

2/13/77

Dear Howard (and Jim),

I think the Kelley letters of 1/25 and 1/26 are helpful to you and to us.

That they give you a number while denyin the one number they have given us is a real number and that they claim to now be working on requests of 4/76 when since last September they have had proof that I have older requests totally seveal dozen not yet touched improves our record immeasurably and our proofs of deliberate discrimination against me. Especially when they still claim as they have in court that they take each request chronologically.

You may not get far in correspondence but I'd make the effort.

First to get them to recognize the date of initial receipt rather than incorrect referral as the chronological date in their scheduling.

The Department has just informed Jim, for example, that they have just found his letter of last April.

Then your request was not limited to FBI, so perfect the record with the office of the deputy AG, demanding chronological handling outside the FBI, too. You've been without real response.

With the FBI tell them that the autopsy pictures are not ~~with~~ "available" at the Archives, as they should very well know of they should not be writing ~~with~~ letters, and that your request is not for the photographs themselves but for records relating to their possession and transfer.

I'd go a step farther for reasons I think you will understand. I'd ask indignantly how the FBI could have conducted so diligent an investigation as directed by the President without any knowledge of the autopsy, without the protocol or pictures, etc. You know the FBI better than that from TV, don't you?

Jim may want a different copy of the 1/26, on separate sheets, to attach to something he may file. I think he will. Until then I'll send him what you sent me.

We don't know how this is going to go but the best record on non-compliance, the best of deliberate evasion if not deliberate non-compliance and the best on Kelley not being able to run his own office or not wanting to ~~san~~ hurt, especially with the new campaign to keep Kelley from going for a while. This morning I heard a news item quoting Senator (WVa) Byrd in this manner.

At some point we are going to be in court with this the issue as it relates to me, too, so the more you can perfect a record the better for us.

In addition to the testimony I have given subject to cross-examination not attempted, and to the documents I have provided without rebuttal on this business of deliberate discrimination I think your 1/26 is something Jim can use at the right time.

Until it is certain that Lane's book is frozen beyond thawing and the situation of this committee is settled I'm in no hurry on breaking anything else loose or making public use of what I have. Jim and Les Payne and I discussed this Thursday. I'll be seeing Les again Tuesday. What emerged is the beginning of a simplification of The King Conspiracies.

Thanks. Best,