

Dear Dave,

1/7/00

As soon as I read Briggs' letter and its two enclosures I asked Jerry to come and make copies so he could write you separately and so that he could go over what I wrote and give me his suggestions and opinions. But I was so troubled when I went to bed after reading it that I had trouble sleeping. I have little time now because I leave for dialysis in an hour and a half. But doing what I will want you to consider will take time and will not meet the 20th deadline. How often they meet Briggs does not say but it is clear he wants to present your answer by then. So, I'll do what I have in mind in two ways, one that may be able to meet that deadline and one that will go into more and inform Kansas more as well as be another fragment in the records for history. I will write this, these things, to you separately so that you can ignore them, send them as they are to Briggs or select from them what you want to give him,

The real problem is that just about all academicians are subject-matter ignoramuses and that includes Briggs and his committee.

Also a real problem is Kurtz's dishonesties and as I recall his omission of a single accurate reference to what he says is inaccurate in mine, often as he says that. I will be asking you to ask ^{Briggs} Kurtz to ask Kurtz to specify where he says I am wrong and to provide what he believes is the correct version. I think that if Briggs is willing to disregard the deadline and ask Kurtz to do that all that Kurtz criticizes will crumble.

I expect to see Jerry after dialysis today. I'll ask him if he can email what I do as I do it. That might make it possible, weak as I now am, to do it before the deadline expires.

But I also think that if you make the changes these people who know nothing about the assassination want made you will have an inaccurate book and Kansas will be published a seriously flawed book that will be too much like the abundant assassination junk.

In haste,

Harold

Dear Dave,

1/7/00

What Michael Briggs sent you came only a little before my early bedtime. I read it and went to bed troubled by it. Not by the Briggs letter. It reflects that he is honest, fair and helpful but he does not recognize the position in which he and others are when they ask for peer reviews on the assassination. I have been in this longer, more intensively and in frequent contact with others and despite what the reviewers say, I know of only four college professors who are legitimate experts on the assassination and despite his having published a book, Kurtz is not one of them. Two are historians and two are sociologists.

I will address this separately as soon as I can. But particularly with the deadline so close I would like you to please ask Briggs if he will ask Kurtz to be specific in his allegations of error on my part and to provide what he regards as the correct version. I think this is required by Kansas for its own protection in the event, and I assure you it is the actuality, that Kurtz is not correct in what he says. I believe it is also necessary in fairness to me.

As after a trouble night with less sleep than at 86 and not well I need, I remember ⁱⁿ what Kurtz did say in attributing mistakes to me, in not a single case did he make out any case at all. I will, of course, respond, but without the specifics I seek and will be specific in addressing. Kansas is in the position of taking Kurtz' word of mine and it knows nothing about me and if it really knew Kurtz would not have asked a peer review of him.

In the taking my word part I state that in all the years since the first Whitewash was published in 1965, with all the severe criticisms in it of the Commission and of its staff, I have yet to receive a single call or letter from any of the staff or the Members in which it is alleged that what I wrote about him in what grew into 10 books was in any way unfair or inaccurate. In fact, one of the Members, Senator Richard Russell, encouraged my work until his death. I can provide the opinion of the staff member he had read it and offer his opinion of Whitewash and the next three books I wrote. *High praise.*

Despite the fact that I was suing the Department of Justice and its FBI the Department's appeals officer, who described himself as a history buff, asked me to file my appeals from withholdings under FOIA in detail and with documentation. They take up three jammed file drawers. Or, he asked me, not the FBI, to make that particular record for history.

I was confronted in all those many FOIA lawsuits by FBI lying that was often perjury. In fact, FOIA was amended by the Congress in part over just that and it was Senator Edward Kennedy who made that part of the legislative

history. In the first lawsuit fired under the amended Act I attributed perjury to the FBI. I did not do it the safe way, through lawyers' pleadings, which are immune. I put myself under oath and made myself subject to perjury if I lied. Eyeball to eyeball, the FBI and the Department blinked. Their defense, ~~which~~ was an admission, was not a defense, but that judge accepted their irrelevancy. They filed a response in which they said I could make such allegations ad infinitum because I knew more about the assassination and surrounding events than anyone working for the FBI.

I may have, in the past, sent you this pleading or the first pages of it and that page of the Congressional Record. I will repeat that when I can but I cannot send you three jammed file drawers. I enclose what is now possible this early morning when what I can mail must be in my box when I leave for dialysis before 6 a.m.

These are credentials Kurtz, professor that he is and often boasts of, does not have.

What his credential on this subject are the review in the Journal of American History makes clear. I enclose that.

Kurtz has personalized this so I think it is no unfair to ~~xxx~~ report a bit about Kurtz. I'll enclose the page of the transcript if I have time. He asked to be heard by the Assassination Records Review Board when it heard people in New Orleans for the purposes of being told when the board could find withheld assassination records. Kurtz then told the board that he had seen Oswald and a strange former FBI agent who had a private detective agency, Guy Banister, together. Now Banister is one of the more outlandish assassination fictions. But Kurtz did not tell that to the FBI after Oswald was charged with being the assassin. I know this because I did what Kurtz did not do, I filed a long series of FOIA lawsuits to bring to light what I could of what was suppressed. In the end that came to about a third of a million pages, official data on which I draw and Kurtz does not. He never asked me for a single page of them although it is well known in the field that I give free access to all those records and to our copier.

The choices seem to be that Kurtz did not see Oswald and Banister together or he lacked the patriotism to tell the FBI that he had.

In haste,

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