

1/27/78

Dear Ted,

In going over some of my hasty FOIA notes this morning I came across a reference to Richard E. Sprague. For his information that particular FBI Headquarters file identification is 62-109060-6520. The first two numbers represent the file itself, one of the three admitted JFK files from which they have recently made releases. The third number is the identification of a single record. It may be on Dick or may contain a single reference to his name, I cannot be sure.

Here is why I write.

To you because I have lost track of his address in his moving around. I believe you told me he is not now at home, is on a road trip anyway.

Second because I am in the unusual situation of being able to obtain these records for him, if he has not already obtained them for himself, without any of the delays that are involved in most instances. His particular matter is before a court now. One of the items of my request relates to the CIA because of its involvement in the subject matter, King, through Bud and Jim.

I came across this in the work the judge directed me to do to establish non-compliance by the DJ for the DJ. I mentioned this farout situation to you.

I can ask for all the records on Dick under this and they would then have to remove anything of what they would call or consider a personal matter. I suspect that they have already released these records in edited form, with removals of material, and that I have them in the mass of material I have just received.

My experience is that they misuse the Privacy exemption to hide other things and there generally is nothing I can do about that, lacking the original record. It almost always takes the original record to prove what is withheld should not be withheld.

On the other hand, they do have some pretty nasty stuff they collected. From my own experience it includes deliberate fabrications.

I have no desire to pry into Dick's privacy or that of anyone else. But if he wants his files rapidly and has no objection to my seeing them before sending them to him it can be done.

He would have to execute a simple affidavit identifying himself by name, date and place of birth and social security number. In it he would say that he is authorizing the release of the records on him to me and to me only under the conditions of the Privacy Act. (The latter is to keep them from having a right to misuse them to bludgeon him or to put them in their reading room more than they have already, in expurgated form.) I think he should also say this can be done through my counsel, Jim Lear, so they won't seek to use Jim's seeing them as an excuse not to comply.

This far it would be limited to central headquarters files. A separate request has to be made of each field office. If he can tell me which field offices are likely to have files on him Jim can send the same request to each, each with a copy of the affidavit. Where he lives or lived, where he was active, where he spoke, where he participated in meetings, etc. indicates the or a basis for specifying field offices.

I can't do this for you because he was then in CIA and you were not.

If he does not want to do it, perfectly okay.

And if he wants what records there are on him in the 1/18 release all he has to do is find out what the file Section is. For a while I have a college student who is working on these files. She has put about half of them in numerical order. I am paying her \$3.00 an hour. If we know which of the Sections to look through after she has put them all in the file cabinets it should not cost much to get her to select those relating to Dick. My wife would then make copies and send them if he wants. If there are any these would be expurgated copies, nothing personal in them. Supposedly. (If you hear of any on you, same offer on those I may have.) But the actual search and copying will have to await such times as the student is here. My time pressures are too great now. I started this morning before 4:30 so I can't take extra time. Hope you are getting along well. Sincerely,