1/31/75

Rep. Elizabeth Holtzman
House of Representatives
Washington, D.C.

Dear Representative Holtzman,

"No more smoking guns" as a plea from the Special Prosecutor is, to one who has done any work in the field, a thoroughgoing self-indictment.

= So also is the pretense that there is impropriety and an and no precedent for the issuance of a special report. When this same Department of Justice wanted to hide what happened in the Fred Hampton murder, it had no concern for the rights of individuals, the guilty or the survivors. It issued that whitewashing report. And it was without shame that the report proved the falsity of the pretense that there were no grounds for indictment.

Those who know this office under any of its Special Prosecutors from their pleasant ways or skilled public relations can be deceived easily. But from the very first it has been hiding from those with the background and experience required for uses they did not make that evidence which could prove other crimes. My personal experience is persuasive to me: I have been refused access to exhibits used without restraint in two courts and widely published but only in part when I used the Freedom of Information law. My appeal, which goes back to the early Cox days, repeated several times, as of this moment has not even been acknowledged.

The reason is obvious. It would prove further covering up of the coverers up, what could easily amount to still another obstruction of justice.

There is an enormous amount of information and a long list of crimes that is being kept secret by those with the obligation to do exactly the opposite.

The actuality is much more Byzantine than any of the paranoidal versions popular among those in holding extreme views. Including the press and the popular heroes as well as all the executive branch.

Of course I had fire-horse interest in this business when the story first broke. I am a former investigative reporter, Senate investigator and intelligence analyst. But I had more interest because some of the characters were known to me from the intensive decade I have spent investigating the investigations of the political assassinations. Aside from my published work on which I look back with continuing pride my investigation, analysis and other work is what has made possible the reversals to date in the case of James Earl Ray, falsely accused of assassinating Dr. King. (I am his unpaid investigator and my colleague in my newest book, of which a copy herewith, is junior counsel in the defense and the lawyer who is doing virtually all the legal work.) So, when I started following some of the immediately available leads it was child's play to discover a very large and significant story that has been avoided by all society's supposed protections. Those of the major media who refused to touch this information when I offered it read like a blue book of the most respected. So, I decided to write my own book. It was almost drafted when I had to lay it aside first for the Ray evidentiary hearing and then for work required by this new book. I hope to complete the conclusions soon and then to start editing it.

For one little-known man to claim to have developed what from Pulitzer Prize to Special Prosecutor was not may sound like big talk. If this interests you an easier check than consulting my files is readily available. Professor Jerry McKnight of the History Department of local Hood College has reviewed my notes. He will, I am confident without asking him, confirm this and more. "More" includes the ease with which developments could be forecast - and I did.

In my opinion the work of the House Judiciary Committee was far and away the best. However, it was, again my opinion, still entirely inadequate. It was limited to meeting the immediate and very limited perceived political need. It was in no sense an investigation and it, too, avpided all the obvious investigative leads.

I regret very much that you and a few of the other newer Members received so little public attention until the televising of your hearings. I did have dealings with a number of the others, some on their initiation. Nothing came of it. They chickened out when they learned the material was really tough stuff. I am satisfied that all are men of good conscience. But the times call for more than that alone. In the end I could not even obtain copies of your proceedings, not even when I told them that all my files will wind up as a university archive.

In writing you I face a conflict of interest, my own, which includes minimal survival when I do unpopular work at almost 62 and have neither resources nor regular income, and what I regard as the public interest. I do have this book virtually completed and I can ill afford to give it and the proofs away. But I also have the obligations of citizenship, the same ones that account for my condition.

Intermittently since I was so shocked in looking at the evening TV news to see that the abdicated prosecutor was talking over you so that you - a Representative and a woman with a lighter voice - could not be comprehended, I have pondered whether or not to write under these circumstances. I write for the possibilties of the future rather than over yesterday's events.

If the Congress finally decided to permit a definitive investigation, that will be possible in what impends with the investigative and intelligence agencies. Senator Baker's "report" is Orwellian. The actualities will bring this entire matter within the purview of any such investigations by the Congress with both the FBI and the CIA and in ways not to date publicly reported. Definitively and sensationally.

Prior to my following Watergate leads I had copies of CIA surveillance on me. These leads provided, when followed, solid indications if less than complete proof of other violations of my rights as well as definitive proofs of other CIA activities. My colleague in this new book, who is also my lawyer, and I have conferred with the CIA in an effort to obtain redress of grievances and what I had asked for under the Freedom of Information law. After some stonewalling they admitted to having "a few things" on me. My preference is to give them full opportunity to confess sin and undo the damage they have done to the degree it is possible. They also know that if they do not I will sue. If I am forced to sue, the possibilities of depositions are, I think, promising. And they can be helpful to the Congress. Until the CIA decides what it will do, I would like this to be confidential. They know I have copies of some surveillance, and that can make an important difference in what they may consider doing.

With this incomplete background and explanation what I can now do, if it interests you, is merely inform you.

I am aware of the pressures, especially of time, on New York Members.

In any event, thank you very much for the fine work you have been doing.

P.S. When yesterday's transcript is printed I would appreciate a copy.

Sincerely,

Harold Weisberg