

12/9/75

Dear Russ,

Between the phlebitis which lingers with no reduction in swellings, the need to get more sleep and the wrapping of packages of the new book I've not been able to respond to your letter sooner.

I'd appeal on the basis of unnecessary screening, that they have masked the names of people obviously known to you, which does not involve questions of privacy, and believe they are using this as an excuse to deny you information to which you are entitled under the law.

I would also invoke the Privacy act, as you should have to begin with because they can't charge search fees under it.

I'd make the same request to the FBI, under both Acts, so they can't charge you the search fees.

What you sent included nothing from the FBI.

Despite the many handicaps I'm making progress with my own efforts. I've only recently filed with the FBI because I wanted to get stuff on the track with the CIA first. They have yet to acknowledge what you know I have, so it is more important not to make any mention of it. They have already made me a first-rate record in court. But experience tells me you can't go into court with too good a record so when I can I'll be perfecting it with them. So, anything else you can send on or from RTV can be quite helpful.

If it is not easy to be patient, experience teaches me that it never fails to pay. I have "lost" some suits but I've won each and every one to day. I've just shaken loose so exculpatory King assassination stuff, with the immediate problem of forestalling misuse by the major media. I'm arranging for a press conference to release it in context. In this case, to illustrate the point, I've not only gotten great stuff but proof that they are still withholding (parallel with CIA exact). I could have filed against CIA 11 months ago but I haven't. I'm not ready yet. I've more of a record to build. Each time the lie they help me that much more. So, please be patient with what you have and if you find more please send. Meanwhile, my lawyer, who sees the unusual potential with me, much greater than with a peacenik (I got that part from CIA on me, though), is keeping his eye open for other counsel to help. We'll have a big case in the end.

You do not say anything about the Army. It is not possible that with your anti-draft activity in the Army they don't have a file on you. Invoke both acts with them if you haven't.

Hope this helps. Times pressures are great. I'm way behind in everything.

Best,

November 24, 1975

Dear Harold,

I received the first response from my request for files some time ago, as you can see, but I've been so damned busy here that I haven't had time to write to you about it. Also, I received the copies of transcripts from you, intact, and was unable yet to acknowledge them. I've enclosed a check for \$12, if that doesn't cover it, let me know how much more to send.

When I visited you I returned to a series of problems and crises at the radio station that have only this week abated enough for me to begin to catch up. By the way, I went through some of my old Radio TV Reports material and found some interesting things that I'd forgotten about on tapes, but they have to be transcribed, and I don't know when I'll get to them.

I've enclosed copies of the material I received from the Naval Intelligence Service -- the copy they sent me is a little better quality, and I've written under the distribution code what it is, except for a symbol that I can't make out on my own copy. The FBI reference to "Hand" must be one of the agents who was shadowing me -- his name came up at the draft board some years ago. I've still not heard from the FBI, and intend to write them a letter this week asking them why no word yet when the Navy information appears to prove that the FBI does have a file on me.

This NIS material relates to a guy who worked for me in Chicago who turned out to be a deserter from the Navy, and from the appearance of the file must have defected to somewhere. What I'd like to know from you is how do I now go about appealing the deletions and for what reasons? And is there any information we can learn from the distribution code?

I watched the CBS two hour presentation this week and found it disappointingly shallow in most areas. I remember they had called you the day I was there. Too bad with all their money and manpower they couldn't have done more.

Russ



NAVAL INVESTIGATIVE SERVICE

HOFFMAN BUILDING
2461 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO
NIS-27F/bem
5400
Ser U/2810
16 Oct 1975

Mr. Russell Trunzo
53A Robert Pitt Drive
Monsey, NY 10952

Dear Mr. Trunzo,

Reference is made to your letter of 13 June 1975, pursuant to the Freedom of Information Act, as amended, requesting a copy of any file which the Federal Bureau of Investigation (FBI) might hold on you. Your letter was referred by the FBI because the FBI file contained one Naval Investigative Service (NIS) originated report which makes references to an individual who appears identifiable with you. The referral was received by this Service on 30 September 1975.

NIS is the activity charged with meeting the investigative and counterintelligence responsibilities of the Department of the Navy. A thorough search of NIS files, utilizing the identifying data you provided, disclosed no NIS files identifiable with you.

The 1974 Amendments to the Freedom of Information Act provide for a liberal release of Federal records unless they fall within specified exemptions. In consonance with that policy, the document referred by the FBI has been reviewed and I approve release of those portions which apparently pertain to you with the exceptions that information which would invade the privacy of others and disclose sources of information, has been excised. Records compiled for law enforcement purposes are exempt but only to the extent that they fall within six specified areas. These areas include records, the disclosure of which would constitute an unwarranted invasion of personal privacy or would identify a confidential source. The right to be free of unwarranted invasions of privacy is inherent in a free society. The release of identities of sources who cooperate in the course of legitimate government investigations would impair the ability of the government to conduct investigations involving its security and well being. The law also provides that where a record contains both exempt and non-exempt material, the latter will be released to the extent that it is "reasonably segregable". Therefore, the information contained in the referred document falling within the aforementioned exemptions (5 U.S.C. 552 (b)(7)(C) and (D)) must be denied and have been excised from any reports being provided to you.



The withholding of some of the records represents a denial under the Freedom of Information Act. I am the official responsible for this denial determination. You may appeal this decision within 120 days to the Secretary of the Navy. Such appeal must be in writing and clearly indicate that it is made under the provisions of the Freedom of Information Act. The appeal must fully describe the circumstances of the request and the initial denial. This may be done by attaching a copy of this letter to the appeal. The appeal to the Secretary of the Navy should be addressed to:

The Judge Advocate General (Code 14L)
Department of the Navy
Washington, DC 20370

The amendments to the Freedom of Information Act provide for reasonable search and duplication fees. I am waiving the fees in your case since they are minimal. A copy of the report is enclosed.

Sincerely,



E. S. RICHEY
Director
Naval Investigative Service
Acting

Encl:
(1) NIS report of information

NIS REPORT OF INVESTIGATION			DEFECTION		
ORCH	06-06-69800-1887-000A	REC	23 AUG 1969		
H.0022.M/I.03HQ.M/I.03BF.M/I.0940.H/I			FBI-CHICAGO		
H.0022.M/I.03HQ.M/I.03BF.M/I.0940.H/I			X(FBI-L)HAND, 04-03-69 22B ⊕		
CHICAGO ILL			S F KELLY S/A		
BIRNIS			SUPPLEMENTAL DATA		
SEX	SOCIAL SECURITY NO.	MILITARY SERVICE NO.	BIRTH	(DATE)	(GRC) PLACE

PARTICIPATING AGENTS
 D H MUNSON SpAgt NIS-NISRA Chicago Ill
 E A STEWART SpAgt NIS-NISRA Chicago Ill

However, FBI-Chicago files do contain information that on 11 February 1969 one Russ TRUNZO (not otherwise identified) was interviewed at the Chicago, Ill., offices of Radio T.V., Inc., Room 404, 540 No. Lake Shore Drive, Chicago, Ill., and he advised that Subject had been employed there from December 1968 until February 1969 when he quit. TRUNZO said that Subject came off the street for a job, worked mostly nights, and little else was known of him.

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0081		06-06-59800-1337-308A				/	
SUBJECT							
CLASS				MADE BY			
CLASS				SUPPLEMENTAL DATA			
SEX	SECURITY CATEGORY	ALGEBRAIC SYMBOL	BIRTH	DATE	LOC	PLACE	
NOTE							

Files reflect that on 19 November 1967 one Russell TRUNZO spoke at a meeting of Chicago Area Draft Resisters (CADRE) at 5225 So. Worchester, Chicago. TRUNZO stated he was employed at Radio T.V. Reports, Inc., where he monitored radio and TV news reports. TRUNZO also stated that one [redacted] was also working for Radio-T.V. Reports, Inc.

Files further reflect that Russell TRUNZO, M/W, spoke at Vets For Peace rally at the [redacted] Hotel during GI week. (Report dated, 10-26-68). TRUNZO is a spokesman for the [redacted] Chapter of CADRE, and is a representative of W.E.B. DuBois Club, [redacted] (10/27/68).

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DESCRIPTION							
MADE BY				DATE			
INSTRUMENTAL DATA							
SEX	SOCIAL SECURITY NO.	MILITARY SERVICE NO.	BIRTH	(DATE)	PLACE		

said when he first came to work at the company a Mr. Carl HIRSCHFELD was the office manager, but he was replaced a few years ago by a Russell TRUNZO who was sent from the company's New York office to take over

11. said that TRUNZO is utterly opposed to the draft and was very active in CADRE and, in fact, feels that TRUNZO, who is now with the New York office of the company, is fighting induction. said he does not expect TRUNZO to remain out of prison much longer because another former employee of the company, is serving time in federal prison for refusing induction.

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090H		05-06-62N00-1397-3GNA					
CLASSIFICATION							
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TITLE				RESIDENTIAL DATA			
SEX	SOCIAL SECURITY NO.	MILITARY SERVICE NO.	BIRTH	DATE	SP.	PLACE	

13. [redacted] said he does not know how Subject came to work for the company, but assumed Subject met TRUNZO somewhere and TRUNZO hired him. [redacted] said he does not know if Subject had any connection whatever with Columbia College, but if he did it was probably through [redacted] and TRUNZO were very close as he often saw them talking in the halls. [redacted] said on more than one occasion he had heard TRUNZO and Subject discuss [redacted] but does not recall what they said.

ADMIN'S NOTE: The place of interview contained a great deal of recording equipment and [redacted] was asked if he was recording the interview and replied "No but TRUNZO was".

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