

**United States Senate**  
WASHINGTON, DC 20510

April 24, 2023

**VIA ELECTRONIC TRANSMISSION**

The Honorable Lloyd J. Austin III  
Secretary  
Department of Defense

Dear Secretary Austin:

On November 30, 2022, we wrote to you about our concern regarding a recent investigation with respect to former U.S. military personnel working for foreign governments.<sup>1</sup> On March 17, 2023, the Department of Defense (DoD) responded and provided the attached list of former military personnel that had requested permission to work for a foreign government titled, “DoD Foreign Government Applicants (2012-2022).”<sup>2</sup> However, the list that provided was not the full and complete list that we requested.

For example, DoD redacted names from the report stating, “consistent with DoD practice to appropriately protect personal privacy, names of individuals in the grades of O-6 and below have been withheld.” The report also noted that twelve applications had been denied; however, no other information was provided, such as the reason for the denials. Additional information about individuals’ applications, including individuals’ ranks, were also redacted.

Simply put, redacting information based on rank is not a legitimate basis to withhold information from the United States Congress, particularly in this case. Congress and the public have a right to know which former DoD personnel have applied for approval to work, or who are currently working, for foreign governments, regardless of their rank. After all, they are using their U.S. government service as the basis to earn money from foreign governments.

On April 17, DoD issued a memorandum directing the military departments to conduct an assessment of their current processes.<sup>3</sup> We appreciate the steps DoD has recently taken; however, that assessment does not preclude Congress from also receiving the full and complete set of information we requested to independently oversee this process. Our oversight will continue.

To better understand the approval process, it is important for Congress to obtain the full set of former U.S. military personnel on the list, and for the applicants that were denied, to obtain

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<sup>1</sup> Letter from Hon. Charles E. Grassley and Hon. Elizabeth Warren to Hon. Lloyd J. Austin III, Secretary of Defense (Nov. 30, 2022) (on file with the Comm. staff).

<sup>2</sup> Letter from Hon. Gilbert R. Cisneros, Jr., Under Secretary of Defense for Personnel and Readiness to Hon. Charles E. Grassley, Ranking Member, Senate Committee on the Budget (Mar. 17, 2023) (on file with the Comm. staff).

<sup>3</sup> Letter from Hon. Gilbert R. Cisneros, Jr., Under Secretary of Defense for Personnel and Readiness to Secretaries of the Military Departments (April 17, 2023) (on file with the Budget Comm. Staff)

information on why they received these denials. Accordingly, we ask that you answer the following questions by May 8, 2023:

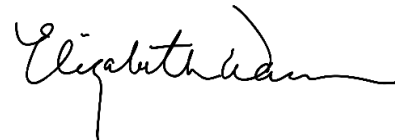
1. What policy or guidance is in place to restrict the release of names of military personnel in the ranks of O-6 and below? Provide a copy.
  - a. Does this policy apply to requests from Congress?
  - b. Does the policy apply to individuals that are working for foreign governments?
2. Provide the same report that was sent in your March 17, 2023, letter in unredacted form.
3. Provide a comprehensive explanation for each of the twelve application denials. In your answer, provide information about the denials including the name of the former service member who applied, the foreign country they applied to perform work on behalf of, the name of any contractors involved in the process, and the job duties that would have been performed if not for the denial.
4. Please provide the full list of reasons that could justify a denial in the application process.

Thank you for your prompt attention to this important matter. Should you have any questions, contact Julian Wilson on my Budget Committee staff at (202) 224-0642 or Senator Warren's staff at (202) 224-4543.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Budget



Elizabeth Warren  
Chair  
Subcommittee on Personnel  
Committee on Armed Services