

10/20/71

Dear Ned (cc Gary),

Intermittently since you phoned I've been thinking of what you have in mind and what I presume lies under it, a desire for fairness. This, of course, is why I wrote every member of the Commission, Rankin, Hoover, Rowley and others. One member of the Commission much later, when it served his interest, saw and trusted me.

First an editorial suggestion I don't want to forget. In the abridgement, isn't the incomplete SS release on the X-rays minor and worth discarding when we have the fuller story from Kelley? That merely back him up in a condensation and eliminating it provides space for something else.

Remember, one of the few conditions I stipulated was no advance disclosures of contents. It was only partly to protect my rights. Just as much it is to protect the integrity of the work. However, when everything is ready, when there is a contract for publication of the condensation or should events move faster, should something break that might impel immediate publication of the full version, under certain specified condition, one being contracted confidentiality, I'd be glad to offer any of those you'd like, like McCloy, an opportunity to read it and more, an opportunity to make a statement to be considered for inclusion. Without further thought I'm not willing to agree to print any statement, but my hunch is that I would be, even if it were the allegation that I am anything from a nut to a bastard.

I think you have understood this work less than I expected you would. It is not a defense of the Commission. But it is as close to a defense as any can have. It seeks to place responsibility, it seeks to show how things happened. But it can't say that a lawyer doesn't know, for example, that he can conduct an investigation of a murder without even looking at the certificate of death, consider an autopsy not only without even looking at the full thing but without even knowing the initial prerequisite was met, that of a proper authorization (and there was none—it was again pinned on Bobby). You will also note that I didn't put it quite this way.

I didn't tee off on the members when all them, as well as all the lawyers on the staff, had to know the prerequisites as well as their obligations. I tried to consider that they were busy men with a thankless task into which, in some cases at least, they were blackjacked by LBJ.

There is no chance of discussing any of the contents in advance without being ruined. We are dealing with powerful people with very much to lose. This is a definitive work and the proof is unassailable. But if we permit them to confront the entire record, if they realize not only what I have but its significance, I think they would then be more reasonable, less inclined to think that ruining me is the way out. McCloy, for

example, might say and might say honestly that he took so-and-so's word. I'd be inclined to believe him in some cases. I've got some pretty strong beliefs about who has the major responsibility from the record and a few hunches of what might not exist in any record.

We should think about these and other considerations further. I'll not have time for it at any length, but on the days I take off for a walk, I'll try and keep my mind on it. But the last thing I want to risk is having all this destroyed by dishonesty. Remember how they behaved when they rigged "defense" counsel, how they began with no intent of conducting any real investigation. There is no innocence. There are, however, varying degrees of guilt. He who abdicates is also guilty. Let him say, should he so desire, that he did abdicate. And remember, they were all, also, framing the family, those who really suffered, as they were framing the country. Look at what has happened to us as a consequence of this crime and the subsequent official ones. Warren won't even accept a letter, yet he goes around protesting there is no "new" evidence. How the hell would he know if he won't accept a letter or talk to anyone? I wrote him after I began to develop this stuff. Clark, too, Mitchell. You name him. I did try. Bobby. Teddy. The doctors. Best,