

Dear Jim, More on last night's FOIA letters

9/21/76

Sleeping on it has let the anger disappear but the disgust and other emotions remain.

As I have been saying for months, the government has accomplished its purposes. More than I think you realize.

It has succeeded in stalling and withholding. It has for all practical purposes prevented my completing the book that could have done the job I intended for it. It has been able to prepare its new whitewash. It has kept me from doing all the other things it does not want me to do. It has negated the law and laid a basis for vitiating it in the future.

And if there is to be a means of stopping that, it will not come from those like the Naderites but from us. We have less in the record that we should have. I want to take no more real time perfecting this record. It just isn't worth it now. That time, yours and mine, means more to us and to others if we use it in other ways now.

The essence of battling stronger foes is flexibility, shifting when and where it is necessary. I think the major thrust of this case from here on is damages, provable, actual damages and as I've said before, regardless of whether or not there is precedent, I want to join in such a suit all those who combined in this case to deny me my rights and thus visit the damages upon me. When you have time to think about it in the future I'm sure you will see possibilities that may not be immediately apparent.

As we err to believe there was a government-wide conspiracy to assassination, so also do we err to believe that the resistance to what we are trying to do is not thought through and planned. They did not have to have a plan to stall. Their need to stall is and was obvious from the first. Each of their four internal so-called reinvestigations coincided with something I or you and I were doing in the King case. Each time they were preparing defenses against our success. Each time they were as prepared as possible.

There is no doubt in my mind that they figured the Lane/Bud/Downing operation the right way and see the potential in it. All those and their hangers-on will try to make the wrong case and thus be self-defeating and us-defeating. Lane's typical excess and insanity has already told them they figured right. He is actually trying to make a case, through an improvisation on what happened to Redditt, that the FBI conspired to kill King. This appears to be Coretta's belief. She blurted out as much after Adams' testimony. What a perfect fit with the wrong focus of the 1st re-investigations: "did the FBI do it? The play to the government's strength could not be more perfectly in its interest.

That is not for me or for the taking of my time now. There is a certain amount that I can try to do. I think you indicated the right direction and as you'll know from carbons I've taken the first steps.

However, I'm not going to sit here and perpetuate what has come to mean endless futility. I have to do other work. As soon as I can do what is necessary in preparation for the coming status call I will. I'll go through the files Scott did not get to. The early King requests you have already. I may find more that is relevant.

There are some considerations we must recognize and recognize as basic. The first is that the weak survive the strong only by never fighting the way the strong want to fight. Our mistake in 1996 is in not recognizing what Green would mean to the government. They figured her correctly and figured correctly in assigning Dugan to her and us and it. He is the right kind of personality. They succeeded. It is entirely her fault that they did. She has ignored everything except her fear of the inherent intimidation of their approach. They did succeed in intimidating her, to the extent that she has not met her minimum obligation while talking lady-like legal gibberish. There is no excuse for non-compliance with the 4/15/76 request. We have asked for it and she has not responded. We filed the proper motions and she lets them ignored them.

I think that the first thing we want on the 30th is a demand for the production of the indices and the 25 volumes. The motion goes back to May 4. There has been no response. They prove deliberateness in violating the Act and I'm certain in perjury and her job is to assure me of my rights. I want them and after all this time, immediately. There have been legal wrongs visited upon me while she was supposed to assure that it did not happen. This exemplifies them. Besides, I will not voluntarily continue to be in the position of merely reacting ~~to~~ to them.

At the very least she has cases of perjury against Wiseman and Horn. I do not want them ignored. She can rule against me and I'll be satisfied but I want her to rule. She can rule against me on the withheld records knowingly withheld under the 4/15/75 request but I do want that in the record, a specific ruling. I think it is essential in all interests, particularly now with the evil we can expect from the House nuts.

I do want this to be the first order of business. Then she can hear their plan. Then I am going to have demands. You say she won't go for them. Fine, let her not but I want them in the record. I am not going to assume she will do me more harm and I am not going to make it easier for her to do it. I'm going to try to have them written out. Without something like this there is no way their offer can mean anything. It is in this way that I want to perfect the record now, with many future uses in mind. Once we do this I'll be content for her to work it out any way she wants or not to work it out at all. It is not in my interest to continue spinning my wheels as I have been doing in this case. That in itself precludes my doing other things. It yields no real good. Other work might. Will emotionally. I do not think you have understood the strain this has had me under from April or May on, with ever increasing intensity. I feel it much at this minute, after a good sleep and rest.

On 1448, I have a new goodie for you - the Dulles-CIA involvement. This is what Mark Smolonsky asked me for help on, what I've just written "es about. The maskings in that also typify the ability of the government to perpetuate non-compliance and compile statistics in support of non-compliance. They are all unjustified. Most are obvious. I told Smolonsky immediately who some are.

This also typifies the incompetence that permeates everything. And what amounts to ignorance. Bud or one of them got the Anderson people all hot and bothered about Dulles conferring with the CIA. He never kept that secret from his fellow Commissioners. At one point when he offered it Russell actually told him "You can't believe a word they say." He even offered it with respect to getting published books! The nagle is not that he conferred but that he and they conspired. This none of that assortments of geniuses saw. And it is relevant to the 6/23 transcript. He even saw to it that his CIA cronies knew what the FBI knew from Nosenko and then gave them a spurious basis for the Commission's ~~having~~ having to consider the possibility of Oswald as an agent. He said it was no more than Marguerite and Lane. It was, in fact, Texas and Nosenko.

In the new system of indexing this is 657-831. The CIA has not yet given it to me. It is one of the records we got from Bud. They also have not supplied their new index. This also illustrates the point we have to get across to Green, that I do have unique knowledge in these matters, if not also competences others do not have.

My anger is spent. A heavy emptiness replaces it. By the time the two coming status calls are behind us I'm going to have figured my own work priorities out and have taken the initial steps in them. I am hoping that by then you will have broken your immediate log-jam and can have some time for us to agree on what is next, with priorities.

As of now it looks as though my initial efforts re the House nuts and crooks are the right ones in direction at least. I won't go any farther with NBC and Mann until we have let that cabal make a better record for us and we can agree on what to do. I regard the enormous amount of first-rate work you did in Memphis as giving you a real personal interest in this, one of the reasons I suggested you should seek counsel so you will not be representing yourself. I'll try to get other things going this week. Best,