

**Original FOIA Number:** 1998-0099-F

**2nd FOIA Number:**

**3rd FOIA Number:**

**4th FOIA Number:**

**5th FOIA Number:**

# FOIA MARKER

**This is not a textual record. This is used as an administrative marker by the George Bush Presidential Library Staff.**

---

**Record Group:** Bush Presidential Records  
**Office:** Records Management, White House Office of (WHORM)  
**Series:** Subject File - General  
**Scanned/Unscanned:** Scanned

---

**WHORM Category Code:** CO072  
**WHORM Category Name:** Iraq, Republic of

---

**Document Number:** 331010 to 345329SS      **Entire Category Processed**  
**Alpha File Name:**

---

CS

ID # 331010 CU

0072 re: staff to redaction

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



CSL need,  
5-27-92

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD)   1   /   1   /   

Name of Correspondent: Virginia A. Lampley

MI Mail Report      User Codes: (A)            (B)            (C)           

Subject: Rep. Sam Gejdenson's  
document req. re: Iraq sensitive exports  
sent to Brent Scowcroft

### ROUTE TO:

### ACTION

### DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
	<u>cuofc</u>	<u>ORIGINATOR</u>	<u>92,05,27</u>		<u>C</u>	<u>92,06,01</u>
	<u>cuato7</u>	<u>A</u>	<u>92,05,27</u>		<u>C</u>	<u>92,06,04</u>
	<u>cuat14, cuat30</u>	<u>I</u>	<u>92,05,27</u>	<u>see comments</u>	<u>C</u>	<u>92,05,27</u>
	<u>cuato2</u>	<u>I</u>	<u>92,05,27</u>		<u>C</u>	<u>92,05,27</u>
	<u>cugray</u>	<u>I</u>	<u>92,05,27</u>		<u>C</u>	<u>92,05,27</u>

CS  
CS  
CS  
CS  
CS

#### ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

#### DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

#### FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: OBE - close out CSC 6/1/92 CS

Keep this worksheet attached to the original incoming letter.  
 Send all routing updates to Central Reference (Room 75, OEOB).  
 Always return completed correspondence record to Central Files.  
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

# RECORDS MANAGEMENT ONLY

## CLASSIFICATION SECTION

No. of Additional Correspondents: \_\_\_\_\_ Media: \_\_\_\_\_ Individual Codes: \_\_\_\_\_  
 Prime Subject Code: \_\_\_\_\_ Secondary Subject Codes: \_\_\_\_\_

## PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	_____	P.
DSP	_____	_____	Media:

### SIGNATURE CODES:

- Cpn - Presidential Correspondence
- n - 0 - Unknown
- n - 1 - George Herbert Walker Bush
- n - 2 - George Bush
- n - 3 - George
- CLn - First Lady's Correspondence
- n - 1 - Barbara Bush
- n - 2 - Barbara
- n - 3 - Bar
- n - 4 - Mrs. Barbara Bush
- Cbn - Presidential & First Lady's Correspondence
- n - 1 - Barbara & George Bush
- n - 2 - Barbara & George

### MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

2-22-81  
 (2) copy

C2  
 C2  
 C2  
 C2  
 C2

LEE H. HAMILTON, INDIANA  
GUS YATRON, PENNSYLVANIA  
STEPHEN J. SOLARZ, NEW YORK  
HOWARD WOLPE, MICHIGAN  
SAM GEJDENSON, CONNECTICUT  
MERVYN M. DYMALLY, CALIFORNIA  
TOM LANTOS, CALIFORNIA  
ROBERT G. TORRICELLI, NEW JERSEY  
HOWARD L. BERMAN, CALIFORNIA  
MEL LEVINE, CALIFORNIA  
EDWARD F. FEIGHAN, OHIO  
TED WEISS, NEW YORK  
GARY L. ACKERMAN, NEW YORK  
WAYNE OWENS, UTAH  
HARRY JOHNSTON, FLORIDA  
ELIOT L. ENGEL, NEW YORK  
ENI F. H. FALEOMAVAEGA, AMERICAN SAMOA  
ANTONIO J. COLORADO, PUERTO RICO  
GERRY E. STUDDS, MASSACHUSETTS  
AUSTIN J. MURPHY, PENNSYLVANIA  
PETER H. KOSTMAYER, PENNSYLVANIA  
THOMAS M. FOGLIETTA, PENNSYLVANIA  
FRANK McCLOSKEY, INDIANA  
THOMAS C. SAWYER, OHIO  
DONALD M. PAYNE, NEW JERSEY  
BILL ORTON, UTAH  
(VACANCY)

One Hundred Second Congress  
Congress of the United States  
Committee on Foreign Affairs  
House of Representatives  
Washington, DC 20515

BENJAMIN A. GILMAN, NEW YORK  
ROBERT J. LAGOMARSINO, CALIFORNIA  
WILLIAM F. GOODLING, PENNSYLVANIA  
JIM LEACH, IOWA  
TOBY ROTH, WISCONSIN  
OLYMPIA J. SNOWE, MAINE  
HENRY J. HYDE, ILLINOIS  
DOUG BEREUTER, NEBRASKA  
CHRISTOPHER H. SMITH, NEW JERSEY  
DAN BURTON, INDIANA  
JAN MEYERS, KANSAS  
JOHN MILLER, WASHINGTON  
BEN BLAZ, GUAM  
ELTON GALLEGLEY, CALIFORNIA  
AMO HOUGHTON, NEW YORK  
PORTER J. GOSS, FLORIDA  
ILEANA ROS-LEHTINEN, FLORIDA

JOHN R. SINCLAIR  
MINORITY CHIEF OF STAFF

May 20, 1992

JOHN J. BRADY, JR.  
CHIEF OF STAFF  
The Honorable Brent Scowcroft  
National Security Advisor  
The White House  
Washington, D.C. 20006

Dear Mr. Scowcroft:

The Subcommittee on International Economic Policy and Trade is continuing its investigation into the United States policy regarding the export to Iraq of sensitive equipment and technology and how that policy was implemented.

At the Subcommittee's request and pursuant to subpoenas issued by the Committee, the Departments of Commerce, State and Defense provided us with documents related to this issue. Some of those documents, including several that would be of particular interest to the American people, have been classified by the National Security Council, which has still not made them available to the citizens of this country.

After a careful review, it appears that these documents do not merit the classifications that you have attached to them. As discussed below, the war with Iraq so altered our relationship with that country as to render irrelevant security classifications imposed prior to the war. Also as discussed below, the same types of information contained in these documents is already in the public domain.

The Administration's coordinated attempts to delay or withhold providing information to Congress on its Iraq policy have been documented. I would hope that the Administration does not intend to hide behind classifications intended for national security purposes as a means of keeping information from the American people, even if that information might be embarrassing.

The documents of concern relate to:

- \* the sale of militarily useful equipment by the United States to Iraq in the years, weeks and days leading up to the war in the Persian Gulf;
- \* the decision to take Iraq off the terrorist list and to keep it off notwithstanding Iraq's support for international terrorism;
- \* the unwillingness of the Administration to send meaningful signals of disapproval in response to blatantly unacceptable behavior by Saddam Hussein in the months preceding the war—behavior including the threat to burn half of Israel with binary chemical weapons, and the attempted smuggling of nuclear capacitors;
- \* the United States' assessment of Iraq's nuclear capability and the U.S. policy on the sale of nuclear equipment to Iraq.

In my view, the American people would have a strong interest in this information. Given the fact that hundreds of thousands of young Americans risked their lives in the war with Iraq, 370 died in the war, and 3,436 were wounded, the American people have a right to know the thought process and the principles that formed the basis of their

Government's policymaking prior to the war.

The Administration has already recognized that the war presented unique and overriding circumstances in relation to concerns with confidentiality. In providing documents in response to the Committee's subpoena, the Commerce Department wrote:

As you may know, we have previously advised the Subcommittee of our confidentiality concerns with respect to documents that contain or reflect predecisional or deliberative communications. We have determined, however, that in the unique circumstances presented here — such as the fact that the United States has just fought a war — it is appropriate to provide a broader-than-normal range of information about Executive Branch policy-making. Accordingly, we are providing many documents that would not be provided under normal circumstances.

Using virtually identical language, the Defense Department stated that in light of the war, "... it will best serve the national interest to provide the Congress greater access to documentation of Executive Branch policy-making in this instance than is normally warranted". (Copies of letters enclosed).

The Administration therefore acknowledges that even to the extent that classification of these documents may have been justified prior to the war, such justification does not exist subsequent to the war. It is patently obvious that the war changed our relationship with Iraq so drastically as to make the diplomatic and strategic policymaking that took place before the war no longer worthy of secrecy—especially when balanced against the right of the American people to know what was going on in their own government.

It is significant that the same types of information contained in the classified documents are already in the public domain. For example, an unclassified memorandum of August 10, 1988, (coinciding with the end of the Iran-Iraq war) from the Commerce Department's Office of Export Licensing to the Defense Department states that there was a decision by the National Security Council to "more favorably" review export license applications to Iraq (Copy enclosed).

On June 15, 1990, Assistant Secretary of State John Kelly testified before the Senate Foreign Relations Committee that "We do not believe that Iraq poses a near-term nuclear proliferation threat. Iraq's fissile material is under IAEA safeguards and is inspected regularly. Most recently, following the IAEA inspection that took place in April of this year, the IAEA published the finding that there was no evidence of diversion." (Copy enclosed).

With respect to Iraq as a terrorist state (despite being taken off the list of terrorist countries in February, 1982, and remaining off the list until September 1, 1990, after it invaded Kuwait), there have been numerous items in the public domain regarding the Administration's acknowledgment of Iraq's support for international terrorism during those years. For example:

\* In a 1985 speech, then CIA Director William Casey spoke of "... activities of those states that find it in their interest to support international terrorism— the Soviet Union and its satellite states in Eastern Europe, Libya, Syria, Iran, Iraq, North

Korea, the People's Democratic Republic of Yemen, Cuba, and Nicaragua."

- \* Included in State Department press guidance of August 20, 1990 is the following:  
"The Palestine Liberation Front, headed by the notorious terrorist Abu Abbas, has long-standing ties to Iraq. This organization recently undertook the failed May 30 terrorist raid on the beaches of Tel Aviv and made its claim of responsibility from Baghdad".
- \* Included in State Department press guidance of September 7, 1990: "Abu Abbas' Palestinian Liberation Front has long been headquartered in Baghdad." (Copies enclosed).

Though National Security Directive 26 signed by President Bush in October 1989 is classified, the Washington Post Magazine Section of March 17, 1991 quoted from it, and stated that "... the thrust of the Bush directive, however, was that the United States should keep trying to use political and economic incentives to moderate Iraq's behavior and increase American influence." (Copy enclosed).

The same article reported on a meeting of October 6, 1989 between Secretary of State James Baker and Iraq Foreign Minister Aziz, based on a transcript of that meeting. The Post reported that "... Aziz asked Baker in the meeting to approve new U.S. credit guarantees for Iraqi food purchases from the United States. As the Post reported, the next month, the Administration provided Iraq with an additional \$500 million in CCC credits. The Post article also states that "After Aziz's visit, the State Department recommended that Bush override congressional objections to continuing U.S. Export-Import Bank financing for commercial transactions with Iraq. In his January 17 order, Bush did so, certifying that to halt Ex-Im guarantees would be 'not in the national interest of the United States'."

The Post article also reports regarding the high level Deputies Committee meetings on Iraq that took place at the White House on April 16, 1990 and May 29, 1990. The Post reported some of the discussion that took place at these meetings and stated that "... they did not fundamentally reverse the U.S. policy of seeking to improve relations with Baghdad".

The interagency deliberation process was even discussed in public testimony before this Subcommittee. On April 8, 1991, Commerce Under Secretary Dennis Kloske testified that in the spring of 1990, at the two Deputies Committees meetings chaired by Robert Gates and attended by Under Secretaries Paul Wolfowitz of Defense, Robert Kimmitt of State, and others, the Commerce Department advocated economic sanctions against Iraq. Mr. Kloske also stated "The Department of Commerce expressed its concerns in the interagency process, one, about the internal conditions, political conditions in Iraq; two, the fact that Iraq certainly after Saddam Hussein decided to celebrate his birthday by blowing a Roman ballistic candle into the atmosphere and threatening to fry the Middle East, our concern at the time was that Iraq was posing a serious problem of regional instability to the region.

"It was, at least in my view at the time, presenting a major problem to the United States, that our influence was diminishing with Iraq, and that it was high time to begin to restrict the flow of technology to Iraq". Mr. Kloske also testified that he appealed this issue to the National Security Council.

In response to a question I asked as to whether the State Department supported his recommendations for economic sanctions, Mr. Kloske stated: "The consensus at the time was that it would be far more useful and diplomatic, if you will, to pursue a diplomatic line with Iraq, that the imposition of further controls would send a very

powerful signal to Iraq, which was judged at the time to be counterproductive".

In an affidavit made part of the hearing record, former Commerce Under Secretary Paul Freedenberg stated that in 1988, after Iraq had used poison gas against its own population and against Iran, he suggested that exports to Iraq be restricted. The National Security Council rejected his recommendation and stated that there was to be "normal trade" with Iraq. Under Secretary Kloske testified that the Commerce Department's files support Mr. Freedenberg's recollection of the events.

In his testimony before this Subcommittee on May 22, 1991, Under Secretary Kimmitt also discussed the interaction at the two Deputies Committees meetings, and the policy decisions that emanated from the meetings.

It is our understanding that for the purposes of the confirmation Robert Gates as Director of the Central Intelligence Agency, the Administration declassified numerous documents regarding the Iran-Contra affair, and the United States relationship with Iraq. It would appear that when it suits the Administration's purposes, it makes information available to the public.

The report of the Senate Select Committee on Intelligence on the Gates nomination even discussed the sharing of intelligence with the Government of Iraq:

In order to forestall a total Iraqi collapse in its war with Iran, the CIA was authorized in 1984, pursuant to a National Security Decision Directive signed by President Reagan, to share limited intelligence with the Government of Iraq. At the time, Gates was Deputy Director for Intelligence at CIA, with overall responsibility for preparing the intelligence to be shared under this arrangement.

"In April, 1986, a few weeks before Gates assumed office, as Deputy Director of Central Intelligence, the National Security Council (NSC) authorized a modification of the original authority to permit CIA to share certain additional intelligence regarding the results of Iraqi military operations.

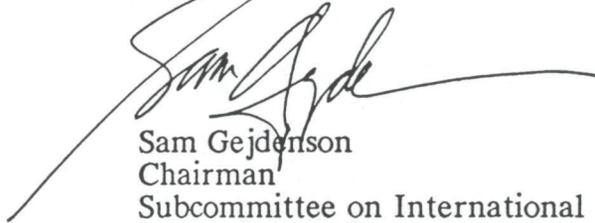
"In October, 1986, a further modification of the authority was provided, authorizing the sharing of certain additional intelligence to enhance Iraq's pursuit of the war with Iran". (Exec. Rpt. 102-19, pp. 179-180).

Attached to this letter is a list of documents that the Subcommittee requests be reviewed and declassified. For clarity, we have also included copies of the documents themselves. If you determine that certain documents should retain their classification, please justify such decision for each one separately. Please provide the name of the official making such decision. If the statement of the justification contains classified information, please provide classified and unclassified versions of that statement.

Please provide the decision on the classification to the Subcommittee office at 702 House Annex 1 no later than May 27, 1992. Should you have any questions, please contact me or Mr. John Scheibel, Staff Director and Counsel to the Subcommittee at

226-7820. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Gejdenson", with a long horizontal flourish extending to the right.

Sam Gejdenson  
Chairman  
Subcommittee on International  
Economic Policy and Trade

NSC

1. National Security Directive 26 of October 2, 1989, from President George Bush to the Vice President, The Secretary of State and others.
2. Memorandum of May 18, 1990 from National Security Advisor Brent Scowcroft to Deputies Committee

Name	Date
<i>Sally Neubauer</i>	<i>8/24/92</i>

*Council's 113 060B*