

NOV 9 1976

Dear Js,

11/7/76

It is too early for bed and when I read I fall asleep so a Committee update. I want not to get up too early because day after tomorrow I leave early for a week at Univ. Wisc. Stevens Point and I'll pick an hour of awake-time up once I'm there.

During the night I had a mild intentional virus hit. Low fever and some tiredness so I've been taking it easy. I'm all packed and I have my speeches and seminars outlined on card. I'm hoping to feel like more work tomorrow.

The last thing we want is to have to fight this new committee. The last thing we can stand is the inevitable result of their arrogance and stupidity, as you gather in enough but not all detail from my letters.

Jim has called Jimmy Ray. He will not sign a release or a waiver of lawyer-client privilege for Foreman. The committee lawyer, the one who made a mess of the Hoffa investigation in Detroit, said they's be at the jail in person anyway. I got Jim to phone Jimmy, to whom I also wrote. Jimmy won't see them and won't sign anything now. I also got Jim to write the warden and Sprague. He's decided on telegrams. He's just read them to me by phone and we've agreed on some changes.

These people are corrupted by their own concepts of the power they have and the rights they feel it gives them. Beginning with the right to be and do wrong.

But if they try to force their way in on Jimmy now there can be a pretty foul stink. I don't think many lawyers would approve of what they want to do.

I also think they'll not go ahead with it now.

Or that they'll like me more for this or my speaking out and directly.

Another of their lawyers, Number 2, phoned me today. I went into some of this. He said he is the one who would not promise confidentiality simply because he could not be sure of keeping his word. Fair enough. So I told him this meant there was much I'd not be able to do and they began by giving Jim and me conflicts. I did offer more public records, including those about which he called. They had nothing to do with this.

The sieve started leaking early. Some of their stuff, I don't know what, is already in Tennessee. Ray knew about it and told Jim.

My reasoning on this is simple. The Phila. ACLU says Sprague as a prosecutor had no interest in anyone rights under the law. So he's tough. At some point there was bound to be this kind of issue. They've been insane, not just power-mad. They are up to the really crazy and that the wrong way. Moreover, the context is one of law and legal rights, of proper procedures and of incompetence on which no rational member can't be without some questions and doubts. For this reason I've asked Jim not to do as I originally suggested, send copies to all members of the committee. Give them a chance to get honest, ~~xxxxxx~~ decent and reasonable before the fight is no longer private and quiet.

From the combination I felt we had the right time, place and issues to precipitate the whole thing right now and moreover had to because Ray's rights were in jeopardy.

Moreover my own analysis of the past couple of weeks had told me they have made some decisions having to do with me. Fine, whatever they are. The less I must have to do with them the better off I'll be the way things are.

But I'm not going to be subservient or let Jim be, or intimidated, or party to the unprincipled or someone's ego-trip ~~or~~ or indulgence of pointless power.

By an odd coincidence we took in part of 60 Minutes tonight. They had Chuckie O'Brien, the one Hoffa raised, the one accused of being partly responsible for whatever happened. He referred to this Ozer as crazy, his word. What he did with O'Brien is that, crazy, and it is the abuse of power and official position and immunities. With a character like O'Brien the public leaning on him by Ozer, could have gotten O'Brien killed but if he knows anything the one thing it was calculated not to do is persuade him to talk. O'Brien apparently took the fifth before the grand jury. Ozer is showing him. He thinks. The fact is that it has accomplished nothing and won't. Nor will Ozer with this approach on this committee. The FBI is not going to fall over for him if he asks it and he knows no witnesses he can intimidate into helpfulness.

I look back on all the time I've NOT spent on Capitol Hill and regard it as time very well spent. No matter what I did with it... If there is another such issue I'll just have nothing to do with them. They can't subpoena anything from me anyway. They can, of course, do as others do and duplicate. I don't mind that. Best,

*Handwritten signature*