

6/10/76

Dear Harold,

I was very much taken by your concern over surveillance, and I appreciate the letter. I know what I've done in my life thus far and it doesn't much bother me that the government knows it too. That CBS might be involved as the recipient of any information would be a minor inconvenience. They know what they've done too, and the corporate powers that be are smart enough to know the difference between right and wrong. If they want to hurt me in any way it will be subtle, perhaps effective, perhaps not. I can't worry about being marked lousy, and any such blacklisting would be rendered null if I were to release the information I now have.

As for phone conversations, what could the government possibly learn that it doesn't already know from our conversations? Not much, I'm afraid, except for some of our discussions regarding the King case. Since I don't recall having revealed my sources to you over the phone ( and I doubt that I would have in any case), not much harm could be done.

Although a FOIAPA action might prove an entertaining diversion in the future, I really think that with all of the more important work both you and I have yet to do it would really be playing the government's game, draining energies we would better spend on other things. Being overly concerned with surveillance is a sign of wish-fulfillment, perhaps the wish to be regarded as important---as a threat to the establishment, so ~~xxxx~~ to speak. We should accept the compliment gracefully.

Although you wrote that the file on you had been seen, you do not specify whether it includes contacts with me. If it does, please say so. My curiosity is aroused, but not to the point of wanting to make a big deal about it. Anyway, it might be better if we save the more important conversations for in-person contacts at our usual meeting places.

Let me bring you up to date on the FOIA requests which I have made and where they stand.

You already know about the request to the Secret Service. After extended correspondence with Tom Kelley, the request has gone nowhere, and I don't have anything solid on which to base an action as yet. The Hill quote is potentially powerful as ammunition, but only if it is used in the correct way, and I now have a pretty good idea of what that might be.

Clarence Kelley has replied to my FBI-FOIA letter asking for information on the Pate tape and the Kersta spectrogram. His letter to me was a sob story listing the problems of the Bureau in coping with the voluminous FOIA correspondence it has received during the past two years under the amended act. The bottom line of his letter is that I should wait until they get around to processing my request, but he doesn't say how long that might be.

I have replied to Kelley that I am sympathetic, but that I will wait only 20 more working days for a specific answer before filing an administrative appeal. Of course, I didn't have to be so generous, but if the request gets as far as a court suit it will look good that I was willing to be a little more patient than the FOIA required me to be.

I don't want to be too specific here on what my plans are for future action regarding the "sound of the shots" recording, except to say that it's going to be a doozy.

Third, I have requested the Army to provide me with tape recordings of Secret Service radio transmissions from the motorcade and a recording of radio traffic from Air Force One, the latter request also being made of the Air Force. The Army request has been referred, in a classic case of bureaucratic shuffling, to the Adjutant General's office, and I plan to remind them next week that I am still waiting for a specific response.

Looking at the calendar, I think all of these requests will lead me to take some form of action around the second week of July. Administrative appeals will be the first step, with possible court actions in late August or early September.

There is one other request, my fifth, which is too sensitive to go into here. It concerns information which might be useful to me in writing that book, and it may have a bearing on New York State politics as well, so I'd better keep mum for the time being.

Five separate FOIA requests ! Enough for me to juggle for now. They and the book are the reasons why I have bought this new typewriter, which will be a blessing once I get used to the touch (please excuse the typos).

Now, I see that James Ray has discharged his lawyers. I really think that Livingston is right when he says that the only way for Ray to help himself at this stage of the game is ~~to~~ to speak out. Once again, I've got to put in a pitch for an interview with Ray, preferably one by Dan Rather for the 60 Minutes show (putting it out from under Midgley's control but still under Salant's control, unfortunately).

The reason I am raising the possibility of an interview with Rather is that he is the only newsman who will stand up to executive pressure at CBS when it comes down to editing an interview and writing the continuity copy for it. And with any luck, we could swing it so that Joe Wershba would be the producer of the piece. Back in 1967, Joe was the only man who stood up to Salant when he realized that CBS was going to try to fuck Garrison contrary to agreements that had been made between the two of them when Joe was in New Orleans following Garrison around. If these two men, Dan and Joe, were involved in filming an interview with Jimmy, the piece would either be honest or it would not get on the air, or someone would quit in the process.

Mind you, I am not speaking on behalf of CBS, but rather from the standpoint of my friendship with and knowledge of both men.


There would be no money in this for anyone, just the chance for Ray to get it off his chest in front of a prime-time national television audience. At this point, it's his only way.

But even if Ray did not want to speak to CBS, perhaps he'd speak with me personally and off-the-record, giving me names, dates and places. Otherwise, I wouldn't spend the airfare.

There is an advantage for you in this. Knowing when such an interview was to take place, and knowing when it would be broadcast, you could simultaneously release what new information on the case you are able to obtain under your pending FOIA suits. It would make good publicity for your revised book on the case.

Well, I've made my pitch.

Regards,

A handwritten signature in cursive script, appearing to read "Ray", with a long horizontal flourish extending to the right.