

Mr. Bud Fensterwald
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8/10/81

Dear Bud,

When I was in the hospital and told you what I'd be doing in the spectre case, you said, "You'll out them a new asshole!" Yesterday a Good history professor who has subject knowledge from his teaching, after reading the affidavit I've sent Jim, used the identical words, saying, "You've out them a new asshole." Unfortunately, I took 112 pages to do it. Plus 82 exhibits.

You may not want to take the time right now to read the entire affidavit and/or its exhibits, but when Jim gets finished doing what he is doing you'll have something much shorter. One of the uses of the affidavit and the needs of the length is to provide a basis for much shorter statements by Jim.

Aside from use in this litigation, I believe what we have come to and done can provide one of the more effective and comprehensible defenses of FOIA.

While we can't hold it up after it is filed, if we do not call attention to it we will probably be able to delay any attention until after the session resumes and what interests us, after Lardner is back from his August vacation. I've already arranged for some int. event but in terms of helping FOIA Post coverage is most important.

I think there should be a press conference at which copies of some of the records can be made available and a long affidavit can be condensed, with the backup of that affidavit and exhibits. And aside from what is said about the case and the meaning of the new evidence suppressed to now by the FBI itself, there can be a different context for official lying, quite possibly a crime in this litigation. That is what is wrong with FOIA and accounts for its complained-about costs. This is, remember, the oldest of FOIA cases and the one over which the investigatory files exemption was amended and strengthened. Only for the Government to be unchanging and to continue to lie under oath after two more remands. Besides, ~~WHY~~ why should the FBI lie about anything connected with its investigation of the assassination of a President? Why should it destroy anything? I now, incidentally, have proof of more destruction, of many Garrison records, which I am confident also was strictly prohibited. (I'll be taking this up separately with Jim but not now because he has too little time as it is before he has to file this.) I've only just learned it. And we'll have to follow it up.)

It will be somewhat of a problem for me to get to DC for a press conference and it may well involve my hiring a cab for the day. I'd prefer to miss rush hour because of the strict cautions against any injury, no matter how slight a bruise.

I think we should be thinking about this, particularly about which reporters might be interested, so they could have access, on a hold-for-~~later~~ release basis. I've spoken

to Earl Golz and Les Payne. I've written to Steve Ball at ABC, not because he is the right one but because I know him. Each may see his own angle and there is enough info for a reporter to want to take time to go through it all, if he has that time.

I don't know how far he's gotten but Andy Liddell of the Hartford Courant was trying to put together a TimesMirror team for a syndicated story or stories. Andy is a buff.

I can even see a way in interesting Blakey and in his seeing aspects of this he and Billings can use in their own interests, especially with the foot dragging over the testing of the police tape and the study of the Bronson film: this is what the FBI withheld from them and what the FBI destroyed, so they could not get it.

If reporters are interested in going over this in advance there will be time for me to help them with what they may not see or what they want more about, if it exists. I do have records I've not attached as exhibits, perhaps three times as many that I'd put aside for exhibit use but decided against in favor of what I used. And until it gets too cold, if they come up here they can also take a swim. Pool's fine.

I've not really thought this through but I wanted to inform you as soon as possible, this this off the top of the head, to make the morning's mail. I did suggest to Jim that when he makes copies he ought to make one for you so you can have it and so that, if you want to, you can read it all.

Hastily,