

MEMORANDUM FOR THE CONGRESSIONAL RECORD

Date: June 10, 2025

To: Clerk, House Committee on Oversight and Accountability

Via Email: oversight.clerk@mail.house.gov

Subject: Army/DOJ Retaliation, Whistleblower Suppression, and ANC Procurement Fraud Disclosure

This memorandum is submitted to the official record of the June 4, 2025 hearing on behalf of a federal whistleblower and his representatives. It consolidates urgent communications, formal legal filings, and evidentiary disclosures regarding systemic misconduct, procurement fraud, and whistleblower suppression perpetrated and tolerated within the Department of the Army and the Department of Justice (DOJ).

Executive Summary

Across multiple Army installations, a whistleblower disclosed a sophisticated pattern of fraudulent contract steering involving Alaska Native Corporation (ANC) shell entities. These disclosures, confirmed through referrals to Army CID and IG and substantiated by the Office of Special Counsel through an Individual Right of Action (IRA), have been met with coordinated retaliation, including the fabrication of a legal representative, suppression of MSPB proceedings, and obstruction of FOIA records. DOJ has failed to substantively engage these disclosures, with official communications confirming the Army's disinterest in resolving this matter through lawful settlement. The suppression of this matter contradicts sworn testimony at the June 4 hearing and the DOD OIG's Spring 2025 Semiannual Report.

Chronology of Retaliation and Escalation

- 2022–2023: Protected disclosures submitted, detailing ANC abuse of 8(a) set-asides.
- 2023–2024: Retaliatory acts documented, including fake attorney assignment and legal containment.
- FOIA referrals to CID and SAIG confirmed; internal awareness at HQDA substantiated via released records.
- February–May 2025: Systematic delays and improper redactions under FOIA noted across Army Legal, CID, and MSPB.
- May 2025: Litigation activity initiated including motion to remand, evidentiary reply briefs, and obstruction filings.
- June 3, 2025: DOD OIG SAR omits case despite evidentiary links to ANC fraud scheme.

- June 4, 2025: DOJ confirms refusal to engage or settle. Oversight hearing fails to acknowledge active, unresolved claims.
- June 5, 2025: Whistleblower submits full evidentiary package to Congress.

Summary of Misconduct and Contradictions

The Department of Justice and the Department of the Army, despite being in receipt of material disclosures and FOIA-confirmed investigatory awareness, failed to present this evidence during sworn testimony. Key contradictions include:

- Omission of ANC systemic fraud in the SAR despite referrals to CID and IG.
- Hearing testimony falsely describing improvement in whistleblower protections.
- Witness denials of suppression despite FOIA trails showing interagency obstruction.
- DOJ communication confirming the Army's disinterest in lawful resolution despite risk disclosure.
- Strategic delay tactics undermining the integrity of judicial and oversight review processes.

Legal Basis for Oversight and Enforcement

The facts and records submitted herein implicate multiple statutory violations, including:

- 5 U.S.C. § 2302(b)(8)–(9): Retaliation and obstruction of protected disclosures.
- Whistleblower Protection Enhancement Act of 2012: Systematic suppression of rights and filings.
- 5 U.S.C. § 552: Misuse of FOIA exemptions to withhold evidence.
- 18 U.S.C. § 1001: False representations in formal proceedings.
- 31 U.S.C. §§ 3729–3733: Contractor fraud with estimated exposure over \$1 billion.

These actions fall squarely within the Committee's legislative and oversight authority under Rule X, and warrant immediate referral to GAO, OSC, and DOJ OIG pursuant to 5 U.S.C. App. § 4(a)(1).

Request for Congressional Action

We respectfully request:

- Formal incorporation of this memorandum and exhibits into the June 4, 2025 hearing record.
- Staff review of FOIA records and MSPB filings linked to this case.
- Oversight inquiry into the failure of DOJ and Army officials to disclose responsive materials under oath.
- Protective engagement with whistleblower counsel and legal representatives.

The failure to address this matter publicly risks ratifying interagency misconduct and undermines trust in federal whistleblower enforcement mechanisms.

Respectfully Submitted,

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Pro Se

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