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ONE HUNDRED TENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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July 17, 2008

The Honorable Robert M. Gates  
Secretary  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Mr. Secretary:

Today the Committee approved a report entitled "Misleading Information from the Battlefield: the Tillman and Lynch Episodes." This report presents the findings of the Committee's investigation into what the leadership of the White House and the Department of Defense knew about the death of Army Corporal Patrick Tillman in Afghanistan on April 22, 2004, and when they knew it.

In the course of this investigation, the Department of the Army and the Department of Defense produced to the Committee over 30,000 pages of unclassified documents and made available a number of civilian and uniformed personnel for interviews or testimony. The Committee appreciates these efforts.

The Department of Defense also produced to the Committee approximately 10,000 pages of classified documents. I am now writing to request that the Defense Department declassify approximately 100-150 pages of these documents. These documents provide information about the investigations that occurred shortly after Corporal Tillman's death and about communications between military officials regarding the casualty.

The Executive Order governing the classification of documents requires government agencies to balance between the two important priorities of informing the American people of the activities of their government, and of protecting information critical to our country's security.<sup>1</sup> I believe that declassifying this limited number of documents will not result in damage to the national security and will provide the American public and Corporal Tillman's family more information about the events surrounding and following his death.

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<sup>1</sup> Exec. Order No. 13292, 68 Fed. Reg. 15315 (Mar. 25, 2003).

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I understand that our staffs have already been in contact in order to make arrangements to transfer these classified documents to your office for review. If you have any questions regarding this request, please contact Dave Rapallo or John Williams of the Committee staff at (202) 225-5420.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive style with a long, sweeping underline.

Henry A. Waxman  
Chairman

cc: Tom Davis  
Ranking Minority Member