

EXHIBIT B

HON. JOSEPH E. SCHMITZ

August 18, 2020

Via E-mail: foiarequests@dodig.mil

DoD IG FOIA Requester Service Center
Office of Inspector General
United States Department of Defense
4800 Mark Center Drive
Alexandria, VA 22350-1500

Subj: FOIA Request for Case Investigative File(s) relating to "Report on the Joint Enterprise Defense Infrastructure (JEDI) Cloud Procurement"

Dear Sir/Madam:

In my June 3, 2020, request, I asked for "all information related to the Case Investigative File ("Case File") or Case Files for the investigation(s) and report posted April 13, 2020, 'Report on the Joint Enterprise Defense Infrastructure (JEDI) Cloud Procurement,' including the involvement of the Defense Criminal Investigative Service ('DCIS'), DCIS investigators, or any other Department of Defense Office of Inspector General investigators." On August 14, 2020, after informally narrowing this request to any DCIS Report of Investigation, your office produced a single, 22-page DCIS Report of Investigation ("ROI") into allegations against the first two of seven officials identified in the June 3, 2020, report. Those seven Department of Defense officials, as identified in the Table of Contents for the June 3, 2020, report are: "1. Mr. Deap Ubhi"; "2. Mr. Victor Gavin"; "3. Secretary James N. Mattis"; "4. Ms. Sally B. Donnelly"; "5. Mr. Anthony DeMartino"; "6. Mr. Robert Daigle"; and "7. Ms. Stacy Cummings."

Accordingly, I hereby request expedited production of: (a) any and all DCIS "Information Reports" or other DCIS "reports" -- other than the DCIS ROI produced on August 14, 2020 -- related to the April 13, 2020, "Report on the Joint Enterprise Defense Infrastructure (JEDI) Cloud Procurement"; and (b) any and all reports prepared by other investigators within the DoD Office of Inspector General, *e.g.*, "senior official" or "AI" investigators, related to the April 13, 2020, "Report on the Joint Enterprise Defense Infrastructure (JEDI) Cloud Procurement."

Finally, this request for information "urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged government activity." 32 C.F.R. § 286.8(e)(1)(i)(B). In this regard, the undersigned, who served as the DoD Inspector General from 2002-05, regularly posts articles under the banner "Support and Defend" at <https://www.newsmax.com/archives/josepheschmitz/164/2020/6/>, many of which articles are designed "to inform the public concerning actual or alleged government activity." *See, e.g.*, "IG Report on Comey Obscures That Strzok, Page Behind Key Determinations," September 13, 2019 (<https://www.newsmax.com/josepheschmitz/comey-inspector-general-strzok-page/2019/09/13/id/932570/>). Moreover, to quote your letter to the undersigned of June 5, 2020, in response to FOIA request DODOIG-2020-000915, the "information is urgently needed, beyond the public's right to know about the government activity generally. See 32 C.F.R. § 286.8(e)(1)(B) & (ii)(3)." Specifically, the following press articles, which are representative of many more, demonstrate, "The existence of numerous articles published on a

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given subject[, which] can be helpful in establishing the requirement that there be an ‘urgency to inform’ the public on the topic” (<https://www.law.cornell.edu/cfr/text/32/286.8>):

- “DOD ASKS COURT FOR JEDI EXTENSION,” August 11, 2020 (<https://www.politico.com/newsletters/morning-defense/2020/08/11/pentagon-to-share-prized-spectrum-789809>);
- “DOD asks for extension on JEDI review,” August 11, 2020 (<https://defensesystems.com/articles/2020/08/11/mazmanian-jedi-lawsuit-extension.aspx>) (“The Pentagon is looking for a 30-day extension before announcing any revisions to the award in the \$10 billion Joint Enterprise Defense Infrastructure cloud deal, according to court documents.”);
- “Extra time for JEDI redo,” August 11, 2020 (<https://fcw.com/articles/2020/08/11/mazmanian-jedi-lawsuit-extension.aspx>);
- “JEDI award may be delayed until September,” August 11, 2020 (<https://www.bizjournals.com/washington/news/2020/08/11/jedi-award-may-be-delayed-until-september.html>);
- “Deasy: Biggest JEDI mistake was letting the narrative slip away from DOD,” August 5, 2020 (<https://www.fedscoop.com/dana-deasy-dod-forbes-summit-biggest-mistake-on-jedi/>).

Accordingly, I respectfully request expedited processing.

Certification to Accompany FOIA Request for Expedited Processing

The undersigned certifies that the statements in this request for expedited processing, and the statements in this certification, are true and correct to the best of the undersigned's knowledge.

Please feel free to call me at 703-992-3095 if you have any questions or concerns.

Yours truly,

Joseph E. Schmitz

