

Dear Jim, CA75-1996; status call etc. and non-compliance 9/13/77

Today also the overdue batch did not come from the FBI. For more than a week at least I have planned what remains of my working day after programmed walking to be able to go over the to-be provided records promptly. I have not had a call explaining the delay or the need for any delay. They have loused me up in this, as they have in another way, by simply ignoring all the proofs I provide of non-compliance and even then not complying. I want to do something about this but we cannot by day after tomorrow.

Beginning with Section 81, which dates back to the last status call I was able to attend when we used some of it, there have been incomplete records on me and this case. I believe this was the status call of June 30.

I wrote John about the incompleteness of these records. I also sent him some of mine. I have not even had acknowledgement. I believe that what they are deliberately withholding is relevant to intent to less than comply in this case. They have it filed under this case. And by the way, they have not provided this in the privacy request.

These are the records that begin by saying they are not going to comply, that non-compliance has been approved. I think I have supplemented them to you with excerpts from what has been provided under PA. I have copied out of the Murkin file what relates to me and have it in a separate files. I've written you about this. I can amplify this from the privacy files if you'd like. I think I've sent you copies of what is relevant in them.

This leads to what do we now do to end this situation so typical of the endless succession of them the FBI has created?

We can present the issue to the judge and tell her we are wearier than she and we ask for relief in the form of an evidentiary hearing if she will punish offenders, that without punishment she can say what she will, they will do as they have. This, I remind you, is where I was a year ago. Let her not inflict punishment but I think we should give her the chance to. It may be that she has come to the point where she'll consider it.

Maybe we can seek discovery again. When we got it over those indexes we got abundant proof of non-compliance. We can extend this now, I think, to every component which we can allege to have records, including relating to my requests. We are now armed with Rogers' new lie, that even the DAG's files have no relevant records! That is the whopper of them all, not the 63¢ size.

When she finds out that in addition to all their other stallings they now plan to delay reviewing the never justifiable withholdings in more than 20,000 pages of records until the time she thinks it is all over she should be up the wall and thinking of walking the ceiling.

I'm telling you now that there will not be authentic compliance from the Memphis Field office files in the less than 15 working days that remain. Maybe edited versions of the Invaders files and a few other things like that but not what relates to the crime. If their dodge is that this is in the HQ files the answer is that we know this is not the case and have records not in HQ files plus the incompleteness of the HQ files and their failure to provide a single one of the hundreds of missing attachments despite promises. And then there is the completely non-responsive departmental units. The record of non-compliance is horrendous. In addition, the great volume that has been produced and paid for is not in response to my request but again is their substitute for my requests. So they can't yowl ingratitude as before Pratt, who would accept anything.

I think that absent a major delivery almost overnight there is already a prima facie case of misuse of the stipulations and imposition on her trust and ours by it. The two things go hand in hand- we agree to their proposal to negotiate stipulations and the well

almost immediately runs dry. Probably most of the little I've gotten is clippings

Meanwhile, if I recall correctly, at the last status call I attended, months ago, the judge argued with Mullan on this and asked why instead of ~~assign~~ releasing agent they did not assign some to clean this up.

Meanwhile I'm stalled. More, I now have to be more religious in attempting to get back into shape and increasingly active to see to it that there are no more developments of adverse nature. I learned today that I have whatever a ~~sk~~ subclavian ~~of~~ arterial obstruction is. It is in Dr. Hufnagle's diagnosis. Dr. Hickey did not tell me but Dr. Hufnagle did respond to Phil's asking what a subclavian steal (literally) is. I am sure it is an arterial blockage and accounts for my fatigues of which you know.

I can't say I've been fighting for every minute of working time possible. The above is now my major fight. Before 4:30 this afternoon I'd walked more than seven miles, beginning before daylight not to have to walk without adequate rest. I squeeze the hell out of a ball with one hand and a transistor radio with the other to exercise the muscles in both arms and promote circulation. Sometimes I use snips to mince branches of dead pine and make mulch while I walk. (I accidentally cut myself doing this today. My blood is visibly thinner and paler.)

But from this alone I lack working time and have a major interference with concentration. I don't want this FBI interference with it to be perpetual.

I'm willing to take a crack at the bus next week if you want to ask for a hearing. Not Thursday, the day for the weekly testing of my blood and anti-coagulant evaluation. With the improvements I've made by this diligent walking program and the end of the vacation season I'm not really worried about that trip now.

I won't even take up as much room on the bus now. Weight loss 30 lbs as of Sunday.

Of course there are alternatives. I've given John Harting one, a meaningful promise of compliance and an end to all of this. Another is what you may be able to get from Zusman, who I think would prefer that such issues not be litigated. And all Bell's nice words be proven meaningless in court.

If you have forgotten what I wrote you when I first went over Section 81 and those that follow, they have another non-compliance machine with me. They generate false records about my misuses and misrepresentations to discourage anyone from letting me have anything. Only when you read what they wrote with care it is a remarkable endorsement of my complete accuracy and fairness. It also is proof, by the way, that I do give these records to the people, including in this case.

Yeh, I think that with some assurance I won't have to stand the bus is no sweat. I've now walked more than eight miles and hauled a four cubic foot load of manure and soil for Phil/Phill for several hundred yards of distance. If we were not going out for supper I'd pass 10 miles. Milestone but it does take time!

I also think we want to ask that she be given a copy of everything they withhold from now on with a first-person statement of the need to withhold.

There was a brief item on the news that will probably be more complete in the papers than on radio. Hoover was cozy with the Nazi police until Pearl Harbor. "No wonder all others were "red" and "security risks!" He even sent autographed pictures to them.

In wonder,