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Reassuring note on the genuineness of press interest in freedom of information, etc. 85

This is the period of Senate hearings on the rights of the press, or the jailings of reporters, of numerous subpoenas to the press and of supposed interest in the workings of the FBI. The FBI is further in the news because of hearings on the appointment of L. Patrick Gray to be Bureau Chief. This is the setting for the handing down of the decision in my spectro case by the U.S. Court of Appeals for the D of U.

One thing new this decision says is that the files of the FBI are not immune to citizens. Some are under the law but all are not. The FBI has held to the contrary.

There is other legitimate news in the decision, as there is, I believe, in the dissent, which says I should be ~~foreclosed~~ foreclosed from further inquiry into the assassination. I don't think there has ever been anything like this in any judicial decision. It follows, of course, that if any one can be foreclosed from any inquiry or writing, everyone can be. And if this can be done with the JFK assassination, is there anything on which it can't be done?

There appears to have been a small story in the late edition of the Post last Thursday. I don't have it. I left word on the decision and in some cases the dissent at the Star, New York Times, CBS, NBC (copies of it) and Chicago Daily News that I recall. I have been told that the NY Daily News carried a small story. I have not seen it. I suppose they picked it up from the Post. I have heard nothing from any single person, reporter or other, except those with whom I have been associated in the suit. Not have I heard of any wire or other story.

If one goes past the obvious in this decision, there is much other legitimate news. If Sirica's name is not mentioned, it is a severe commentary on him. The record, if any reporter had looked at it, has the DJ certifying that the AG is a liar. There is an obvious inference that this appeals court majority believes the FBI was at least deceptive. Even the dissent quotes without argument or contradiction the allegation that is the spectro sought in the suit does not show all that is claimed for it, the entire solution to the crime is fiction. The decision says the allegations of the government in describing information are not acceptable, that the government must make a showing of proof and that the burden of proof is on the government, not the ~~lx~~ applicant for information. And much more. But, apparently, none of this is news, in today's context or any other.

If there is reassurance in nothing else, we can be certain of the press!

HW 3/6/73

This Senate Judiciary Committee is letting reporters see Gray's statement but is not making copies available. One asked for a copy for me but in his own name and was told this. He asked them for an opinion of today's Post story and was told that it was accurate. He had not seen the Times so he didn't know if it had carried any story. HW 3/6/73

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