



Judicial Watch

Because no one is above the law!

VIA U.S. MAIL & FACSIMILE (703-696-4506)

August 7, 2008

Mr. Will Kammer
Freedom of Information Officer
Department of Defense
1155 Defense Pentagon
Washington, D.C. 20301-1155

Re: Freedom of Information Act Request - Expedited Processing

Dear Mr. Kammer:

Pursuant to the provisions of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, Judicial Watch, Inc. hereby requests that the U.S. Department of Defense ("the Department") produce the following public records:

1. All documents concerning or relating to the Department's procedure of providing members of the Armed Forces with Federal Post Card Applications;
2. All documents concerning or relating to how the Department informs members of the Armed Forces of their right and ability to vote in the 2008 Federal Election;
3. All documents concerning or relating to how the votes of members of the Armed Forces will be collected and counted for the 2008 Federal Election;
4. All documents concerning or relating to the January 15, 2008 deadline for providing members of the Armed Forces with post card applications;
5. All documents concerning or relating to Armed Forces Voter Week 2008; and

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6. All documents concerning or relating to the Department's implementation of the Uniformed and Overseas Citizens Absentee Voting Act with respect to the 2008 Federal Election.

Judicial Watch asks that this request be given expedited processing due to the timeliness of this issue. Given the upcoming presidential election, it is extremely important that these records be made available to the public as soon as possible.

If any responsive record or portion thereof is claimed to be exempt from production under FOIA, please provide sufficient identifying information with respect to each allegedly exempt record or portion thereof to allow us to assess the propriety of the claimed exemption. *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). In addition, any reasonably segregable portion of a responsive record must be provided, after redaction of any allegedly exempt material. 5 U.S.C. § 552(b).

Judicial Watch also hereby requests a waiver of both search and duplication fees pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) and 5 U.S.C. § 552(a)(4)(A)(iii).

Judicial Watch is entitled to a waiver of search fees under 5 U.S.C. § 552(a)(4)(A)(ii)(II) because it is a member of the news media. Judicial Watch, Inc. regularly obtains information about the operations and activities of government through FOIA and other means, uses its editorial skills to turn this information into distinct works, and publishes and disseminates these works to the public. It intends to do likewise with the records it receives in response to this request.

Judicial Watch is a 501(c)(3), not-for-profit, educational organization, and, by definition, it has no commercial purpose. Judicial Watch exists to educate the public about the operations and activities of government, as well as to increase public understanding about the importance of ethics and the rule of law in government. The particular records requested herein are sought as part of Judicial Watch's ongoing efforts to document the operations and activities of the federal government and to educate the public about these operations and activities.

Once Judicial Watch obtains the requested records, it intends to analyze them and disseminate the results of its analysis, as well as the records themselves, in a special written report. Judicial Watch will also educate the public via radio programs, Judicial Watch's website, and/or newsletter, among other outlets. It also will make the records available to other members of the media or researchers upon request. Judicial Watch has a proven ability to disseminate information obtained through FOIA to the public, as demonstrated by its long-standing and continuing public outreach efforts, including radio and television programs, website, newsletter, periodic published reports, public appearances, and other educational undertakings.

Given these compelling circumstances, Judicial Watch is entitled to a public interest fee

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waiver of both search costs and duplication costs. Nonetheless, in the event our request for a waiver of search and/or duplication costs is denied, Judicial Watch is willing to pay up to \$250.00 in search and/or duplication costs. Judicial Watch requests that it be contacted before any such costs are incurred, in order to prioritize search and duplication efforts.

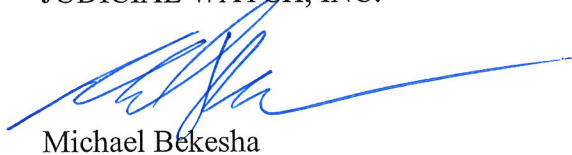
We look forward to receiving the requested documents as soon as possible.

If you do not understand this request or any portion thereof, or if you feel you require clarification of this request, or any portion thereof, please contact me at (202) 646-5172.

Thank you for your attention to this matter.

Sincerely,

JUDICIAL WATCH, INC.



Michael Bekesha