

OCT 14 1976

Dear Jim,

10/14/76

I'm lucky in the kind of restless night I have only infrequently. I merely wake up more often. Almost invariably I fall back asleep immediately. This happened this night. However, the feeling ~~is~~ is not of unease or apprehension. More like what I suppose an athlete feels before his contest.

Last night's call from Downing's honcho on the new committee's the immediate cause. So while I rest a bit before returning to the interminable file shuffling a partial amplification of the memo to Jim in which I did not spell out what I now think is going to be the need when I meet with them next week.

I'll have to deal with Sprague as a person, not as the employee of a strange bunch of Congressmen. I'll have to make him see that whether he becomes internationally famous or is battered into the earth is going to be determined by what he does and how he does it and then persuade him how with what. This will not be easy with an experienced homicide prosecutor who will be the rarity if he practice Canon 5, which says the primary obligation of the prosecutor is to see to it that justice is done, not get convictions. It is probable that I'll take that approach.

I'll have to convince him that I understand better than most where his opposition is and how it works and how he can turn what he should expect around. I'm certain I know the only possible ways and I'm certain it will not be easy for others to agree with. Aside from the specifics of their method I'm going to try to show him how to take and keep the initiative and with what. I've even planned out how he can get around what happened to Mike. This began to take shape when Feeney told me of the size of the staff they've budgeted. I'm confident I know the way around the classification problem and that the basic approach can be improved upon by other minds and experiences. It is to have an expert on classification, like a fellow named Florence, as a paid consultant. He has all the clearances. Have him examine all records for which classification is claimed and have him able to check with others like me on specific names. He can list the names withheld and return with what is known about them. Initiative along this line can wreck the suppressors whose suppressions often are for no purpose other than in movies roofing nails were thrown from fleeing autops.

With the extension of my basic recommendation on approach I'm inclined to believe that Bud was truthful in saying my proposals had been agreed to but that the sequences of testimony had not been and probably would not be. I'll have to address that whether or not I'm told what they do have in mind. I suppose that if there is one more promising way it is to appear as a wildcat who is only purring but ~~that~~ who shows he can be a real wildcat. It has to be in terms of saving the Members from themselves if there are no Members present. But I have to prevent the taking of testimony from or the use of the manufactures of the Morrows and the Lanes. I think it is not impossible and is urgent.

While I would prefer not to be alone I must be. The only two who could be of help can't be with me for various reasons. In the future they can be if there is a future of responsible help to them. These are Lesar, who has things to do with deadlines, and Howard, whose school and work are fulltime. Howard can be particularly helpful on fact and approach despite his youth. He'll be better as backstopping and as a reserve if I am as unwelcome as they may find me. While I never anticipated that there would be a committee topped with the nuttiness of the Downing-Gonzalez nuts, I did look ahead to a sundae. I am the only one except Jim and Howard, who listened to me, who has not laid court to the Hill. With these people I begin with credentials other than the raves I've already had from Sprague and Feeney. They have come around to what I told them a year and a half ago they'd have to do. They also know from my record with them that I say what I have to say and do my own thing if they do not agree. Now I'll have to carry this farthur and tell them that I don't want to oppose them but if I have to I will - publicly. I think I'll do this with what I can do with Morrow and Webberman, the Members' symbols. I may merely say what I can do with them and use McDonald for the specifics. I may even suggest that they call these people as witnesses and then tear them to bits.

In mind has been an extension of the dramatic proposal I made to begin with me and the medical and FBI finks testifying and then after individual testimony testifying in tandem, with perjury explicit as Damocleas is specific.

I am carrying my thoughts further in this so they can take sharper form. Another such approach I have in mind involves giving some of my work away and going back to what Garrison would not do when I developed what he needed. This means, using one as an example, calling Bringuier, reading certain parts of his Warren Commission testimony to him, asking him if he swears to its truthfulness and then proving it is perjurious. Liebel, too here. He altered a transcript to lay the trap into which Schweiker fell. Their choices will then be between perjury and confession to the false swearing that can have values in relieving some of the pressure from the Commission's defenders and transferring it to the Liebelrs and Belins. (I'd not use the Meagher approach with Belin. There is what is much more significant, what I used to turn him around at Vanderbilt.)

The threat of prosecution if not jail with these minor figures may have some impact on the major ones. It may get them closer to truth and farther from the prepared evasions and deceptions. This is what Tom had in mind for me with the GAO auditors, giving them my first-hand experiences with dirty tricks, essentially his phrase.

Meanwhile, I think they'll see the threat implicit in my being able to examine some of the same witnesses in court or first in depositions. If they do not do it and I do where are they? Here my exaggerated and distorted advance billing, which I not only did not dispute but amplified briefly to Sprague, may be of help. (I added crusty to ~~antagonistic~~ cantankerous, hard to get along with, etc. And I agreed with them.)

If these people do not take and hold the initiative they are done. If as Teddy correctly stated it, a proper extension of the advice he took from me through Tom, they become no more than a study group, they are also done. However, I am going to suggest that they take one or two of their brightest and youngest to master a little - and a limited little - of what has been published, Sylvia, Howard and me only. I'll offer all my index cards on all my work and suggest that they have a clerk ~~xxxxx~~ transfer Sylvia's and Hoard's work to cards and incorporate them. They do require access to what has been published, one of the reasons I wanted my index cards consolidated.

This may be the most important single need I'll face in persuading them to an approach. One problem I now anticipate with this is that it requires a switch in roles for prosecutors. Another is that they may not see the need or the possibility of success in it. What I have in mind is illustrating this with the total absence of opposition to the committee from the various spooks. And hope they can see it means that the spooks have picked their battleground and their strategy.

If I can avoid my tendency to proximity in this first session and get either agreement on the essentials or a sincere willingness to consider it I'll then propose a weekend here with Howard and perhaps Jim present or better two different weekends, one with Howard, who knows my files well to retrieve specifics and one with Jim, where files will not be as necessary, with both sets of counsel present for each, that is, for the King chief to be aware of the JFK basics and vice versa. I think the beginning must be an understanding of their political realities, willingness to face them squarely and comprehensions of how they will be met, really overcome. My problem here will be the time required in illumination if they are unwilling to take my word initially, subject to proof. I have about two hours with Sprague and he'll have many questions, beginning with questions about me. This is why he has to see the stack, small a one as he can visualize in the hands of one man, and imagine the warrot, because I've decided to tell him right out that what I will do will depend on what he does and does not do. He will then have to decide whether what I can do is worth what it requires of him. Then that what it requires of him is simple: serving intelligent self-interest and plain, old-fashioned honesty, no more. Or, doing his job well.

I'll probably give an indication of the carrots without the specifics they'll need to dig in my garden.

Then, another time, how they can work toward what everyone wants, a solution. How they have reasonably good chances with King and less so with JFK. They may want to begin with this. I'll have to insist otherwise from what may appear to be arrogance, my determination to be assured we are past the Morrors, Lanes, Gregorians and all the Webermaniacs. With any nominees of any Members present this means confrontation from the start. Oh, well...Reduced to the minimum I have to begin with the bottom line and work back and hope their life's experiences have prepared them to listen, reason and learn. Best,