

TOLL - Pay file  
This part 1/11/76

1110-11/76

I was at this point when you phoned last night. Immediately thereafter, before I could resume, I had a long conversation of which I'll inform you when there is time. I had no direct bearing on this. I came in the middle of what I wrote Jimmy. ~~xxxxxxx~~  
The P.S., which I started promptly.

I'm sure you hunch that Bud is going to try to con Jimmy into agreeing before a committee so Bud can get some more personal headlines. The timing also would be very bad, premature, if it were a good idea. I had to let Jimmy know of Conyers' views and in the attached letter you'll see he is explicit enough in rejecting the idea.

I tried to handle this part as delicately as I could when I was tired and didn't have time to think through how to put it. Things are backing up on me. I do have to prepare for an entirely different kind of speech than I've ever made and Les will take Tuesday up.

I've only hinted at it, perhaps too subtly, but I'm not getting my energy back as fast as I'd hoped. I seem to have reached a plateau. Inevitably this means I'll not be able to spend as much time trying to rescrew his head on straight, much as I sympathize with his problems and limitations. His bullheadedness can't dominate my life any more than Bud's can. I am staying tired even with much more time in bed. It troubles me. It also means I have to decide what not to do.

My letter to Tim Ingram is also enclosed. As I said last night, there is a big accumulation that I'll hold until the 21st, when we'll meet. Now I do want to read Rhoads' testimony for reasons you can't: my experiences with him and Archives correspondence prior to your knowledge of it and some of the stuff I've obtained recently. I am sure I have Johnson's handwritten notes. I'm not sure they dispute the interrogatory answers but I believe they do. In a related connection, you may want to recall the 2052-73 records on when the "national security" and "investigatory files" materials in the transcripts were first made available to any agency with such interest.

I included your suggestion about Les Whitten. You know that I would not do this when I could have and you know it was principle that determined this. However, it will be entirely different in court. If they do not give us copies of the transcript I think you you have to spell out what we can't produce the original of Rhoads' testimony. And let them stand on their own feet for once. It will be polite, proper and who knows -perhaps even instructive. What they did to us in their- "their?" - hearing is outrageous, as in what they didn't do with our FOIA work, credit it, the norm.

Tim ought to get the distinction between my principled refusal to get even for what he knows is bad treatment and my need to explain to a court why "best evidence," the transcript, is not provided. I draw the distinction between the principled and the unprincipled and give him/Abzug the choice. If this gets into a court record, if we do not have the transcript that is a public record, then news treatment would not be a leak of the confidential. I'll be for this and will be willing to do it.

Floyd has just come. I'll take the interrogatory answers to read when I'm flying if I can't get to them sooner.

Best,