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Congress of the United States
House of Representatives
Washington, DC 20515-0514

November 26, 2019

COMMITTEE ON ARMED SERVICES
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GOVERNMENT OPERATIONS
ENVIRONMENT
Co-Chair, Democratic Women's Caucus
Senior Whip

Donald J. Trump
President
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump:

We are writing to object to the pardons you announced on November 15, 2019 for First Lieutenant Clint Lorance, USA, and Major Matthew Golsteyn, USA, as well as your sentence reduction for Edward Gallagher, USN. We are concerned that these actions will confuse and demoralize the force, cost us credibility with our partners, and undermine the law of war we have a duty to uphold.

Your actions have overridden and preempted the military justice process, which will erode the credibility of that process to enforce good order and discipline. Juries composed of military members, convened under the Uniform Code of Military Justice (UCMJ), convicted First Lieutenant Lorance and Chief Petty Officer Gallagher of war crimes following trials that respected their due process rights and other relevant protections. Your pardon has made any attempt to hold Major Golsteyn accountable under the UCMJ meaningless. And by firing Navy Secretary Richard Spencer rather than allowing Chief Petty Officer Gallagher's peers to determine whether he should retain his special operations Trident, you have demonstrated that you would sacrifice good order and discipline for a political soundbite. You have now projected to the world, and to the countless women and men who serve this country in the military, that you will undermine your military leadership and established principles of justice for narcissistic political gain.

As we have been told time and again by senior military leaders, the prospect of swift, definite accountability under the UCMJ helps commanders create good order and discipline in their units. Your decision has signaled to servicemembers that if you condone their illegal actions—against the law of war, the UCMJ, and their leaders' orders—they could be beyond the reach of military justice and can therefore act with impunity. This reality and the perception of it will weaken commanders' credibility when leading their units, encourage actions that run contrary to the interests of military commands and the United States, and demoralize those servicemembers who take pride in serving in a military governed by clear, high standards. Celebrating war criminals erodes the very fabric of noble ideals under which our servicemembers fight.

• Your grants of clemency have also cost us credibility with our partner nations. As the world's leading military, we bear a responsibility, through military and security cooperation operations, to teach, train, and instruct foreign militaries on what ethical conduct in warfare is. Because of your decision, when a U.S. official—whether a lieutenant or the Secretary of Defense—urges a foreign partner to hold themselves and their troops accountable under the law of war, they will be able to push back by citing your recent actions as an excuse. Our partners will also be less interested in training with us, fighting with us, or hosting our troops when they fear a lack of accountability will lead to increased criminality among U.S. servicemembers.

Finally, and dangerously, your actions have undermined the law of war and cost us the moral high ground. The law of war exists because, despite the brutality and confusion of combat, every nation wants to know that its combatants and civilians will be afforded some level of humane treatment when they are taken prisoner or caught in the crossfire. By heralding war criminals, you have made us no better than our enemies. And they will use that to harm U.S. interests and make U.S. servicemembers and civilians less safe. Going forward, our diminished credibility with allies and partners will make them less likely to follow our lead in this realm, while our rivals will use your decision as precedent to justify and excuse crimes committed by their troops. Your decision dishonors the sacrifices of all those who have behaved within the law, often at cost to themselves.

We hope that you will reconsider the way you use your clemency powers going forward, so that such uses advance, rather than harm, the public interest. Additionally, we hope that you will issue clear instructions to the military to make clear when you intend to use your clemency powers moving forward.

Sincerely,

A handwritten signature in blue ink that reads "Jackie Speier". The signature is written in a cursive style and is positioned above a horizontal line.

Jackie Speier
Member of Congress

A handwritten signature in blue ink that reads "Ruben Gallego". The signature is written in a cursive style and is positioned above a horizontal line.

Ruben Gallego
Member of Congress

A handwritten signature in blue ink that reads "James R. Langevin". The signature is written in a cursive style and is positioned above a horizontal line.

James R. Langevin
Member of Congress



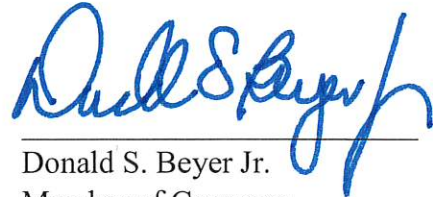
Alan Lowenthal
Member of Congress



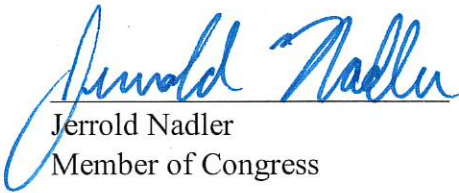
Ilhan Omar
Member of Congress



Rick Larsen
Member of Congress



Donald S. Beyer Jr.
Member of Congress



Jerrold Nadler
Member of Congress



Chellie Pingree
Member of Congress



Veronica Escobar
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