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MICHIGAN STATE
U N I V E R S I T Y

July 2, 2019

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RE: Request for Information on Army Unsupported Journal Vouchers

Ladies:

I am a professor at Michigan State University doing research regarding various government accounting issues for articles I have written and plan to write for publishing on the subject of, among other things, unsupported journal vouchers at the Department of the Army.

Under the Freedom of Information Act (5 U.S.C. Section 552), as provided below I request the documents, (in disk or other electronic format readily accessible using standard **[Mac]** computers and PCs and readily available software programs like Microsoft Office and Adobe Acrobat).

The report issued in 2016 by the Office of the Inspector General located online at <https://media.defense.gov/2016/Jul/26/2001714261/-1/-1/1/DODIG-2016-113.pdf> indicates on page 6 that the Army had 170 yearend unsupported journal voucher adjustments, totaling \$2.1 trillion. I am requesting a list of those 170 unsupported adjustments that includes:

- ! The dollar value of each of the 170 unsupported adjustments, and
- ! A brief description of the nature and purpose of each of the 170 unsupported adjustments, including the Army's explanation for each transaction.

Please note that Office of Management and Budget guidelines published March 27, 1987 (52 FR 10012) include electronic publications and other nontraditional publishers as representatives of the news media. Please note that 5 U.S.C. Section 552(a)(4)(A)(iv)(II) requires that you provide the first 100 copies to me at no charge. However, I am requesting a waiver of all fees under 5 U.S.C. Section 552(a)(4)(A)(iii).

In any case, note that, under the law, "fees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by an educational or noncommercial scientific institution whose purpose is scholarly or scientific research; or a representative of the news media." I represent an educational institution requesting this information for the purpose of scholarly research in addition to publishing this information through a member of the media. The information sought is in the public interest because it will contribute significantly to public understanding of the operations or activities of the government and is not in my commercial interest.

I believe that this request satisfies the criteria for a fee waiver recognized by the U.S. Justice Department - in its policy guidance of April 1987 - and by the federal courts. In this regard, *see, Project on Military Procurement v. Department of the Navy*, 710 F. Supp. 362 363, 365 (D.C.D. 1989). This request concerns the operations or activities of government because transparent financial reporting to U.S. citizens is a requirement of the US Constitution and it necessary to support a representative democracy.

Also, the information sought has informative value, or potential for contribution to public understanding. Please note the decision in *Elizabeth Eudey v. Central Intelligence Agency*, 478 F. Supp. 1175 1176 (D.C.D. 1979) (even a single document has the potential for contributing to public understanding). I plan to disseminate this information to the public at large in the following manner:

I plan to share information on Solari.com "missing money" web page (<https://missingmoney.solari.com/dod-and-hud-missing-money-supporting-documentation/>) as well as write articles. Examples of past instances of significant articles where members of the media have used some of my information are:

<https://www.forbes.com/sites/kotlikoff/2019/01/09/holding-u-s-treasuries-beware-uncle-sam-cant-account-for-21-trillion/#3eb9769b7644>, <https://www.rollingstone.com/politics/politics-features/secret-government-spending-779959/>, and

<https://www.rollingstone.com/politics/politics-features/pentagon-budget-mystery-807276/>. In addition, the release of this information will have a significant impact on public understanding because it will help people understand the nature of the unsupported journal voucher

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adjustments. Given the current information available to the public, these unsupported journal voucher adjustment represent a “black box”...one can only “know” what they based on what an authority says they are. Access to some of the primary data will increase public understanding and help restore confidence.

In considering this request for fee waiver, note that the following cases may be relevant:

1. *Campbell v. U.S. Department of Justice*, 334 U.S. App. D.C. (1998)(administrative and seemingly repetitious information is not exempt from fee-waiver consideration);
2. *Project on Military Procurement* (agencies cannot reject a fee waiver based on the assumption that the information sought is covered by a FOIA exemption; and
3. *Landmark Legal Foundation v. Internal Revenue Service*, 1998 U.S. Dist. LEXIS 21722 (D.C.D. 1998)(the fact that the information will soon be turned over to a public body does not exempt the material from fee-waiver consideration).

I look forward to your response within the 20 working days, as required by statute.

Thank you for your assistance in this matter.

Cordially,



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