

THE NATIONAL SECURITY ARCHIVE

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IN ALL CORRESPONDENCE PLEASE REFER
TO ARCHIVE FILE NO.

Ms. Linda L. Robinson
Chief, FOI and Privacy Branch
Nuclear Regulatory Commission
Washington, DC 20555

DEC 29 1986

FREEDOM OF INFORMATION
ACT REQUEST

RE: Freedom of Information Act Request

FOIA-87-5
Rec'd 1-5-87

Dear Ms. Robinson

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 following page 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).

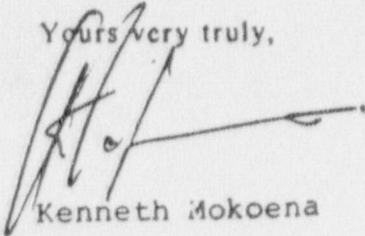
This request is made on behalf of the National Security Archive, a nonprofit public interest research institute and library located in Washington, D.C. The Archive is organized and operated as a division of The Fund for Peace, Inc., a nonprofit corporation that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, and determined by the Internal Revenue Service as of 1962 to be "organized and operated exclusively for educational purposes."

The Archive's purpose is to enrich public policy debate by making available records pertaining to important, mostly contemporary 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. 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 offices. In addition, information in the documents will be disseminated across the country through distribution of comprehensive document indices to university and other research libraries.

I therefore request that you waive all search and reproduction fees pursuant to section 552(a)(4)(A). The Archive is the type of requester presumptively entitled to a fee waiver under the FOIA, because furnishing information in requested documents would primarily benefit the general public. Should you decline to waive all fees, however, we are prepared to pay your normal search fees (and reproduction fees, if I decide to copy the records produced). Our willingness to pay fees is subject to our rights to appeal and litigate the fee waiver question, and payment would be deferred until exhaustion of such rights. I further ask that if you decline to waive fees, you obtain our authorization before incurring search costs in excess of \$100.

In order to expedite the release of the listed documents, I request that you disclose them 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. I look forward to receiving your response within the statutory time period.

Yours very truly,

A handwritten signature in black ink, appearing to read 'K. Mokoena', with a long horizontal stroke extending to the right.

Kenneth Mokoena

Attachment

Mokoena

A copy of all correspondence and records relating in whole or in part to:

(a) a letter to Sen. Charles Percy (R-IL) from Commerce Secretary Malcolm Baldrige on or around 5 May, 1982. The letter was in response to Sen. Percy's inquiry into pending U.S. sale of 95 grams of helium-3 to South Africa

(b) the Reagan Administration's "flexible" policy with regard to the export of nuclear technology to South Africa.