

United States Senate
WASHINGTON, DC 20510

June 7, 2023

VIA ELECTRONIC TRANSMISSION

The Honorable Lloyd J. Austin III
Secretary
Department of Defense

Dear Secretary Austin:

I write in response to the Department's December 6, 2022 letter regarding the circumstances surrounding the death of SPC Denisha Montgomery and seek additional information.¹ Unfortunately, news of U.S. soldier deaths under circumstances similar to SPC Montgomery continue.

On March 13, 2023, Ana Basaldua Ruiz, a 20-year-old U.S. Army private at Fort Cavazos was found dead.² This is the same base at which SPC Vanessa Guillen was reported missing and then found to be murdered once the U.S. Army was pressured to increase efforts to explain her disappearance. According to reports, "[a]fter Specialist Guillen's killing led to protests, an investigation released in December 2020 found 'major flaws' at Fort [Cavazos] and a command climate that the Secretary of the Army described as 'permissive of sexual harassment and sexual assault.'"³ The Army ordered 14 officials, including several high-ranking leaders, relieved of command or suspended.⁴

With respect to Private Ruiz, the Department of the Army Criminal Investigation Division (CID) has said no foul play was involved with her death; however, they've committed to an investigation into her death.⁵ According to Private Ruiz's family, she was harassed by an Army superior and the target of sexual advances at Fort Cavazos.⁶ These actions are similar to those that transpired prior to the deaths of SPC Guillen and SPC Montgomery. It is quite disturbing that soldiers continue to be exposed to similar circumstances, which indicates a systemic problem.

¹ Denisha Montgomery was administratively posthumously promoted from Private First Class (PFC) to Specialist (SPC).

² Michael Levenson, *Fort Hood Soldier Found Dead After Telling Family About Sexual Harassment*, NEW YORK TIMES (Mar. 17, 2023), <https://www.nytimes.com/2023/03/17/us/fort-hood-death-investigation-ana-basaldua-ruiz.html>; Fort Hood was officially renamed Fort Cavazos on May 9, 2023.

³ *Id.*

⁴ *Id.*

⁵ Press Release, U.S. Army, *Army CID officials confirm no foul play evident in death of Pvt Basalduarui*, U.S. ARMY FORT CAVAZOS MEDIA CENTER (Mar. 16, 2023), <https://fortcavazosmediacenter.com/army-cid-officials-confirm-no-foul-play-evident-in-death-of-pvt-basalduarui/>

⁶ *Army private from Long Beach found dead after complaining of sexual harassment*, LONG BEACH POST (Mar. 19, 2023), <https://lbpost.com/news/army-private-from-long-beach-found-dead-after-complaining-of-sexual-harassment>

SPC Montgomery's death has now been investigated by four Army elements. To date I have only received a report from one of those elements and it was a redacted version. Congress seeks a better understanding of the facts and investigative reporting surrounding the death of SPC Denisha Montgomery. Accordingly, I have additional questions relating to SPC Montgomery and new questions with respect to what CID is doing regarding the investigation of Private Ruiz. Please respond to the following questions no later than June 21, 2023:

1. With respect to SPC Montgomery, please provide the full and unredacted investigative reports from the following elements:
 - a. Army CID – Wiesbaden – 481st Military Police Detachment
 - b. 21st Theater Sustainment Command (TSC)
 - c. 3rd Expeditionary Sustainment Command (ESC)
 - d. 18th Airborne Corps
2. Please provide my office the same briefing that was given to the Montgomery family on December 14, 2022, by Army CID.
3. Please provide my office the same briefing that was given to the Montgomery family on March 30, 2023, by Lieutenant General Donahue of the 18th Airborne Corps.
4. In response to the second question in my December letter, the Department stated that “[a]ny other misconduct related to the waterpark and transportation back to Wiesbaden is under the responsible commander’s purview.” Has the “responsible commander” begun an investigation into the allegations? If not, why not? If so, what are the results?
5. Did SPC Montgomery report any assault(s) to her command staff, at any point? If so, please provide details and an explanation of what was done to investigate.
6. What is the status of the investigation regarding the death of Private Ruiz?
7. Upon completion, please provide full and unredacted investigative report regarding the death of Private Ruiz.

If you have any questions, please contact my Committee staff at (202) 224-0642.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Budget