

Dear Dick,

7/7/75

I don't know how much you will have or will take for what you may have no interest in if Barney has abandoned the McDonald project and I do presume that on your return you will be busy.

If and when the McDonald book is printed the chances of suit against it are strong. I will not go into detail now. I felt I had to indicate this to Barney.

But that is not the part that troubles me. Ordinarily I can put things out of my mind easily to concentrate on other matters. With this it is not easy.

I got up before 5 this morning to do other work on which I've gotten behind. It was 11 last night when I finished writing Barney. After that I sat and had a drink and thought for a while. I was not able to decide anything except what I had already decided, that there is something very wrong with every aspect of the McDonald project.

The black book possibility I suggested is stronger if not conclusive because of other information I've come into in the course of my regular work. However, the two may coincide.

Because for a number of reasons I do not want to attract any attention to it I ask you to make no mention of what coincides with this new effort behind the old McDonald project. I'll give you a chronology with it. Some may be no more than coincidence but I will not assume no more is possible.

If I do not know the care and diligence with which parts of the intelligence community watches the work I do, I do know it and I am under some surveillance from the copies and reports I have. My FOIA suits represent a real threat to them. Thus when I obtained some of the evidence in Post Mortem a federal agent who had been involved in the assassination investigation told someone who is in contact with me "Weisberg has the autopsy fucked up." He knew close to immediately because his and his agency's interests were involved.

I mentioned Exonell America as a black book to you. I told you it was a French SDECE operation in which I suspected but could not prove involvement of the CIA. I now know that the CIA was watching it and me then, when I was working on exposing that book, because I have copies of some of the files. They had one who was my friend or someone close to him as a source. I may or may not get more of this without going to court. I had a conference with the CIA general counsel in January, before the amended FOIA law became effective. My lawyer was with me. We told them quite openly that I have copies of some of their files on this and would sue if we did not get the rest under the law. They finally decided to stonewall it and deny they had anything or any interest. This represented some risk because a suit could attract more attention and will include claims for damages. My lawyer is overworked and new to the law, so they were playing the odds.

The minute the new law became effective I refiled the suit that was largely responsible for the amending of the law. Until that moment the Department of Justice merely stonewalled. Once I filed, however, they took an entirely new and different line, beginning with an invitation to confer with the FBI. Their new line also holds considerable hazard because it requires perjury. I have proven it and will prove more as soon as an affidavit now being revised is filed. With the judge we have on the district level there may be no danger to the government but once this gets to the appeals court that situation may well change. The chief judge was outraged at what the FBI did in the first case but was overruled. I already have more than he needs in the record, uncontested and beyond ^{con}testing, in this new suit record.

When I filed this new suit the government knew that there was a distinct possibility the whole fiction of the JFK assassination could come apart in court. It then had to make preparations and did, for a series of different alternatives I won't go into.

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We can get what I believe are accurate readings from the dangers the government people are willing to run. In my suit for the executive session transcripts on Oswald as an agent they actually had a former solicitor general commit perjury. It was before I could get into appeals court that they decided to give me the first of these transcripts. By then the amending of the law was fairly certain, too.

I did not then know why Rankin was willing to run this risk. Now I have the documents the FBI could hold over him and with which they could involve him. They are relevant and they are what he, personally, suppressed. In that area the FBI is more than in the clear. The master bureaucrat Hoover made a fine record for himself.

Coinciding with the filing of the new suit on February 19 there appears to have been a government decision to loosen up on some of this stuff and I have several hundred pages of it, all from the FBI except what I'll come to. It looks very bad for the Commission and the CIA but very good for the FBI.

Prior to this new suit I was focusing on Oswald as an American agent. This is part of the content of this new material I have and the crux of it. All rotates around it. The Russians did suspect it. A defector who was important and whose defection attracted no interest was the source. All his stuff stacked 100%. It was totally suppressed in 1964. The CIA withheld 100% from the Warren Commission. The FBI even recommended calling this defector as a witness. The Commission did not even mention the man's name and withheld all he reported. When I now have several hundred pages you can imagine the extent of the existing files and what I can do with a suit that attracts attention.

The only CIA papers I've been able to get on this do three things. They support factually ~~and~~ ^{and} collaterally all else this defector reported about Russian practices. They con the Commission into holding off on the CIA. And with regard to the picture alleged by McDonald to be the real, solitary assassin, Helms personally said the man was connected with nothing. (Of this I have no doubt, by the way.)

So there is a situation in which blame for the error of the Warren Commission can be blamed on its former general counsel and the CIA, Helms in person and in particular, and someone inside the government is easing up on the documents that prove it and exculpate the FBI, which can be seriously damaged by the data I now am suing for. In this the FBI ~~is~~ did fake the evidence that is used to make Oswald the lone assassin.

This is the kind of situation in which the strange kind of public relations represented by a black book is of value to the spooks. All of them anywhere. This new McDonald book, whether or not by design, is such a project. What I've been able to develop since the meeting on it supports the conjecture. If the formula of the book may seem commercially attractive the cost of making it merely acceptable plus the cost and effort already invested is considerable, more than a crappy work like it would ordinarily be worth. In anything like its present form it would be destroyed with ease and with some comfort to the CIA, which would seem much abused. By this reference to form I mean both the writing and the alleged fact of which I've shown you enough. With copies out and with them having direct and uninterrupted quotes the flaws are beyond remedy if anyone with influence wants to destroy the book. In fact, an effort to change it would serve spook purposes even better.

Meanwhile, for no normal reason, the government has contrived a situation in which I can not only sue for the still withheld data but one in which the government's defense is prejudiced by needless withholding from me of what it could no longer properly withhold - all again pointing to the CIA. I had no choice and have begun exhausting my administrative remedies. There is no doubt in my mind that in the course of this the case against the CIA will be strengthened. By others in the government who have already provided me with other proof of the CIA's keeping secrets from the Warren Commission.

By this I mean other proofs. They are in the area of the CIA's current difficulties, illegal domestic operations. I mean illegal in the sense of outside the CIA's charter and illegal per se because the acts were against the law.

You may regard none of this as particularly relevant or interesting. From long experience I cannot and don't.

I do regard it as pretty Byzantine.

Going along with this is the uncertainty of the end product of TV interest in the subject of assassinations. CBS has announced a major project for November. It has not been announced but the other two nets have similar projects. If I know this the government knows more.

The government might be willing to play the odds on CBS, given their past on this subject and the fact that the man who dictated the dishonesty of their earlier work now holds a higher position and is in direct charge. Two factors lead me to believe they will not chance this. One is what CBS will inevitably develop in the course of its research. (It has been to my lawyer, Jim Lesar, and to me on the Ray-King case and has approached me on the JFK case.) It knows that if I were to give CBS all I have CBS would find it impossible to control its people if there were to be another videowhitewash. And there is what there was not before, competition with a changed attitude and environment.

This is a summary of what I can recall off the top of the head in the early morning for the McDonald project.

To it I would add a personal note. If you have any connections with the other two nets or with CBS that could lead to the sale of my ~~work~~ work I'd be more than merely interested. Unless all three are determined to whitewash again they'll save and make much from dealing directly with me because duplicating what I have done will cost enormously more and can lead to other costs and troubles. I know people at all three but none high enough to have the kind of influence necessary.

One of them, in fact, would like to do the condensation/popularization of Post Mortem. He probably knows more about the subject than anyone in the major media on any level and thus I would favor him if one of the other possibilities does not materialize or if it does for more than first serialization rights.

Since I saw you there has been editorial encouragement only from all three possibilities so I merely wait.

I wish you could put your imagination to work on the potential of all of this. I think you are the captive of the past on this without understanding what explains that past. There is no better subject today and for the immediate future.

Best,