

Dear George,

4/9/83

When the friend who is typing it delivers what I will enclose what has developed since I filed the Ferris affidavit of which I sent you a copy. If you want either the exhibits or the DJ's pleadings, let me know. Don't ask Jim this week. He'll be too busy.

While I do not expect any judge, least of all Smith, to consider a perjury charge against FBI agents, to the degree I can I want to push this. As you can see, they can now try to lay such a charge on me. I do not expect it. I expect Smith and them to try to ignore it.

However, when the legal issue is what they swear to about my Ferris affidavit and what I swear to about their declarations, falsehood is material, the prerequisite of perjury, as I understand it.

Perjury has tainted all my FOIA litigation and no judge has shown any sign of even considering to consider it. But that doesn't mean it is or can be acceptable and maybe, who knows, you and/or the Post may get interested. Allow me to be undiplomatic - as I think the Post should have long ago. It is a felony and it is official government and policy. It think it undermines the Constitutional independence of the judiciary and is also subversive in other ways.

Right now I consider the Act more important than what I can still get in this litigation in which, typically, they have yet to make the initial searches after more than five years.

They are up to other dirty workings against the Set through me in this case. I rather suspect largely because they have Smith. Jim tells me he was pretty bad, even for him, yesterday. (My paraphrase.)

If they succeed they will ~~xxx~~ again have made a major legal impediment to use of the Act, and that can be additionally costly because they are trying to assess their contrived costs against me because I refuse to assume their burden of proof by refusing to provide discovery they don't need and haven't even claimed to need. (Besides which, as I've already sworn and they haven't pretended to refute, I've already and voluntarily given them just about all the information I have.)

If their daring and openness in swearing falsely does not astound me, I'm still impressed by it - even though in this case, fully expecting it and having told Jim to, I gave them little alternative with the affidavit I sent you. As I told Jim, they'd have to admit lying or lie again.

P.S.: I was interrupted preparing some information for Quin Shea before he was eased upstairs and when I was operated on, did not have time to get back to it. In going over some of it recently I found a Dallas FBI record that makes it clear that once Oswald was picked ~~up~~ up and before he was even charged, the FBI foreclosed any investigation of any other suspect. A report came in on an extremist whose outfit had threatened JFK. A handwritten note was added not to follow the lead because the "true" suspect had been apprehended. This, I think, reflects the prior determination not to investigate the possibility of any conspiracy. It is attached to another affidavit Jim has but has not yet filed.

I assume Jim will file the enclosed as soon as he can. He expect Smith to shoot us from the hip.

If you decide to do nothing, please let me know and I'll look elsewhere.

Best wishes,