

JDW: the only reason I'm sending this is because an encapsulation of the contents may interest Je. The 4th pages is missing but because the purpose is only to give you and her a notion of what appears to be a major development I'm not copying it. I thought that maybe in a period in the bathroom you could get enough out of it to tell her. It relates to the King case in which in two weeks I'll have copies of the entire FBI HQ file, more than 90 volumes, am now by stipulation to obtain 120 volumes of the Memphis field office files (Memphis is what they call OO or Office of Origin) by 9/2 and a few other things. We have made a breakthrough, how much being the only remaining question. I think it is without precedent in any case and in content. This is a kind of summary if you have no time for anything else.

Hope they have figured out what can ease Je's discomforts and pain and that she has begun to recover strength. And that you are not exhausting yourself. Best,

HW 7/3/77

JUL 5 1977

Dear Les,

7/3/77

This is an update for you and an aide memoire for me. The bottom line is that I think we've won our King fight with the FBI.

Jim and I did this Thursday. If the convention had not held you would have missed the best of it anyway. It only started in court. We did it in a private conference that grew pretty intense deep in the bowels of the J. Edgar Hoover Bldg that ran until after 1:30 p.m., probably closer to 2.

A combination of factors worked for us. I don't think it is important to know which did and which did not as we know those that were most important. I think those are clear.

Probably the two most important are what Jim and I did, without rehearsal, as we have done before when the situation precluded planning; and that FBIs have trouble not being FBIs.

Another leaves me uneasy. There has been a change in my physical/medical condition not yet diagnosed. For some months I have been aware of a radically reduced physical capacity. When I got back from the Dallas-New York trip I began having leg difficulties again. When my no-good medical clinic/insurer in Washington ignored all I saw a local doctor on an emergency basis. He has examined me before. He put me on new medication, laid out new temporary restrictions and said if the medication did not work I'd probably have to have new and unpleasant diagnostic techniques. I've had one, on the veins. He thinks we may have to do the same with the arteries. This and what it means are unsettling enough but going along with it, while I was on the medication, there was no remission of the symptoms and new ones developed. With this doctor off on a long weekend another doctor renewed the medication I was on, which would have run out today, and prescribed some like an artery expander. I felt pretty good this morning. I've just gotten up. But I hate not being able to walk more than 300 feet at a time and that not too often, the present restriction. Not even mowing grass on a riding mower.

Jim made just the right use of this in court Thursday, combined with the charge of stonewalling and the fact that I have unique knowledge in this case. What he said was simple and undramatic but it was understood as they are trying to run the clock on me.

He made certain demands with which the judge agreed. When their footballer assistant US attorney tried to smash the line she tripped him. He went down on his hardhat in front of his own people, a similar hardhead from the office of legal counsel of the FBI and an FOIA supervisor who Jim and I evaluate as by far the best person we have met in all these FBI types over the years. I think this person is the pivot. His name is John.

It happens that when he made this better impression on us I decided to give him a chance to be the good-guy he held himself out as being, the one who would work all the problems out. Besides, timing being everything in life, the time had not yet come to pick the battleground and the issues.

But the people under him were the same Hooverites. They can't change and they can't believe people say what they mean. When I kept saying comply, all I want is compliance and with that I'll leave you alone I guess they wondered who the hell is he to tell us he'll leave us alone. There was a statute all about two months ago. I didn't go and asked Jim to tell the judge we'd give them a chance to work it all out. His account is that with the way I've been resisting she was stunned.

The FBIs took it the wrong way. They thought I'd peeped out. So they got crazier. They started removing the names of cities and countries claiming the private exemption. In one case the hotel in which at some point we may have some interest. I have a separate file on it. Always the names of FBI agents. To the point that they were removing even more of what was public domain, like the court transcripts of which I told you.

I was myself. I got mad and I wrote long, angry but precisely detailed letters to the supervising agent. Meanwhile, they had overloaded him and he had to divide his supervisory responsibilities. He thus had bureaucratic responsibility for all of this when he was having nothing to do with it. My response was I am entitled to supervision, it was promised in court so the hell with your other work, supervise this. Meanwhile, at the cost of much time and emotion, I kept dumping horrible example after horrible example on him, in writing, sometimes with attachments from their own records. It had finally gotten to the point where they were using the xerox machines to hassle me, making hundreds of bad copies. I threw them all back at him, demanded and got replacements. When on some the replacements were

no better I told him that if a college education plus law school plus the FBI academy plus years of experience as agents did not prepared them for such taxing work as running a xerox machine I knew a 14-year-old whose work for me had been flawless and now that summer vacation had come I'd solve all the FBI's problems with him. Meanwhile I did nothing in court against them. Jyst kept hammering at them, always with fact, always correct. On the 7th we had a meeting with them. I took a dozen examples, not the worst, the most recent to pass through my hands. Prior to that I told him I'd not read another record gone over by one particular FBI agent/FOIA analyst. That so far as I was concerned they had better send him back to Butte, I meant it. I stopped going over his work. Jim told me to finish those I had and I did. Jim was right. His insanities were beautiful!

(P.S.-he is back not in Butte but in Harvard. John told Jim "Harold is wrong. Goble is the liberal." "e comes from "ardvard." Jim says they don't know what we think of so-called liberals. But we won even on that level, behind the scenes.) Through all of this I was reminding them of House FOIA hearings, not that I held any hope for the hearings but because of what it could mean if I were to go there and testify -even just write a letter for the Congressional hearing record.

Crucial were several records of the old Hoover- and me. They had denied I'd begun making these requests in 1969, under oath and last year. They then had to back down when Jim put me on the stand last September and I checked it all off, 25 cases or more. The halemsted AUSA peeped out on cross-examining me. "e helped us perfect the record. So here is this memo from the head of the General Investigative Division to the Assistant to the Director, Cartha DeLoach when he was No3, saying "it has been approved" to pay no attention to my FOIS requests in the King case. Above DeLoach were only Tolson and Hoover. With this nasty stuff about me.

Then we came to another outlie. As soon as I saw it I knew exactit what it was and that it had to be 180 degrees wrong. It said that I had asked to be interviewed by a department lawyer to lay out a scheme in which I was combining with J.B.Stoner to defame the FBI. I had no recollection of what the plot could be but I have had so little to do with department lawyers I knew exatoly what file to go to. They had finally indicted some of the soldier of fortune types, for plots to invade Haiti. My files had much, including taped and unrestricted advance accounts, while they were plotting. So I phoned the "riminal "ivision and said if you want this stuff send your local friendly FBI agent. There is a residency here. They were too excited. They asked me to go see a certain lawyer in the Internal Security "ivision, which handled the case. While we were talking I told him of a call I'd had from Stone in which he said he had been bribed by the FBI to frame Ray. I said this would be a frame version, said they had been bribed by the FBI to frame Ray. I said this would be a frame of the FBI. I told him, when he told me to go to the FBI, why the hell should I when I can't even get a press release from them. You tell them if you want to. But because I'd offered to get them more help on the indictment I sent a memo to a friend who had an interview scheduled with one of those indicted and two others who kept files. So I had a contemporaneous record which established that the only thing truthful in the FBI's secret version and apparently that of ISD, which they did not provide, is the spelling of my name and a lawyer spoke to me. I even had the letter they later wrote me and the copy of the indictment they sent me. I sent this all to John and told him how I looked forward to using it all in court.

In the last batch, which I did not receive until this past Tuesday afternoon, I found another of these high-level love-letters about me. It went up to Hoover not only that I had made many King requests that had been without response (law or no law) but also on other subjects. Exactit what Jim and I had been alleging. Jim had prepared a little statement, six double-space pages. I had been feeding his staff at great length for two weeks. He selected out the little that was just right and added just the xx right of his own. Lawyers are not supposed to read these things in court. I told Jim it was important not to have the problems of ad libbing and that it would impress the judge with our belief in the importance of what he was going to say. "t did.

She is ready to execute all the orders we asked for. Including that they decide in two weeks on the remission of all costs. She had told them to make this decision informally

rather than by an order two months ago. The response to Jim was not what she had said. It was wait until it is all over. When the hardhead/hardhat denied it Jim gave her the letter, she read it aloud in court and gasped, it was that contemptuous of her. They'll now have to decide and if they decide against me we'll sue for that. They can't win on that one, even if they beat me, which I doubt they will.

We asked from compliance in full and I think she agreed to our date, 9/1. We asked that they be required to file what is called a Vaughn v Rosen inventory (after a case), which means a list of all records and a brief descriptions of each. We are talking about more than 200,000 records! Much work for her. She agreed and told Jim to draft the order for her to sign. What it was is that Jim caught the kickoff at the top of the stands past the goalpost and ran it back for a legal touchdown.

Meanwhile, back on the farm, the farmer had suggested to Jim that if the supervisor and his analysts wanted to talk things over I'd be leaving the haystack at home and would have my mouth free after court. They wanted this and had their people free for after court. John was really nice about this. Because of my walking limitation he phoned ahead and arranged to park Jim's car inside the FBI building. (I wonder if they do that for most congressmen.) We even carried my heavy bag. And then we conferred. If that is the word.

The hardhead from the ~~USA~~ legal counsel's office starts making straight Hoover propaganda on the assassination. Jim, who never does it, ever, lost his temper and told them straight out look, I've got a client and for what you have been doing to his I'm going to sue the hell out of all of you anyway. The more of this you do the more I'll sue. His words were exasperated and perfectly suited. I wish he'd get made more!

When they say something, anything, in lay law on them and I lay fact, heavy.

When they say the Vaughn v Rosen means they'll have to suspend giving us the records Jim says it is my lever on you, no balance, right straight out it is his handle. We know how much work it means and they'll be doing that work. And I say this is to assume that this judge will now sit still for that. You have 100 trained FOIA agents now free. We can ask her to make order then assigned to this. I am without doubt she would order some and I'm sure they also are.

They claim the field office files are identical with the file they've been working on. I tear that apart and bury it with statistics: then when the HQ files have the records of all 50 field offices how come the Memphis field office files are a fourth greater in volume on this case than the HQ files? And where are this, that, the other and so much more than I've not seen in what you've given me. When they complain about the great amount of work they've had to do Jim tells them to complain to DJ, that it really is DJ that did this to them as we had made clear in court - that DJ had dumped the whole load on them as a means of frustrating us because FBI had a great backlog and DJ had none. This is true and I think was the lynchpin of the deal that evolved.

Then I say to Supervisor John and Legal Counsel Charlie, look, you have all this p.r. experience. What do you think will happen to the FBI's image if I get up in court and prove that there are some 500 or more high-level records stated as attached to the records you have provided and there are none and then you tell the court what you have told me, that the avanted FBI can't find one? And to Charlie, the legal eagle (John also is a lawyer) and what will defense counsel do in perpetuity every time there is a question of what comes from FBI files - with this your self-proclaimed greatest manhunt in history and most costly investigation? (He soon found leaving expedient, which was a good thing.)

Entirely unprepared and on their turf we laid it all on them, probably better than if we'd had time to prepare ourselves. Jim was just great, too. We left them with much to ponder. I suspect they began, or at least John had, while this was going on.

Next day I have a call from Jim. We've told them how we want them to begin with the rest of the records- Memphis Ho! We've told them- and I have from the first that the sooner I get all I want the less I don't want I'll have to keep them working on. It got through at last, after they had wasted much time for their own. Giving me a fantastic archive. But they have stalled me, their intent.

Now add this to your image of the FBI:

We get to this conference and one of the agent/analysts has a stack of records 4-5" high. They say another is coming with more. When Keith Daley did he was carrying about a foot of them. The smaller stack is of fingerprint records. But going through them is too much, especially in my condition and the way I felt. I say I'll buy them all. They say here, these are duplicates.

The big thing here will be eliminated, and under the Act properly. It is the identification of the prints other than "ay's" that they picked up. That stack can cost me \$75-\$100 kit and I'm not even looking at it now. Too much work, too little immediate interest. But in time in the solution of the crime it may be very important. This is why I bought the whole indecipherable dish.

The second stack is the reports on scientific tests. Which it has been sworn we had already been given. (and of them maybe 1/5). Also too much to go over. So I turn to the other analyst/agent Ralph and I say look, Ralph, I trust you and I'll take your work. I'm interested only in those tests that relate directly to the crime. I'll accept your selection. I'm sure that was a set of duplicates but I just don't have the money to keep putting out. Otherwise I'd have bought it all, regardless of how irrelevant all the tests of soil samples and hairs and fibers are.

They've got a stack of xeroxes of pictures for us and I tell "in a couple I want and to pick out any the things we need while I discuss other things with other agents. I know this includes the marked map of Atlanta, 8x10 glossy and an oddity that remains without explanation, the finding of the names of a couple of Los Angeles women and "Oklahoma" written on a scrap of a Kleenex box found in the trunk of Ray's car.

To bring your mental scorecard up to date I have the entire FBIHQ file except for what it will take two weeks to get to me. I think I have 85 sections of 91. It looks like I'm getting 25% more than this from the Memphis F.O. and we are going to have a record of every single record in the regular DJ on this subject. This may or may not include OHR. It will include as a minimum Civil Rights and Criminal. And probably the Deputy's office. They claim there are no separate files for the Director and his top associates like DeLoach and Bishop of the past. We'll see on that.

In the World War II slogan's words, the impossible takes a little longer.

Excuse the typos. There is much other work I have to get to in another case during this King respite.

Best,