

DECLASSIFIED IN FULL
Authority: EO 13526
Chief, Records & Declass Div, WHS
Date: DEC 01 2014

~~SECRET~~

SSR - Verified w/ Bill Luti today they would still L you to approve. vjr-131

OSD 5 U.S.C. § 552 (b)(2)

ACTION MEMO

USDP *← 255*

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: Deputy Under Secretary of Defense (SP/NESA)
(William J. Luti *[redacted]*)

DEP SEC DEF HAS SEEN
131 PW
JAN 27 2003

SUBJECT: Benefits for Free Iraqi Force (FIF) Personnel

FIF recruitment would increase, and the U.S. relationship with FIF personnel and their nominating opposition groups would be stronger, if several actions were taken to improve their conditions of service.

- **Compensability of claims:** the Acknowledgement which FIF recruits will execute (Tab C, paragraph 8) states that claims for personal injury or death are not compensable. The recruit is asked to waive all claims connected with service in the FIF.
 - The rationale for this limitation, which might not withstand legal challenge, is to protect the United States from claims.
 - The limitation and request for waiver seem ungenerous when compared with the personal sacrifices and financial risks of FIF members.
 - The right to make claims may be the only way for permanently injured FIF personnel to obtain long-term medical care.
 - Suggest the waiver be deleted. Claims would be adjudicated as they arise.
- **Death benefit:** suggest a clause be added promising a good faith effort to secure a \$2,000 death benefit payable to the named designee of a FIF soldier who dies in the line of duty.
 - Funding sources for such a benefit include ESF funds (with State Department and Congressional concurrence), the Secretary's Emergency and Extraordinary expense authority, and the resources of the new Iraqi government.

**TRANSFERRED/RECOMMEND RELEASE
RECOMMEND AND TRANSFER - DOD**

Office of the Secretary of Defense *5456-SS2*
Chief, RDD, ESD, WHS
Date: *01 DEC 2014* Authority: EO 13526
Declassify: *X* Deny in Full: _____
Declassify in Part: _____
Reason: *5 U.S.C. 552 (b)(2), (c)*
MDR: *14 -M- 1214*

~~Classified by DUSD William J. Luti
Reasons: 1.5 (b)(1)
Declassify on Jan 3 2013~~

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R-5
14-M-1214
11-M-1336

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- Mail and Exchange privileges: FIF volunteers will be accompanying U.S forces in remote locations. They should be authorized to use the military mail system and to buy personal items in the Exchange and commissary.

RECOMMENDATION: that you sign the memoranda at Tab A and B.

COORDINATION: None

Attachments: as stated

Prepared by: C. Straub



OSD 5 U.S.C. § 552 (b)(2)

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OSD 5 U.S.C. § 552 (b)(2), (b)



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 THE DEPUTY SECRETARY OF DEFENSE
 WASHINGTON, D.C. 20301-1000



MEMORANDUM FOR THE GENERAL COUNSEL
 Subject: Benefits for Free Iraqi Force (FIF) Personnel

Please re-draft the Free Iraqi Force Volunteer Acknowledgement and Statement of Obligation (attached) to delete paragraph 8, in which volunteers are asked to waive death or personal injury claims against the United States, and to add at the appropriate place the Secretary's commitment to a good faith effort to secure a \$2,000 benefit payable to the volunteer's next of kin in the event of the volunteer's death in the line of duty.

Potential FIF members are already being asked to make what is, especially for those residing in the U.S. and Europe, a considerable sacrifice. Their willingness to undergo it is proof that the FIF is not a mercenary force, but rather a group of patriots who want to help free their country. The reference to a death benefit and the removal of a waiver which appears to devalue the life and health of the volunteer, will signal to the volunteer the high value the Department places on his service.

Paul Wolfowitz

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DOS

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 RECOMMEND AND TRANSFER - DOD

~~Classified by: DUSD William J Lutz
 Reasons: 1.5 (a,d)
 Declassify on: 3 Jan 2013~~

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THE DEPUTY SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-1000



MEMORANDUM FOR: SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE

SUBJECT: Exchange, Commissary, and Postal Privileges for Members of the Free Iraqi Force (FIF)

This is to inform you that members of the FIF should be accorded unlimited exchange, commissary, and postal privileges during their marshalling, training, and subsequent deployment with U.S. military forces in the United States and overseas. These privileges will not extend to the dependents of FIF personnel.

Paul Wolfowitz

Page determined to be Unclassified
Reviewed Chief, RDD, WHS
IAW EO 13526, Section 3.5
Date: DEC 01 2014

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RECOMMEND AND TRANSFER - DOD

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