



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3000 MARINE CORPS PENTAGON  
WASHINGTON, DC 20380-1775

19 January 2018

Representative Walter B. Jones, Jr.  
2333 Rayburn HOB  
Washington, DC 20515

Dear Representative Jones,

This is in response to your letter of December 4, 2017, in which you expressed concern regarding Marines assigned to MARSOC's Fox Company during a 2007 deployment to Afghanistan. The Commandant of the Marine Corps has reviewed this matter and I am responding on his behalf.

We appreciate your continued advocacy on behalf of Marines and have reviewed the materials you provided. We are concerned to hear of the challenges many members of Fox Company are facing -- which are, unfortunately, far too common among our combat veterans. I have asked the Commanding Officer of our Wounded Warrior Regiment to follow-up with these Marines to ensure they are receiving appropriate and all necessary care and support.

As you mentioned in your letter, a Court of Inquiry, our highest level administrative fact-finding body, examined the conduct of Fox Company during the March 4, 2007 incident in Afghanistan. The Court of Inquiry determined the Marines acted in accordance with the applicable operations order, the rules of engagement, and the law of armed conflict; and that the Marines' actions on that day "reflected sound military judgment."

In terms of exoneration, on May 23, 2008, the Commander, Marine Corps Forces Central Command publicly released a statement clearly concluding that during the March 4, 2007 incident, the Fox Company Marines "acted appropriately and in accordance with the rules of engagement and tactics, techniques and procedures in place at the time in response to a complex attack." The release indicated that no Fox Company Marines faced judicial or adverse administrative action for the March 4, 2007 incident; nor is there any adverse information in their military records associated with that incident. Unless there is new and relevant information that was not known at the time, I fear there is nothing to be gained by re-visiting the events of March 4, 2007 in order to re-state the conclusions of the Court of Inquiry a decade later.

I am available to discuss this matter further with you or your staff, should you desire.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. M. Padilla', written in a cursive style.

F. M. PADILLA  
MajGen, U.S. Marine Corps  
Staff Director, HQMC