

**Congress of the United States**  
**Washington, DC 20515**

September 15, 2015

General Mark Welsh  
Chief of Staff, U.S. Air Force  
Pentagon  
Washington, D.C. 22523

Dear General Welsh:

We have been made aware of recent and ongoing actions by the U.S. Air Force to impose what we believe to be excessive punishment on a group of First Assignment Instructor Pilots at Laughlin Air Force Base. The investigation into these pilots was prompted from a separate investigation of an inappropriate relationship between one of the individuals and a female student pilot. As a result of the separate investigation a number of suggestive text messages were subsequently discovered—sent and received on private cellphones—that implied illegal drug use, even though records indicate that no evidence of drug use was found.

In fact, at no point did investigators obtain any evidence beyond the initial text messages to support an allegation of illicit drug use; there were no witness statements, no drugs or drug paraphernalia were discovered, and all of the drug tests—that were submitted to voluntarily—returned negative results.

Through this entire ordeal, the only evidence obtained by investigators were text messages among a group of friends and associates, with many of the text messages referencing song lyrics, movie lines, and other obvious cultural references that seem to have been painfully misunderstood by investigators.

In looking at the documentation surrounding the investigations a number of questions regarding the legal underpinning, along with the integrity of the process, have presented themselves. At this time it is our firm belief that the Air Force had no grounds to proceed with charges against the pilots involved. However, what resulted from the investigation, given the clear lack of evidence, is even more confounding. The Air Force imposed non-judicial punishment—on four individuals, specifically—for the possession and use of a controlled substance.

Once again, the punishment was derived from an investigation that produced less-than-sufficient evidence, and failed to find any association between banter-filled text messages and actual drug use. The Air Force may not like showboating of any kind, even among its pilots, but to think that could be considered criminal, especially in the absence of evidence that a crime occurred, severely undermines the integrity of the Air Force's investigations process.

Given the need for Congressional oversight in this matter, we ask that you provide us with all of the documents and information related to the investigation and personnel actions of each individual involved. This should include copies of the investigations, communications, and text messages—many of which are included within each separate investigation. We also ask that the Air Force state whether it believes the actions taken against the pilots is warranted based on text messages, obtained from private cellphones, without any additional corroborating evidence.

Additionally, we would like a written response to the following questions:

1. How many individuals were targeted for investigation as a result of text messages alone?
2. How many private cellphones were seized, and were all of those seizures voluntary?
3. What legal authority permitted the seizure of personal cellphones?
4. Was there any supporting evidence of illegal drug use beyond the text messages?
5. Who specifically—at Laughlin or higher—supported non-judicial punishment and where and with whom did this action begin?
6. Does the Air Force believe the charges are supported by the full scope of evidence?
7. What precedent exists for any and all actions taken by the Air Force?

We hope we can help clarify this matter and ensure the pilots involved are permitted to resume their careers without any threat of retaliation by Air Force leadership. Our concern, however, is that the Air Force will attempt to justify its actions up to this point, suggesting in some way that a prevailing requirement for evidence can and will be ignored as a matter of convenience.

We ask that you join us in aggressively pursuing oversight of this particular case and examine its harmful impact on the integrity of the military justice system.

We look forward to your immediate response.

Sincerely,



Duncan Hunter  
Member of Congress



Adam Kinzinger  
Member of Congress