

William Aceves

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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Information and Privacy Coordinator  
Foreign Affairs Information Management Center, Room 1239  
Department of State  
Washington, D.C., 20520

90-F-2208  
90-F-2209

RE: Freedom of Information Act Request Relating to the  
Freedom of Navigation program.

Dear Sir or Madam:

Pursuant to the Freedom of Information Act (5 U.S.C. Section 552), the Department of State requirements governing public access to records (22 C.F.R. 171 et seq) and E.O. 12065 regarding possibly classified records, I request that the documents described and detailed in this request be made available to me for copying as provided within the aforesaid Statutes and Rules.

I write to request a copy of all information regarding the Freedom of Navigation program. In 1975, the United States began a formal program of protecting traditional navigation rights and freedoms from encroachment by illegal maritime claims. This program began by presenting formal diplomatic protests to states asserting excessive territorial claims. On August 10, 1979, the Carter Administration formally established the Freedom of Navigation program to contest objectionable claims and to uphold the American commitment of the freedom of the seas. The Joint Chiefs of Staff sent directives to Navy and Air Force commanders instructing them that they were authorized to approach coastal states to within three miles. Since 1979, the United States has contested the objectionable claims of states asserting extensive sovereignty over territorial waters at the rate of approximately thirty per year. The Reagan Administration continued to follow the Freedom of Navigation. The U.S. naval and air maneuvers in the Gulf of Sidra were undertaken pursuant to the Freedom of Navigation program.

To help avoid any misunderstanding of what records are being requested, I am enclosing a copy of a news account which refers to this material.

Where this request is for records that are in the possession, under the control of, or created by a constituent office of the Department of State, I ask that you forward this request to the office or department that you believe may have records that are responsive to this request. In the alternative,

I ask that you inform me of other agencies that might have such records.

As you know, the FOIA provides that even if some requested material is properly exempt from mandatory disclosure, all segregable portions must be released [5 U.S.C. Sec. 552(b)]. If all material covered by this request is withheld, please inform me of the specific exemptions that are being claimed.

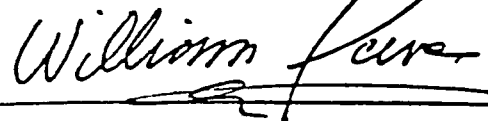
If the request material is released with deletions, I ask that each deletion be marked to indicate the exemption(s) being claimed to authorize each particular withholding.

In addition, I ask that your agency exercise its discretion to release information that may be technically exempt but where withholding would serve no important public interest.

As you know, the FOIA provides that agencies may reduce or waive fees if it would be "in the public interest because furnishing the information can be considered as primarily benefitting the public." [5 U.S.C. 552(a)(4)(A)] [32 CFR 286 et seq]. I believe that the release of this material would be of benefit to the public because the dissemination of this information is likely to contribute significantly to public understanding of the operations and activities of the Department of State. Moreover, the information requested is of vital interests to citizens interested in understanding U.S. operations and the activities of the Department of State. Finally, this request is not in my commercial interests since it is based on scholarly and educational interests. I am a graduate student at the University of Southern California and will use the requested information in the preparation of my graduate dissertation. Furthermore, the information will be published once my dissertation is completed. I therefore ask that you waive any fees relating to this request. If you rule otherwise, I ask that you inform me of the charges before you fill my request.

Should you have any questions concerning this request, please do not hesitate to contact me at the above address or telephone me at the above number. I would be happy to discuss the ways in which this request could be clarified or somewhat redesigned to reflect your agency's filing system and speed the search for the records. As specified under the FOIA, I will expect to receive a reply within ten (10) working days from your receipt of this request.

Very truly yours,



William Aceves