



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

March 28 2019

MR. JOHN GREENEWALD, JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1398499-001
Subject: RUSK, DAVID DEAN

Dear Mr. Greenewald:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemptions boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

Section 552

☐ (b)(1)

☐ (b)(2)

☐ (b)(3)

☐ (b)(4)

☐ (b)(5)

☒ (b)(6)

☐ (b)(7)(A)

☐ (b)(7)(B)

☒ (b)(7)(C)

☐ (b)(7)(D)

☐ (b)(7)(E)

☐ (b)(7)(F)

☐ (b)(8)

☐ (b)(9)

Section 552a

☐ (d)(5)

☐ (j)(2)

☐ (k)(1)

☐ (k)(2)

☐ (k)(3)

☐ (k)(4)

☐ (k)(5)

☐ (k)(6)

☐ (k)(7)

2 pages were reviewed and 2 pages are being released.

Below you will also find additional informational paragraphs about your request. Where applicable, check boxes are used to provide you with more information about the processing of your request. Please read each item carefully.

- ☐ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- ☐ This information has been referred to the OGA(s) for review and direct response to you.
- ☐ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.
- ☒ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the Freedom of Information Act (FOIA). See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

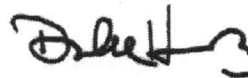
You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.



See additional information which follows.

Sincerely,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Information Management Division

The enclosed documents represent the final release of information responsive to your Freedom of Information/Privacy Acts (FOIPA) request. This material is being provided to you at no charge.

A search of the FBI Headquarters electronic surveillance indices has been conducted, and no responsive record which indicates that David Rusk has ever been the target of electronic surveillance was located.

For your additional information, a record that may be responsive to your Freedom of Information/Privacy Acts (FOIPA) request has been transferred to the National Archives and Records Administration (NARA). You may desire to direct a request to NARA, 8601 Adelphi Road, College Park, MD 20740-6001. Please reference the file numbers 157-HQ-8428-A; 157-WF-433 Sub D; and 77-HQ-84006.

For your information, a search of the indices to our Central Records System reflected there were additional records potentially responsive to your /Privacy Acts (FOIPA) request. We have attempted to obtain this material so it could be reviewed to determine whether it was responsive to your request. We were advised that the potentially responsive records were not in their expected location and could not be located after a reasonable search. Following a reasonable waiting period, another attempt was made to obtain this material. This search for the missing records also met with unsuccessful results.

Records which may have been responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA), Title 44, United States Code, Section 3301 as implemented by Title 36, Code of Federal Regulations, Part 1228; Title 44, United States Code, Section 3310 as implemented by Title 36, Code of Federal Regulations, Part 1229.10.

Enclosures

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA)
document clearinghouse in the world. The research efforts here are
responsible for the declassification of hundreds of thousands of pages
released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**

FBI

Date: 5/3/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

To: Director, FBI

ATTENTION:

WAG

SAC, ALBUQUERQUE

(44-New) C

- ☒ CIVIL RIGHTS SECTION
GENERAL INVEST. DIV.
☐ DOMESTIC INTELLIGENCE DIV.

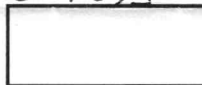
Subject: UNSUB;
THREAT TO BOMB DAVID RUSK's
CAMPAIGN HEADQUARTERS
ALBUQUERQUE, NEW MEXICO
5/2/74

- ☒ CR ☐ EL ☐ DIH ☐ CRA-64
☐ PA ☐ PE ☐ PF ☐ E
☐ EID ☒ Bomb Threats ☐ Extremist Matters
☐ White Hate ☐ Black

Summary of Complaint:

On 5/2/74, at about 5:00 p.m., an unknown female called the Albuquerque Police Department switchboard and stated a bomb had been placed in the Campaign Headquarters of DAVID RUSK, one of 33 mayor candidates and that same would go off at about 6:00p.m. The Albuquerque Police Department EOD Team was dispatched to the scene and searched the Headquarters with negative results. USA, Albuquerque, and Secret Service, Albuquerque, advised. FBI assistance not required.

1 CRD
1 Crim Div
1 CRu
5/7/74



174-38597

12 MAY 6 1974

ACTION: UACB:

- ☒ No further action being taken and
☒ LHM enclosed ☒ Copy furnished to USA Albuquerque
☐ FD-376 (enclosure to LHM) & Secret Service, AQ
☐ LHM being submitted
☐ Report being submitted
☐ Preliminary investigation instituted
☐ Limited investigation instituted

(3) - Bureau (RAM) (Enc. 4)

4 - Albuquerque (1 - 44-New) (1 - 174-207) (1 - 66-1130) HRL:mcc (6)

Approved: _____
Special Agent in ChargeSent _____
(1-174-669)b6
b7c



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Albuquerque, New Mexico
May 3, 1974

UNKNOWN SUBJECT;
THREAT TO BOMB DAVID RUSK'S
CAMPAIGN HEADQUARTERS
ALBUQUERQUE, NEW MEXICO
MAY 2, 1974; CIVIL RIGHTS

On May 2, 1974, at 7:00 p.m., Sergeant [redacted] Albuquerque Police Department, advised that the Police Department had received a call at approximately 5:00 p.m. from an unknown female caller who stated that a bomb had been placed in the Campaign Headquarters of DAVID RUSK (one of 33 mayor candidates up for election on May 7, 1974), and same was set to go off at 6:00 p.m. Sergeant [redacted] related that the Albuquerque Police Department EOD Team was dispatched immediately to the scene and searched the Campaign Headquarters with negative results.

b6
b7C

On May 3, 1974, Detective [redacted], Bomb Squad, Albuquerque Police Department, stated that through investigative efforts they had determined that the above mentioned caller had been a woman who works for RUSK in his mayor campaign. He advised they are conducting further investigation into this matter.

On May 2, 1974, [redacted] United States Secret Service, Albuquerque, was advised of the above information.

On May 3, 1974, Assistant United States Attorney [redacted] Albuquerque, was also advised of the above information.

This document contains neither
recommendations nor conclusions
of the FBI. It is the property of
the FBI and is loaned to your
agency; it and its contents are
not to be distributed outside your
agency.

174-3-8547