



DEPARTMENT OF THE ARMY
U.S. ARMY SECURITY ASSISTANCE COMMAND
7613 CARDINAL ROAD
REDSTONE ARSENAL, AL 35898-5000

REPLY TO
ATTENTION OF

AUG 02 2010

Office of Command Counsel

Mr. Martin Ottmann
54 rue Pierre Brossolette
92300 Levallois-Perret
France

Dear Mr. Ottmann:

This is in response to your Freedom of Information Act (FOIA) request, March 20, 2009, in which you requested a copy of documents relating to white phosphorus projectiles. Your request was originally directed to the Pine Bluff Arsenal, Pine Bluff Arkansas, which referred your request to the U.S. Army Security Assistance Command on April 2, 2009, for a response to you on documents concerning Israel.

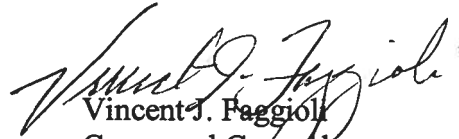
After reviewing the documents considered for release, it was determined that the document(s) be withheld pursuant to the FOIA, 5 United States Code Section 552(b) (3), Exemption 3, and 10 United States Code Section 130c, because this information was provided by, made available by, or produced in cooperation with a foreign government and is considered exempt from disclosure. This statute allows withholding information provided by foreign governments under certain circumstances. In this case, the foreign government is withholding the information from public disclosure and has denied the request to release the documents. Therefore, we find that the document(s) concerning Israel qualify under Title 10 United States Code 130c and FOIA, 5 United States Code Section 552(b) (3), Exemption 3, and are hereby withheld. In addition, after a search for records relating to the subject matter for Iraq, no records were found responsive to your request.

This decision is considered a denial of your FOIA request for information relating to the documents concerning Israel. General Ann E. Dunwoody, Commanding General, U.S. Army Materiel Command, is the Initial Denial Authority (IDA) and by position I am the delegated IDA. You may appeal this denial of release to the Secretary of the Army. You should address any such appeal to this office for forwarding to the Army General Counsel for final disposition on behalf of the Secretary of the Army. To meet the deadline for the appeal, the appeal letter must be received by this office and forwarded to the Secretary of the Army within sixty (60) days of the date of this initial denial letter.

The costs involved in processing your request have been waived.

Point of contact for this action is Ms. Christella Green, FOIA Officer, AMSAC-IM-RSA, 256.450.5619, email: chris.m.green@us.army.mil.

Sincerely,



Vincent J. Faggioli
Command Counsel