

Mr. Les Whitten
1401 16 St., NW
Washington, D.C. 20036

7/14/76

Dear Les,

As it turns out I'm happy you found no interest in the last item I told you about. While with the passing of time I do not believe you'll use it, I'm taking no chances and asking you not to use it as perhaps a filler on a light day.

It had to do with my filing a Motion to Compel against the Office of Professional Responsibility. It compelled!

The result normally would have made a page-one story. With nobody from the press in court Jim and I decided we prefer public silence, to lets these things work their way out without any possibility of any external pressure on any judge.

This is only one of the reasons I'm taking the time to ask you not to use it. Unless you desire I'll not take time for the others. However, I will give you a few side explanations, again FYI, not for use. We have fought a long and taxing series of legal fights with no help and when neither of us had any regular income. We have, I think, a unique record in them. Now we are at the point of major breakthroughs. In fact we have ^{scored} scored some, unreported.

~~One~~ Of the four earlier cases cited by the Senate as requiring amending of FOIA the first was my suit for the spectrographic analysis in the JFK case. DJ could not have been more corrupt in that case. They used it, the silence about my suits and the prejudice against the subject and me to ~~x~~ rewrite the law in court. This suit, enlarged, is the first one filed anywhere under the amended law. Again, this time with another willing judge (Pratt) the took a different tack to accomplish the same end. If that decision had stood the law was gutted more than before. We have turned it all around and extended the parameters - enormously. We are going to be able to depose those FBI agents who retired early to avoid being called. (How the hell we'll pay for it I don't yet know!) The snails did not deliver the decision to Jim in seven days although they had only 13 blocks to crawl. We found out by accident and he obtained a copy of which my copy has not yet come.

In the case of which I wrote you, where for more than a month I had been groping for a way within the system to give the judge a handle and to dramatize we await the judge's written order. What happened in court exceeded my expectations. If there are other judicial excoriations of the FBI like this one I have not heard of any.

In a third case I expect some dramatic, newsworthy developments because I've caught them in the dirtiest of dirty politics - misusing the machinery of government and the law to protect Ford and his career of secret McCarthyism. This one is particularly delicate because they have made it that delicate. So, I also want no attention to it and to let it work its way out. I think it will in court. I want that and will have the same options if it does not.

I've filed charges against an FBI agent, a baby-faced monster who used the processes of the court to defame me. Kelley stonewalled and finally responded non-responsively. He did not, as I asked after making him witting, forward the complaint to the OPR. So I'll now do it through Levi, who is no more anxious for any professional responsibility. Shaheen himself is saddled with a conflict of interest - have in the court record without anyone catching it. I'd prefer no mention until that judge acts. I do not expect the action to include this conflict of which the Department has known for two weeks.

Our method has been simple: we built a tough, solid record in confrontation and are never confronted on fact. It requires much work, so we do that work. Proving negatives is now for us as normal as breathing. Two dozen books would not hold the record in and I have made in various courts.

Best,

