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OFFICE OF THE ASSISTANT TO THE SECRETARY OF DEFENSE
1400 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1400



PUBLIC AFFAIRS

24 MAR 1994

Ref: 94-FOI-0571

Mr. Willard McLane
The National Security Archive
Suite 500
1755 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Dear Mr. McLane:

This responds to your July 23, 1991, Freedom of Information Act (FOIA) request, filed with the U.S. Department of State, a portion of which was referred to the Office of the Secretary of Defense and received in this Directorate on March 7, 1994.

We have completed our review of the document which was referred to us by the State Department and is responsive to your request. The document and a copy of your request are provided at the enclosure. There are no assessable fees in this instance.

Sincerely,

W. M. McDonald
Director
Freedom of Information
and Security Review

Enclosure:
As Stated

#588
94-F-0571

94-F-0571



United States Department of State

Washington, D.C. 20520

UNCLASSIFIED
(Unclassified When Removed from Attachments)

MEMORANDUM

Case Control No. 9103549 Part V
Requester: McLane, Willard

TO: Mr. William McDonald, Director
FOI/Security Review
Department of Defense

FEB - 3 1994

FROM: Frank M. Machak, Director *W. J. Kilmer*
Freedom of Information, Privacy
and Classification Review

SUBJECT: FOI/PA Referral for Direct Reply

In processing this request, we have located the attached material which originated with your agency. Please review the material and reply directly to the requester. We recommend that:

- (X) Documents numbered E145b
_____ be declassified and/or released.
- () Documents numbered _____
_____ be declassified and/or released in part. Portions for withholding are indicated by brackets and the exemptions are noted in the margins.
- () Documents numbered _____
_____ be denied in full. The exemptions are noted on each document.
- () Documents numbered _____
_____ be downgraded to _____, OADR.
- () Documents numbered _____
_____ be upgraded to _____, OADR.
- () Documents numbered _____
_____ be referred for concurrence to the agencies noted on each document.

If you have any questions, please call (202) 647-6070 and cite our case control number shown above.

Attachments:

- () Continuation Page
- (X) Copy of request letter
- (X) One documents as stated

UNCLASSIFIED
(Unclassified When Removed from Attachments)

THE NATIONAL SECURITY ARCHIVE

SUITE 500 1755 MASSACHUSETTS AVENUE, N.W. WASHINGTON, D.C. 20036 (202) 797-0882

9103549

94-R-0571

IN ALL CORRESPONDENCE PLEASE REFER
TO ARCHIVE FILE NO. 910526D05109

91 AUG -1
AH10:38

JUL 23 1991

Mr. Frank M. Machak
FOIA Coordinator, Rm 1239
U.S. Department of State
2201 C Street, NW
Washington DC 20520

RE: Freedom of Information Act Request

Dear Mr. Machak:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, et seq. (as amended), I hereby request disclosure of the documents described on the last page of this letter for inspection and possible copying.

If you regard any of these documents as exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. In this connection I note that you are required under the FOIA to release any reasonably segregable nonexempt portions of documents containing information you regard as exempt. Section 552(b). To permit an intelligent, informed decision whether or not to file an administrative appeal of any denial decision, you are also requested to describe withheld records (or portions thereof) and explain the logical and factual basis for exemption claims. See Mead Data Central, Inc. v. Department of the Air Force, 566 F.2d 242, 251 (D.C. Cir., 1977).

This request is made on behalf of the National Security Archive, a nonprofit public interest research institute and library located in Washington, D.C. The Archive is organized and operated as a division of the Fund For Peace, Inc., a tax-exempt nonprofit corporation. The Archive's purpose is to enrich public policy debate by making available records pertaining to important issues of major public concern in the areas of foreign, defense, intelligence, and international economic policy.

Documents obtained by the Archive, including the records requested in this letter, are carefully analyzed, indexed and organized into document sets in the Archive's collection and published. Document sets are available for inspection and copying by scholars, journalists, members of Congress and Congressional staffs, present and former public officials, other public interest organizations, and the general public at the Archive's Washington office. Information in the documents is disseminated across the country through distribution of comprehensive document indices to university and other research libraries and through the Archive's publications.

As a staff member of the Archive, I have been assigned to conduct research on the subject of this request. I am working as part of a research team which includes experts on this subject with a wide variety of educational and professional backgrounds relating to foreign affairs, defense, intelligence and international economic policy. Members of the team have conducted an extensive literature

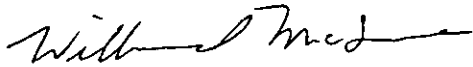
search at the Library of Congress and specialized research libraries and have determined that the requested materials are necessary to our research.

I further ask that you waive all fees in connection with this request. In National Security Archive v. U.S. Department of Defense, 880 F.2d 1381 (D.C. Cir. 1989), cert. denied March 19, 1990, the D.C. Circuit held that the Archive is entitled to a waiver of all search and review fees under the FOIA as a "representative of the news media". Id. at 1387. The appeals court also determined that Archive requests made in furtherance of its publication and related activities are not for a "commercial use." Id. at 1388.

This request also qualifies for a waiver of duplication fees because disclosure of the information in the requested documents is in the public interest as it is likely to contribute significantly to public understanding of the operations or activities of the government. See 5 U.S.C. Section 552(a)(4)(A)(iii). Should you decline to waive or reduce all duplication fees, we are prepared to pay normal reproduction costs if I decided to copy the records produced. Our willingness to pay such fees is subject to our rights to appeal and litigate the fee waiver question. I further ask that if you decline to waive duplication fees that you set forth your specific reasons for doing so in writing and that you obtain our authorization before incurring costs in excess of \$100.

In order to expedite the release of the listed documents, I request that you disclose them on an interim basis as they become available to you, without waiting until all the documents have been assembled. If you have any questions that I might be able to answer regarding the identity of the records, their location, or the scope of the request, please call me at the number listed above. I look forward to receiving your response within the ten-day statutory time period.

Sincerely,



Willard McLane

Attachment

FOIA Sequence Number: 910526D0S109
Date of Request: 07/23/1991
NSA Record Number: 7444

*Request rec'd
09/05/91*

9103549

94-F-0571

Subject of Request:

All documents including but not limited to cables, letters, memoranda, and intelligence reports from 1987 to 1991 regarding a May 1987 Iraqi Exocet missile attack against the USS Stark.

COORDINATION DRAFT

Salmon
23 Jun 87
2:00PM

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Persian Gulf Realities
by
Secretary of Defense Caspar W. Weinberger

For all the words and rhetoric expended lately criticizing U.S. policy in the Persian Gulf, it is worth noting that almost everyone agrees that America should maintain a military presence in the region. Our strategic interests in the Gulf are well known, as are the geopolitical implications of an American withdrawal. It is the exact nature of our military role--what type, how much, favoring which nations--that sparks debate and raises questions in the public mind. Yet, despite repeated efforts by the Administration to explain and detail our strategy in the Persian Gulf, including an extensive report submitted to Congress in mid-June, confusion and distortion still fuel many attacks on U.S. policy.

There is no better example of such confusion than the extensive criticism of this Administration by George Ball, which appeared in your newspaper June 19. Ball's article contains both factual errors and bad policy, two elements that seem to go well together.

We must first clear up a glaring factual error. Mr. Ball believes that President Reagan reacted to the Iraqi attack on the USS STARK by announcing "without prior consultation with Congress or adequate military planning" that the United States would flag and protect 11 Kuwaiti tankers. In fact, we offered to flag Kuwaiti tankers in early March, some three months before the STARK was attacked. On April 2, Kuwait gave us a formal response to our March offer and we agreed to flag 11 of

COORDINATION DRAFT

-2-

their tankers. During this entire period, Congress was kept fully informed of our intentions to assist Kuwaiti shipping. How could Mr. Ball have missed the many news stories concerning this issue? The charge that flagging Kuwaiti tankers was a reaction to the STARK attack is absurdly wrong.

But there is a deeper problem in Mr. Ball's essay and it involves his understanding of Soviet intentions in the Persian Gulf. Mr. Ball restates the shop-worn criticism that U.S. policy in the Gulf is driven by "the bellicose idiom of the East-West struggle." Mr. Ball contends that by not recognizing that Moscow and Washington "share a common objective in the Persian Gulf," the Reagan administration is passing up the chance for a historic East-West agreement on the future of the Gulf region. The popular academic theory of the 1970s, which predicted the coalescing of American and Soviet interests and went by the name "convergence," is given full reign in Mr. Ball's thinking. He sees a U.S./Soviet deal on the Persian Gulf as the prelude to further agreements on Afghanistan and the Arab-Israeli struggle.

As is the case with so many critics, Mr. Ball faults the United States for driving a wedge between American and Soviet comity. He argues that the Soviets have been reassuring with respect to their benign intentions in the region and are "desperately" trying to "extricate" themselves from the "Afghan imbroglio." Forgotten here is Russia's historic pursuit of influence in this region, the massing of Soviet military power on the Iranian border, and Soviet attacks on American policy

that can hardly be interpreted. IZVESTIYA continually charges the United States with attempting to "expand and inflame" the Iran-Iraq war and with engaging in "neocolonialism." And I am at a loss to understand Mr. Ball's sympathy for the Soviet's situation in Afghanistan. If they want to leave so "desperately" what is holding them up?

Mr. Ball also ignores the fact that we are talking with the Soviets and the entire U.N. Security Council about our initiative to obtain a mandatory ceasefire in the Iran-Iraq war.

Mr. Ball's position here reflects the orthodox academic desire to ignore the ideological and political differences between the U.S. and Soviet Union. The Kremlin has no real desire to create stability in the Gulf, except as it would be a stability congenial to Soviet interests alone. Moscow's long-term objective is hardly surprising. It seeks to increase its influence with the Gulf states and to counter the West's position in the region. This, of course, has led the Soviets to play both sides in the Iran-Iraq war as they fear being on the wrong side once the conflict ends.

Moscow's complex policy in this region, as distilled by Mr. Ball, looks exactly like that of the United States. By taming Soviet intentions, Mr. Ball misleads the reader into thinking a solution to the problems of the Gulf are susceptible to some kind of U.S.-Soviet agreement. Apart from convincing the Soviets that they should no longer act as they have for the last 200 years, Mr. Ball's solution is surely subject to veto by any number of the Gulf states. In short, Washington and Moscow cannot impose a solution on so complicated a regional problem.