

# Congress of the United States

House of Representatives

Washington, DC 20515-3202

ANDREW R. GARBARINO  
2ND DISTRICT, NEW YORK

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September 30, 2021

The Honorable Lloyd J. Austin III  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301

General David H. Berger  
Commandant of the Marine Corps  
Headquarters, US Marine Corps  
3000 Marine Corps, Pentagon  
Washington, DC 20350-3000

Secretary Austin and General Berger,

I write to request the release of Lieutenant Colonel (LTC) Stuart Scheller from pretrial confinement. It is absolutely unacceptable that a Lieutenant Colonel with over 15 years of service and an excellent record was placed in pretrial confinement in the first place seemingly due to political messaging and convenience. I have not seen any evidence that LTC Scheller poses a serious risk of criminal misconduct that would warrant such confinement, and I urge you to release him immediately.

There is no question that the Biden Administration completely botched and mismanaged the withdrawal from Afghanistan. It is understandable that LTC Scheller would request accountability from senior military officials after 13 of his fellow servicemembers died at the Kabul Airport. These Americans represented the very best of us and gave their lives working to bring their fellow Americans home. Each one of these brave men and women deserve every honor and tribute we can give them, including accountability from those responsible for their deaths.

LTC Scheller's pretrial confinement is an alarming attempt by the Department of Defense (DoD) to conduct a politically motivated investigation and silence whistleblowers. What's even more concerning than the lack of charges in a formal court martial is that DoD held a closed military court hearing today. This attempt by DoD to quietly punish LTC Scheller for speaking out is inconceivable. The public and the press have the right to access judicial proceedings, and DoD should conduct a transparent investigation accordingly.

I look forward to the swift release of LTC Scheller from pretrial confinement, and I am calling for a full investigation into DoD's handling of this situation.

Sincerely,



Andrew R. Garbarino  
Member of Congress