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Pine Bluff Arsenal
10-020 Kabrich Circle
Attention: FOIA
Pine Bluff, Arkansas 71602-9500
USA

e-mail: imafoia@hqda.army.mil

March 20, 2009

Dear Sirs,

This is a request under the Freedom of Information Act for the following records:

Records of the production, processing, storage, sale, transfer and export of incendiary weapons /smoke generating projectiles containing white phosphorus, including copies of export licenses, between 1990 and the date of this letter.

For background, a report from Amnesty International from February 23rd, 2009 titled "Israel OPT/Fuelling Conflict: Foreign Arms Supplies to Israel/Gaza" identified the markings of one of the projectiles found in Gaza and traced the source of the weapon back to the U.S. Army weapons arsenal in Pine Bluff in Arkansas. Specifically, the report stated:

"[...] There is evidence that white phosphorus was used by Israeli forces across Gaza. Amnesty International came across many white phosphorus 155mm artillery carrier shells throughout Gaza with markings M825 A1 - a US-made munition. These are the same markings of the 155mm white phosphorus shells photographed in Israeli Defense Forces' (IDF) stockpiles [...].

"Several white phosphorus artillery shells hit the UNRWA field operations headquarters in Gaza City on 15 January, causing a large fire which destroyed tens of tons of humanitarian aid, including, medicines, food and other non-food items. Amnesty International delegates who visited the site found the marking PB-91K018-035 on the fragments of one of the artillery shells which is the lot number and indicates that they were assembled by Pine Bluff Arsenal (PB) in 1991 (91) in October (K).[...]"

I understand that the Pine Bluff Arsenal is the only U.S. military storage area of white phosphorus weapons, and according to Amnesty International, the "PB" designation in the marking "PB-91K018-035" refers to the Pine Bluff Arsenal. My request is not limited to the sale of white

phosphorus weapons to the State of Israel. White phosphorus weapons were also used in the attack on Fallujah, Iraq, in November of 2004.

I request a waiver of search fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. My website, expose-the-war-profiteers.org is a non-profit service, created to inform the general public about the activities of the U.S. Department of Defense, the U.S. civilian and military intelligence services, their affiliated private contractors, firms and state allies within the U.S.A. and abroad.

The subject matter of the requested records specifically concerns identifiable operations or activities of the U.S. government. The disclosure of these records is likely to contribute to public understanding of specific government operations or activities, because very little about the industry responsible for making these weapons is known to the public. The widespread press interest in the Gaza and Fallujah attacks show that disclosure will contribute to the understanding of the public at large, as opposed to the understanding of the requester or a narrow segment of interested persons. For the same reasons, the disclosure will contribute "significantly" to public understanding of government operations or activities.

I also request a waiver of copying fees based on my status as a member of the news media. My work is similar to advocacy groups like the National Security Archive, who are considered members of the news media for the purpose of FOIA fees, because they produce distinct works from the materials they receive, and disseminate their works to the public. The distinct works I produce related to this FOIA request can be found on my website at www.expose-the-war-profiteers.org. Currently, my website receives around 30,000 individual visits on average per month. Several individual pages of the site, such as "The Mahmudiya Massacre", "The Blackwater Killings", "Valerie Plame vs. Lewis Libby" or "U.S. vs. Kyle Dustin Foggo", are among the top 5 ranked webpages on Google with regards to their respective keywords.

Finally, I request these records in electronic format as provided by the EFOIA amendments, in order to save copying costs. Thanks for your consideration of this request.

Sincerely yours,

Martin Ottmann