



Duncan Hunter
U.S. House of Representatives
50th District, California

January 27, 2016

The Honorable Pat Roberts
Chairman, Senate Agriculture Committee
109 Hart Senate Office Building
Washington, D.C. 20510-1605

Dear Senator Roberts:

I am in full support of your hold on the confirmation of Eric Fanning for Secretary of the Army. My support for your action, as you also stated yourself, is nothing personal. The ability of any Senator to hold a nomination is an effective mechanism to ensure the executive branch is forthright, transparent and accountable. And I commend your leadership.

I recognize that your hold was initiated on the basis of concerns you have regarding Guantanamo Bay, which are concerns I share. However, I want to bring a second issue to your attention that I hope you will consider, in the event you can assist a Green Beret war hero who has been sidelined and is now facing an end to his distinguished service career by March 1, 2016.

Sergeant First Class Charles Martland is considered a first-rate warrior. While in Afghanistan in 2011, at a remote outpost, Martland confronted an Afghan Local Police (ALP) commander for kidnapping a young boy and raping him repeatedly over several days. The issue was brought to the attention of Martland and his fellow soldiers after the boy's mother asked for help, after she was also attacked by the ALP commander. When Martland and Captain Danny Quinn confronted the rapist, he admitted to the charge and laughed in their faces—at which point Martland and Quinn took matters in their own hands. This occurred after two separate but similar human rights violations (including another rape) near the outpost, resulting in no punitive action whatsoever.

The ALP commander was dragged to the perimeter gate, where he was thrown out and told never to come back. It is important to note that the ALP commander left on his own, only to deliberately exaggerate his injuries. Multiple sources have confirmed this fact, including a linguist and authorities who were never interviewed by Army investigators after the incident.

For this action, Martland was removed from the outpost and faced reprimand. He later was allowed to reenlist, only to face a Qualitative Management Program review board in February 2015. The Army argued that the black mark on his record, which states he assaulted “a corrupt Afghan commander” is cause to expel him from duty, despite the fact that he has the full support of his command and immediate leadership. In fact, the Department of Defense Inspector

General reported to me that, "personnel [are] very supportive of the Sergeant and his efforts to remain in the U.S. Army..." And there continue to be efforts within his command to not "inadvertently hamper his efforts." This was in response to an alleged gag order put on Martland and his fellow soldiers.

Importantly, Martland was permitted to resubmit an appeal to the QMP decision after his first appeal was denied outright. And recently, a decision within Army Human Resources Command recommended that the Army uphold the judgment that Martland be removed from service, although a final decision has yet to be made about his future.

My own position: I am not offended by, nor do I take any issue with, Martland's confrontation of the child rapist. Martland was part of a small team of Green Berets, entrusted to keep America safe in ways that often go unreported or unnoticed, whose mission was being put at risk due to the illegal action of a corrupt ALP commander. The Afghan justice system continually failed to uphold individual human rights, and we would expect any of our elite warriors to protect a child from a known and admitted rapist.

Should you be interested in discussing this matter further, I would be more than happy to provide you with full documentation, access to sources and other information I have obtained through my own investigation. But more specifically, I respectfully ask that you consider the case of Charles Martland as the confirmation process for Eric Fanning continues. The only suitable course of action, I firmly believe, is to permit Martland to continue his service in the U.S. Army.

Sincerely,



Duncan Hunter
Member of Congress

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