Rt. 8, Frederick, Md. 21701
7/21/74

Dear Mr. Bradlee,

As I suspected when I phoned your secretary, it is one and the same Epstein and as I was certain, he is again doing a job for the Department of Justice.

This carries me back to the disagreement between us in April or May of 1966, when Dan Kurzman left the Post and my first book was reassigned to Dick Harwood. Dick was given an impossible assignment, to read it and what was relevant of the Warren Report and its 26 volumes and Epstein's book, the release date on which the Post elected to break for reasons I never understood - all in a week.

What I then tried to explain about the thrust of Epstein's work those who lacked my knowledge of the Warren material simply would not believe. But it was a defense of the FBI and the most vicious attack on Warren personally, attributing to him worse than anyone else ever did or since has.

You probably don't remember my giving you some xeroxes of what had been withheld, a few pages of the initial and supposedly definitive FBI report on the assassination. Hoover accounted for the assassination without reference to one of the President's known wounds, that in the front of the neck, or to all the shots known to have been fired. It is my recollection that Epstein, who had that report leaked to him-exclusively-made no reference to this. He has selections from its text in his appendix. With his book virtually based on this and a supplementary FBI report to the Commission, it is not possible for him to have been unaware of this FBI "oversight" without which there could not have been a no-conspiracy conclusion. I could add extensively to this but my purpose is not to go over all of that. It is to say all the signs are and always have been that Epstein was and is an FBI-Department of Justice fink. Inquest, in itself an overwhelming proof that he was their apologist, is not the only one. Tragically, the significance of this was lost on all of you. I guess the fact of it, too. Facsimile excerpts from the pages I gave you are on page 195 of Whitewash.

Epstein's New Yorker attack on the Black Panthers was without doubt assisted if not inspired by the FBI and/or DJ. Mitchell personally promoted it on TV. I remember spending much time on this with Paul Valentine, whether or not I persuaded him.

The fact is that I know of no Epstein writing that can't be interpreted this way, propaganda for the FBI and DJ. Some of it was quite incompetent. He could have made a much better case against Garrison than he did. As this writing related to me it was of obvious inaccuracy. But a pseudo-scholar who seems to speak softly and yet says the harshest things can get away with anything. Witness conning as tough-minded a reporter as Dick Harwood.

A single hasty reading of his attack on the Post in Commentary is 100% consistent with Epstein's past. Even to his vagueness with sources. Obviously the prosecutors were his major source. He never says it, yet he can point to where he suggested it if he is ever called on this. He has the reputation of being very lazy. I believe it. So as with his Black Panther piece I wonder how much of the research he did. I don't for a minute believe that he kept files on this or went to a library and read all he'd have to read to be able to cite what he has. I do believe he was hand fed.

When did he decide to do this piece? Just when the Silbert nomination was in trouble. Coincidence that he didn't do this earlier, say when you got the Pulitzer?

There are areas of fuzziness in this piece indicative of unoriginal work and consistent with covering DJ and FBI. There are statements not from the papers and the source of which is not cited in any case. There is factual error consistent with the foregoing, as in when Hunt's involvement was first known to a reporter. There is also factual error

about when certain matters became public record. There are other factual errors of which you may not be aware because they relate to what the Post did not report.

Aside from these kinds of errors, there are those of doctrine many if not all of which you should have perceived. For a self-styled critic of the press, miscasting it is pretty serious.

The press has made a kind of sacred cow of this fink, beginning with Harwood's piece and since then frequently by the Times and New Yorker. It has given him a credibility he never had. It and his finking made him a man of some wealth at an extraordinarily early age.

In my opinion he is a fit subject of some investigative reporting. If you know anyone who ever develops the interest, my files are available.

This is not to say that the press should not have critics for I am one and I believe it is necessary to the press (which rarely listens). Nor is it to say that I have not had criticism of some of the Post's Watergate work, as Barry can tell you. However, what this sneak attacks is precisely that work of the Post which was by any reasonable standard very good work. Without it all may well have been different.

Whether or not this is his inspiration, it is apparent that he is doing a job for the initial suppressor, Silbert. Today this means for Nixon.

Sincerely,

Harold Weisberg

Postscript on Nixon and taxes and fraud

What has come out on this hasbeen latched pretty much to the needs of meeting daily deadlines. Unless the Judiciary committee has done an in-depth job, to the best of my knowledge there has not been one.

What has been reported is what is more likely to make headlines.

If anyone has really gone back to the requirements of the law for a "gift" of the kind for which Nixon took such deductions, I am not aware of it and I have been looking.

My knowledge is limited to my own experience, to what the Archives has represented to me and has represented in court in one of my unreported Freedom of Information suits. While I do not pretend that this is complete, I do believe it relates to the absolute minimum in preconditions without which there cannot be any claim for tax benefit. I believe that unless these preconditions were met all subsequent federal investigations were in effect conspiracies and themselves fraudulent.

There must be an initial condition, that the "gift" serves the public interest. I do not see how this can be verbal.

If any conditions are attached to the "gift" there must also be a determination by the Administrator of GSA that these conditions also serve the public interest. I do not see how this can be verbal. Here the wrong description of "deed" for what requires a contract and written contractual agreement, which is missing, are important. (And relating to the Morgan story, that the lawyer lacksauthority, this is wrong. There is precedent. Burke Marshall signed the contract, called a letter agreement, for the executors of the JFK estate.)

The conditions Nixon stipulated, themselves I believe fraudulent, could not be agreed to by any government official. They enable him to first take the write-off and then recover 100% of his "gift." Have the eaten cake.

As I remember it, this "gift" was interpreted by GSA/Archives to include CREEP records after the filing of civil suits. This could among other things have required DJ to defend any action.

The GSA administrators were both Hugh Scott's former AAs. Both had legal problems, one as I recall jointly with Scott, with criminal prosecution a possibility over some land dealings in Philadelphia. Both, of course, Nixon appointees.

Without a signed contract there was no basis for making any tax claims. There was no xxx signed contract. This cannot have been missed in the federal investigations, especially not by either GSA or IRS.

In short, aside from those things that have been reported, some of which have been argued, the absolute minimum in requirements for making any tax claim were not met, therefore on an unequivocal basis there was no legal tax credit possible. This was known to Nixon's appointees who thereafter found no fraud. Had they, they, too, would have been guilty of fraud.

There is a special section at Archives that deals with these matters. They not only know the laws, they can supply you with copies and with copies of the "deed." There also has to be a section at GSA dealing with these matters because as a general practice the administrator delegates his authority to the archivist.

Harold Weisberg