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May 16, 2007

Major General Carter F. Ham
Commanding General
First Infantry Division
U.S. Army
Fort Riley, KS 66442

Dear General Ham:

The House Committee on Oversight and Government Reform held a hearing on April 24, 2007, entitled "Misleading Information from the Battlefield." At that hearing, the Committee took testimony from Kevin Tillman and Mary Tillman, the brother and mother of Army Corporal Patrick Tillman, who was a victim of fratricide on April 22, 2004, during his service as an Army Ranger in Afghanistan. The Committee also heard from one Army witnesses who testified that he was ordered by his superiors not to tell Corporal Tillman's family about the true circumstances of his death and that he was threatened with disciplinary action if he revealed that Corporal Tillman's own unit was responsible for his death.

During the hearing, the Committee also learned of statements made in 2006 by Army Lt. Col. Ralph Kauzlarich, then a senior officer in Corporal Tillman's 75th Ranger Regiment. Lt. Col. Kauzlarich attempted to place blame on the Tillman family for insisting that the Army fully investigate and account for the circumstances surrounding Corporal Tillman's death. Lt. Col. Kauzlarich argued that the Tillman family was unwilling to accept the results of previous Army inquiries "because of the absence of Christian faith in their lives." He stated as follows:

> When you die, I mean, there is supposedly a better life, right? Well, if you are an atheist and you don't believe in anything, if you die, what is there to go to? Nothing. You are worm dirt. So for their son to die for nothing, and now he is no more — that is pretty hard to get your head around that. So I don't know how an atheist thinks. I can only imagine that that would be pretty tough.[1]

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[1] ESPN, *An Un-American Tragedy, Part One: Pat Tillman's Uncertain Death* (online at http://sports.espn.go.com/espn/eticket/story?page=tillmanpart1&lpos=spotlight&lid=tab1pos1) (accessed May 16, 2007).

We believe these statements were crass, insulting to the Tillman family, and completely inappropriate for an Army officer and an official representative of the U.S. military speaking to the press.

Defense Department officials who testified at the hearing agreed and also expressed concern that these comments were uttered in public by an officer representing the U.S. military. Brigadier General Rodney Johnson, the Commanding General of the United States Army Criminal Investigations Command, testified that he found these statements "totally unacceptable." Acting Department of Defense Inspector General Thomas Gimble testified that he was "shocked" that Lt. Col. Kauzlarich made these statements.

During the hearing, military officials could not tell the Committee whether any disciplinary action had been taken against Lt. Col. Kauzlarich for his actions. We have been informed that Lt. Col. Kauzlarich is currently the commanding officer of the 2nd Battalion, 16th Infantry Regiment of the 4th Infantry Brigade Combat Team, 1st Infantry Division, and that you are his commanding officer. For these reasons, the Committee requests that you explain what disciplinary measures have been taken in response to Lt. Col. Kauzlarich's actions, or, if none have been taken, whether you intend to initiate disciplinary measures now that his actions have been brought to your attention.

The Committee asks that you respond to this request by June 11, 2007. If you have any questions regarding this request, please contact John Williams on the majority staff at 202-225-5420 or Larry Halloran on the minority staff at 202-225-5074.

Sincerely,

Henry A. Waxman
Chairman

Tom Davis
Ranking Minority Member