the time will come when you and Alcock will be willing to record your recollections for the historical record, like oral histories without a questioner. Whether or not either of you says anything in public is your own decision. If nothing else I hope you will comment on the news accounts on tape and be willing to deposit them for the historical record under whatever restrictions you want, with my records, at local Hood College, one of the very best small colleges in the country. Charles Kuhn is the librarian. They are good and ethical people. Several years ago, after Sylvia Meagher died, her executor, who had carte blanche authority to do whatever he wanted with them, faced the problems of what to do with them until he made his mind up. Although the Hood library was so overcrowded it was planning a new one, now almost constructed, it agreed to store them for the six months of his estimated need. It did this without his offer of them and with the understanding that he had not decided where to deposit them. Even after the executor killed himself several months ago it did not open any of the many boxes of her records it has. This even after it had his will in which he deposited them at Hood. Until everything is as it is supposed to be they will not be touched. This probably means a court determination. My point, however, is to illustrate that they are honorable and ethical.

I do hope that you'll be kind enough to send me what appears in the papers there, like Pershing Gervais' letter already published castigating Jim, and the stories that will appear, so that the records I leave will better serve history. And, of course, inform me currently. Until we talk again, good luck!

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# Critic to Get Free FBI Set Of JFK Files

By George Lardner Jr.  
Washington Post Staff Writer

U.S. District Court Judge Gerhard Gesell refused yesterday to delay the FBI's impending release of thousands of additional documents bearing on the assassination of President Kennedy, but agreed that author-critic Harold Weisberg should get a free set "with all reasonable dispatch."

The FBI plans to make public on Wednesday some 40,000 pages of headquarters documents on the 1963 assassination at a cost of 10 cents a page for those who want their own copies. The bureau released an initial 40,000 pages last month on a similar basis.

An outspoken critic of the Warren Commission and author of six books on the JFK murder, Weisberg noted that he has had freedom-of-information requests for such documents pending for years and that he had asked for a waiver of fees in mid-November. He filed for a federal court injunction in late December, arguing that he was entitled to a free set at least by the time the final batch was made public.

Charging that such voluminous FBI releases amounted to "media events" that effectively camouflage unjustifiable deletions and paper over "a very careful job of sifting and concealing," Weisberg said the Justice Department and the FBI had completely ignored his request for a waiver of the fees, which he said he could not afford.

Announcing his decision from the bench after an hour-long hearing, Gesell was sharply critical of the government's delay in responding to Weisberg's request for more than 50 days. The Justice Department offered him a reduced rate of 6 cents a page last week, but Gesell said "it is apparent no consideration whatever" was given to Weisberg's claims of poor health and indigency.

"The equities are very substantially and overwhelmingly in plaintiff's favor," Gesell said. He said that the records would not be coming to light now were it not for earlier freedom-of-information litigation by Weisberg. This led to a congressional change in the law, opening the door to FBI investigatory records.

The judge, however, declined to hold up the Wednesday release, on grounds that the disclosure of the documents was the "pre-eminent consideration." Weisberg's lawyer, James H. Lesar, said later that he understood the FBI would mail Weisberg copies of the forthcoming 40,000 pages the same day.