

6/8/70

Dear Emory,

It is not unusual for the government to cease responding, with or without notice. I've had it happen, and I've been able to make it unappen. What you can do in this case depends on what there may be and what trouble you are willing to go to.

I'd begin with another letter, this time to Richard Kleindienst, who has just had a lesson administered. I cannot say he is the kind who learns, however. I'd tell him you are writing him because under 5 U.S.C. he is the proper one to address. Tell him how long you have been looking for this information, where you have looked, why you think it must exist and that you are writing him preliminary to invoking the law. What you want to know, since it is not in the Warren Commission Archives, is: were there investigations conducted to learn the identities of those arrested or taken into custody, by the FBI or by others, with the FBI being informed; did these investigations disclose the identities of any of those contemporaneously considered suspect; if so, since they are now suspect, can the reports be made available so that there can be an end to the rumors regarding various people misidentified as among those picked up. Something along this line.

If he tells you there are reports and does not tell you why they are withheld, ask him. If he says there are no such, and he has lied to me this way, leading to what should have been the lesson, then you have to decide whether or not you want to carry it further. If you do, the next step is to file a DJ-118 form and send it with the \$3.00 charge. However, unless you are prepared to go to court, you should also expect there is a good chance that, except for the making of a record, your form-filing and \$3.00 probably will accomplish nothing. However, there is always the chance it will, for they may take it seriously. I think when I can get time to file a number I soon will, they'll be more inclined to take such things seriously.

One of the problems is the corrosive influence of power on men, another is that Kleindienst is particularly arrogant, and still another is that the same bums on the lower levels who misinformed the previous administration are still misinforming, still writing the responses, etc.

I would make the point that it is not up to the Department to tell you whether or not the alleged facts "amply supports the basic conclusions" of the Commission, that is for you to decide, and to this end Congress did pass a law. Also, there are other than what they consider the "basic conclusions", and these include the suspects. If you want to argue, you can say Wilson's language is evasive on this point and because ample support is not the same as unequivocal proof, which you think is preferable, if within the capacity of man to establish.

If we correspond about this further, or if you carry it further and are kind enough to send me copies, please remind me I have this in my "Arrests and suspects" file. By the way, Sprague is quite wrong on his allegations and endlessly-changing, always positive "identifications" of the so-called tramps, who were. There is no record of their having been arrested and they were not picked up where he wants to believe they were. They were picked up later, from a train that was stopped, and they were in a boxcar right behind the Terminal Annex P.O., which is in the 200 block S. Houston. The Elm spur was the easiest way to remove them. Nor of the cop wearing rubbers "it was raining when his shift started) a phoney. Dick confabulates and will not consider evidence uncongenial to his desires.

Sincerely,