

Cong. Don Edwards
House of Representatives
Washington, D.C. 20515

1/28/85

Dear Don,

Reur 1/14, for the thoughtfulness of which thanks, please do not take your time or that of your staff in mere acknowledgements. It isn't necessary and we'll not interpret silence as impoliteness. My wife and I work for the Congress, both sides, beginning ~~in~~ 50 years ago, and we know only too well that conscientious Members and their staffs have much too much to do and that the Members daily have to decide what they can't afford to spend time on. Private citizens who care, however, ought assume the obligation to inform without making the time judgements, and I assure you that I do not even in my thinking make them for you. You alone can make those decisions with respect to both national and district matters. Because of my awareness of this it may be that I've not sent you what I should have. You have only so much time for reading, too, and this applies also to your staff.

This is why until now I've not sent you what I enclose. There is a new development that, as I understand it, represents a new effort toward authoritarianism and the remaking of our society, including the system of justice, of which Reagan and his associates boasted only yesterday. They proclaimed its permanence. In saying this I am aware that I am not a lawyer and that lawyers may not make the same interpretation. However, my extensive experiences with the FBI and DJ, in and out of court, convinces me that they intend what I see, eliminating the requirement of personal knowledge as a prerequisite of acceptable testimony. I see this as the most basic alteration of our system of justice and all that flows from it.

Intermittently, as I saw clearly what was coming, I sent you what relates to what I think has come to pass, usurpation of the rights and powers of the legislative branch by the Reaganite judiciary, led by DJ and the FBI and successful because of uninhibited mendacity. Before a rubberstamp district court judge they kept extending ~~the~~ efforts and then extended them ever further before the appeals panel.

I am not suggesting, of course, any inquiry into the judiciary. But I am suggesting that in several areas looking at the FBI could be worthwhile, if not, as I really believe, important. One area relates to your Hosty hearings. I do not claim a clear recollection now of what he and others then testified to but I believe the attachments to the second enclosure disclose specifics withheld from you. One is the absolute certainty that FBIHQ not only knew about his destruction of Oswald's threatening letter but "handled" it by the very day Oswald was killed and thus would not be tried. Another, which may be in but I do not remember from the IG's "investigation," which I read with some care, is that Oswald was his informant or source. (What the IG disclosed records leave without question is the intent to obfuscate and avoid to the degree possible, to make it difficult if not impossible to charge anyone with anything, while FBIHQ was stonewalling you and everyone else until that job was done, so that the Congress would not be able to do much of anything else.)

It is my belief that these attachments alone, and obviously there are underlying records not disclosed, could lead to a sensational investigation not of the JFK assassination but of a deliberate coverup or whitewash, to use a few of my titles.

There could also be sensational and exceptionally useful hearings, if the possibility of any exists, of calling as witnesses FBISAs who have careers of deceiving the courts, as best a nonlawyer can have an opinion, including overt perjury. This includes the King case of 1975, remanded by the appeals court and still there with an en banc petition not acted upon after some time.

So you can understand the extent of the existing record, which requires only reading and understanding, not any investigatory time at all, when it became obvious

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that with regard to both assassinations investigations the FBI was going to try to continue to cover up and to lie, I went to all the trouble of establishing its untruthfulness under oath, making myself subject to perjury charges if I ever erred by accident. There is no requirement that the FBI respond, but I think it is obvious that if it could have it would have. In these affidavits I addressed virtually every FBI allegation and established the degree of infidelity to fact. I embarrassed the judges but for the most part accomplished little else. Except to get one SA banished when I produced the genuine records and the phonics he had sworn were genuine.

Something of this nature* could have the useful purpose of supporting FOIA, which is under even more serious executive agency assault right now and may have been largely nullified in the appeals decision I've asked the entire court to reconsider. (As of today I've heard nothing.)

I even tried to provoke response. The affiant in the JFK case, who also wound up in the same role in the King case although he knew nothing of either, was so blatantly untruthful I started referring to him as "Swear-To-Anything Phillips," and when that elicited no reaction, as "Swear-To-Anything, Gag-At-Nothing Phillips."

The FBI also used him in the Shaw case, which I cite, and the very same panel found him not to have personal knowledge and thus not properly an affiant while in my case they depended upon his falsification, none of personal knowledge. It is over this, and I rather suspect in reaction to it, that the FBI has filed its own en banc petition in the Shaw case, limited, I'm told, to the single footnote saying he had no knowledge of the investigation and questioning his competence.

His lies are pretty blatant and after the record closed some of the more significant ones were proven to be lies by the location of the materials he'd sworn the FBI never had. This has additional potential for which I do not now take your time, but if I see what I think is there when that material ultimately reaches me, I'll let you know. This refers to the recordings of the broadcasts of the Dallas police, which the FBI made itself and then transcribed for the Commission, which published the FBI's transcripts. Now the appeals office has found what it refers to as the original dictabelt of those broadcasts and I'm fairly certain is not the original. Rather an original, there were many but the appeals office refers to but a single one.

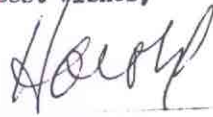
Until DJ/FBI and Judge Smith combined to create a conflict of interest my lawyer was Jim Lesar, 276-0404. He is about to move his office to downtown DC. Mark Lynch of the ACLU represented me for the appeals briefing only and I've not heard from him since he filed the reply brief. Lesar has copies of everything in both cases. Including all the attestations of both sides.

I hope that as a lawyer you are not offended by my deliberate use of the word "lie." I was aware that the court would not like it. Among other things, and particularly because I regard the assassination of a resident as the most subversive of crimes, I decided not to mince words and to use one that in and of itself would get some attention.

*"Did you attest to this, Mr. Blank?
' Is it true, Mr. Blank?
' Is it not the fact, Mr. Blank, that..."
This simple.

** Don't do now.

Best wishes,



Harold Weisberg
7627 Old Receiver Rd.
Frederick, MD 21701

DON EDWARDS
10TH DISTRICT, CALIFORNIA

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January 14, 1985

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Harold:

The election, the recess, and the holidays interfered with my catching up on my reading and my answering mail from good friends such as you. Please forgive me.

I read your letter and the enclosure with interest. We have not recently done any work on the Kennedy assassination. Other problems dealing with current activities of the F.B.I. and C.I.A. are keeping me and my tiny staff well occupied.

Many thanks and best personal regards.

Sincerely,



DON EDWARDS
Member of Congress

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