

Dear George,

9/20/81

Lardner

From someone who knows Luis Alvarez well and has worked with him, I have, "What bothers me is that he was initially offered the chair of the panel! (Don't even hint to anyone that you heard this from me!) He turned it down -presumably recognizing that it would look bad, and that it would bring him more hassle than he wanted. Anyhow, for someone in Washington to offer the chair of this panel to someone with a strong prior position on the case really is indefensible; even if there were no conflict of interest, the appearance of a conflict should have been enough to squelch that suggestion right away."

From another dependable source, by phone, I am told that the delay in reporting by the panel is Alvarez's doing as he fights to alter conclusions to make them more congenial or less uncongenial to the public positions he has taken over the years.

Recently I sent you DJ records in which they represent this panel as entirely impartial. Several years ago I sent you ERDA records reflecting much more than Alvarez's strong partisanship - that he got ERDA to pay for reprints of his extremely partisan publication, which had nothing at all to do with ERDA's work or his university's contract with ERDA. Remember the note in Alvarez's own handwriting in which he made a crack about Proxmire and what he could do with his monthly awards if he learned about it?

If the panel lends any support, no matter how little, to the HSCA's interpretation of the police tape it is a major assault on Alvarez's work of the past, going back to his ^{and subsequent} 1966 appearances on CBS, where records I've obtained reflect his use of his inside connections there for airing his blast at the critics. It is the destruction of the work subsidized by ERDA and his publication of it in ~~NEEN~~ Science, whose editors were willing to delay publication for the issue that would have maximum collegiate impact.

ERDA is co-defendant in my spectra/NAA suit, C.A. 75-226, the oldest of FOIA suits, the one over which the Act was amended in 1974 (investigative files exemption only), the one in which the Post just ignored the long affidavit of which I told you.

Even if you do not take time to read the 82 exhibits, it will take time to read those 113 pages of the affidavit. I think you will make a mistake if you don't. I have no copies to give away but Jim can lend you a copy of the affidavit and the exhibits. I've paid for the xeroxing of a couple of extras for anyone who wants to read them.

At some point, probably soon, the Department will have to file some response in court, where it can, from his past, depend on Pratt to be as helpful as he can see himself getting away with. He has been taped saying that he always leans over to do what the FBI wants him to do. East can provide the tape and transcript if I did not send you a copy of the transcript. My hunch is that it may try to ignore my request that charges of perjury be entertained against SA John W. Kilty, who is a repetitious

perjurer. With regard to the other and entirely irrefutable allegations, I expect it to ignore those involved in the perjury and to try and get away with another attestation to an alleged diligent search and similar dodges where I've attached copies of records it withheld in this litigation but has in its files.

By normal and traditional news standards there is a not inconsiderable amount of news of significance in this newest filing.

Errant officialdom is immune in these kinds of practices because the press, by its silence, tolerates and protects them.

I am reminded of the day I filed ^{other FOIA} litigation, back in 1970. I held a press conference and the Post had someone there. He filed an entire column and it was all killed, including the documented proof that Kleindienst was an arrogant and careless liar. If the Post was overup, as I suppose is usual, and couldn't go with an entire ~~column~~ column, it also found no space for any mention. And it was not that overup when the offense was by the Deputy Attorney General who had to be well aware of the unprecedented action he had taken to consign all records of a judicial proceeding to the memory hole. He had gotten away with that. His lies were to cover it.

The allegations of the affidavit are so solid I could not use most of the records I collected for it. I had many of them with me for the press conference and I am now engaged in refiling them, where soon they will be lost. The country will not be better off for this, nor will government or the confidence or lack of confidence in it, particularly by young people.

Sincerely,