

Rt. 8, Frederick, Md. 21701

7/5/73

Dear Mr. Sussman,

As soon as I got back from Washington this evening I checked the printed version of Dean's statement against the prepared, typed text you were kind enough to leave for me. What I was certain had been omitted was. I think it may be important.

It sort of got lost in the drama of Pat Gray destroying evidence, and everything pointed to this evidence being the real and fake Statecables. It was much more.

What captured my attention when I heard it is the final graf of p. 56 of the typed text. It is omitted from the bottom of the fourth column on p. 9 of the edition of the Post that reaches here.

Hunt's White House safe, among other things, included "materials of a personal nature relating to his wife." What a strange place for this kind of "materials!"

I made several unsuccessful efforts last year to interest the Post in the other things destroyed, Hunt's per diems as a consultant and his travel vouchers. I was no more successful in generating interest about what might have been the family relationships about which I'd developed some hunches based on what was publicly known.

Almost a year ago I made formal request under the Freedom of Information Law for some of this information. Because it might have been immune, I had to await the expectable White House stupidity which had the effect of waiving the law. I then sent the Post my correspondence with John Dean. (If it had followed the leads on Nixon's property you'd have had another scoop.) That letter shows Dean's statement that he had, in fact, given these records to the FBI. I doubt he could then have anticipated the present situation.

Speaking of the FOI law, there will be an en banc rehearing on one of my suits by the U.S. Court of Appeals 7/11, the first under this law. I had prevailed and the government sought this rehearing. On its own the court decided to hear new arguments after initially deciding against it. My purpose in going to Washington today was to discuss this with Fensterwald and a young lawyer who is doing all the real legal work, Jim Lesar. We decided on what we will do. I think that when we do it, it may be something you may find newsworthy.

Whatever happens, this case will go to the Supreme Court. It will be precedent. If I lose in the end, there will be no Freedom of Information Law.

I believe I gave Paul Valentine a copy of the C.A. decision. If he has it, I suggest a careful reading of footnote 5 plus the Williams affidavit, which the majority reprinted in full. Williams is an FBI agent.

I believe this is perjury and its subornation. I also believe the C.A. felt this, accounting for that footnote. I am confident there is other perjury, other subornation, in my two earlier suits.

I ask that if this interests you, you use nothing prior to the end of the hearing. The situation of the C.A. impels this.

The names that figure in this and the other suits are Mitchell, Kleindienst, Gray, Ruckelshaus and other DJ lawyers. We will allege and prove perjury and its subornation. In court, and against these Watergaters. I asked Mitchell to prosecute his criminal associates. Ultimately, I got a non-responsive reply from Mr. Clean, Ruckelshaus. In the course of this, I hope it will be possible to lay out a new dimension in Nixonian subversion, imposing on the courts to the extent that it becomes impossible for them to do anything with the government, especially on "freedom of information."

Sincerely,  
Harold Weisberg