

Route 12, Old Receiver Road  
Frederick, Md. 21701

November 27, 1975

Mr. Lester Midgley  
CBS News  
524 West 57th St.  
New York, N. Y. 10019

Dear Mr. Midgley:

Prior to the airing of the first two parts of your current series of specials on assassinations, I wrote you. Your response pretended you did not understand. What I then wrote was prompted by a combination of your and CBS's history on this subject, what CBS was and was not doing, and simple analysis.

Now two parts have been aired. They deal with events I have spent more time investigating and putting together than anyone else in the world. My credentials include the FBI's certification to a federal court that I know more about that subject than anyone in the FBI.

My previous letter included references to what I regard as my rights to my work. While phlebitis makes access to my files awkward, I am confident that, prior to that letter, I made a number of offers of these rights under normal terms to CBS people.

In addition, by prearrangement, there were conferences with two CBS researchers, taped by agreement, on which I made it clear that I was not giving CBS any of my rights and, as they agreed, CBS would not use anything I told them as leads for duplicating my work.

Prior to these conferences, I received a phone call from Mr. Bernard Birnbaum in which he expressed a desire to visit and confer with me and specifically to receive help in a special area. The last personal contact was when Mr. Ernest Leiser came here, ostensibly to prepare for what I agreed to, an interview by Dan Rather limited to the King assassination. (If you are not aware of it, I am James Earl Ray's investigator.) When, as I specified in an unanswered letter to Mr. Rather, CBS took certain steps in court, it confronted me with a conflict of interest I could resolve only by declining to appear on that one segment on which I was asked, the King assassination.

This year alone there have been other contacts with CBS News which made CBS News aware of certain facts and some aspects of my work. These ranged from long and detailed reporting of some of my newer work by a CBS-owned station to inquiries about it by the Cronkite staff.

With these explanations I hope what I will now say about the two shows aired is not beyond your comprehension.

Both used my work without asking my permission or crediting it. Both did this dishonestly. In both cases in violation of the specific agreement between your representatives and me. Both shows claimed as the result of CBS's own investigation what I did and copyrighted.

The first of these shows was fraudulent by design and content and in what it sought to and did accomplish.

Both protected perjury, the second by repeating an error from my copyrighted work (corrected in a book not completed). Had CBS done the personal investigation of which it boasted, it would have discovered

this, not its only other error on that show and not the only violation of our agreement on it.

In fact, in its boasting of the original nature of its "investigation," CBS took credit for my work. There are only two areas in which (with dubious integrity) it went outside this earlier, copyrighted work. Were this not enough, it then aired others, straw men, to pretend some of this work was theirs.

Aside from the dubious McKeown excerpt, there is, in fact, nothing "new" as CBS claimed except the incredible error, prejudice and dishonesty. CBS knew this in making its false claims and in perpetrating fraud.

There are also deliberate lies, with respect to evidence and the alleged lack of it. It is in the area of this alleged lack that CBS knows better, first, from its own station having aired the truth locally and second, from the Cronkite contact with me. Had CBS conducted anything that a correspondence course would call an investigation, it could not have avoided falling over my "new," definitive and published work. I regard this as defamatory, not just deliberate, perhaps vindictive, dishonesty. You said there is no such evidence.

Prior to the appearance of any of your shows, I told Mr. Leiser that events would overtake the airing of the shows and warned him that CBS would then have falsehood and deception in the can. He laughed and said this is common and easily overcome, a norm in your business.

I knew what I would be printing and that it would be out before your first airing. It was. CBS was informed in writing, by personal delivery in Washington. I also held a press conference it appears CBS elected not to attend. It also appears that CBS has the only radio network that did not cover and report. AP and UPI had A-wire and radio-wire stories, so CBS had other knowledge. In addition, one of its more prestigious correspondents, one with the reputation of being a first-rate investigative reporter, walked past without bothering to listen.

While my major concerns relate to the harm you have done me and my work and rights and the obscenity of prolonging a national agony (where you used my lines), I would hope that at some point top CBS management, its stockholders and others would become interested in the expenditure of vast sums and the sale of commercial time in what is worse than fraud and is thinly disguised propaganda.

Prior to these airings, this past Sunday, CBS used its facilities for further propaganda and what I regard as deliberate lying in its airing of David Belin on Face the Nation. I had debated Belin the previous Wednesday at Vanderbilt University. His position then was inflexibly contrary to what you aired. Repeatedly I asked him to join in what I alone from the first have demanded, a Congressional investigation. (You may have forgotten that I wrote the first book on the Warren Commission and that you personally read it in the limited edition and received a copy when it was printed.) CBS was informed in advance of airing. No question relating to any of this, from his sudden change of position to his own record, was asked of Belin. You permitted him to blame others, especially the dead.

At the press conference referred to above, I announced the book and that it includes specific charges of perjury against named witnesses

and of subornation of perjury by Commission lawyers. I challenged all, including Belin, to appear with me before any duly constituted Congressional committee and to testify with all of us subject to perjury charges.

My prepared remarks at Vanderbilt established Mr. Belin's record of adducing false testimony and misrepresenting fact on the Commission and in his book. I presented official copies of the proofs he suppressed to make this all possible. CBS, which had enough of this evidence from my books, asked no questions but permitted him to make accusations against others only. Aside from what of his own past Mr. Belin faced that night, he also had a copy of my new book and its new evidence, the book and evidence your specials report do not exist. I regard his abrupt change of position (you might want to look at your outtakes from what I've heard from other than CBS sources) as other in inspiration and character than your presentation of them.

This may not be the Face the Nation that CBS pretends to air but it is the reality on this same subject, one on which CBS has had a consistent position that happens to coincide with your personal position on a subject that is not supposed to be influenced by positions, preconceptions or other considerations, "news."

I do not, despite my not inconsiderable limitations, intend to let the matter rest here. I ask that you please send me two transcripts of each of these shows, those aired and those to be aired. I will be leaving a large archive for the future. I would like one copy to be entirely unmarked in fairness to CBS and to you and others on the staffs of the shows and one to mark up for my own purposes as I seek to do what may be possible for me about all of this.

Yours truly,

Harold Weisberg