

Congress of the United States
Washington, DC 20515

September 7, 2022

The Honorable Lloyd Austin
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Austin:

We write to you regarding President Biden's September 1, 2022, speech in front of Independence Hall in Philadelphia. We are gravely concerned that throughout the entirety of this partisan, politically charged, and divisive address to the nation, two United States Marines were visibly present flanking the President in the background. The President's use of active duty Marines as political props undermines the apolitical nature of our servicemembers and erodes trust in our military.

American men and women in uniform swear a solemn oath to defend the Constitution. They do not serve a political party. On several occasions before committees of Congress and at other public events, both you and General Milley have reinforced this fact. You've expressed your concern about politicization of the military and have insisted the military will not become a political instrument under your watch. Unfortunately, that is exactly what happened with the participation of the Marines at this political event.

The contents of the President's speech could in no way be considered official business. He spent over 20 minutes attacking the former President, members of the Republican party, and the citizens who chose to vote for them, while declaring that any American who opposes his progressive policy agenda is a threat to our democracy. The participation of active duty Marines, whether voluntarily or under orders, in this event appears to violate military regulations governing the political activity of servicemembers:

- [Department of Defense Directive, 1344.10](#) clearly states, "a member of the Armed Forces on active duty shall not: Participate in partisan political fundraising activities (except as permitted in subparagraph 4.1.1.7.), rallies, conventions (including making speeches in the course thereof), management of campaigns, or debates, either on one's own behalf or on that of another, without respect to uniform or inference or appearance of official sponsorship, approval, or endorsement. Participation includes more than mere attendance as a spectator".
- The U.S. Navy and [Marine Corps uniform regulation](#) further prohibits "Members of the Navy and Marine Corps (including retired members and members of Reserve components) are prohibited from wearing uniforms of the naval service while attending or participating in, or continuing to attend or participate in, a demonstration, assembly, or activity with knowledge that a purpose of such demonstration, assembly, or activity is the

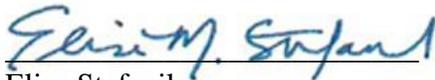
furtherance of personal or partisan views on political, social, economic, or religious issues.”

It appears these Marines may have been ordered to participate in a political event that jeopardizes their compliance with these and other Department of Defense regulations. Given the potential damage to Americans’ trust in the military as a result of the President’s use of Marines in this speech, we request your response to the following by October 1, 2022:

1. Did you, or anyone in the Department of Defense know the contents of the President’s speech before he delivered it?
2. Did you, or anyone in the Department of Defense, know in advance that two active duty Marines would be visibly present during the speech?
3. Did the Executive Office of the President, or any other organization outside the Department of Defense, request the presence of uniformed members of the armed forces at the event?
4. If so, when was such request made?
5. Did you or anyone in the Department of Defense evaluate the appropriateness of uniformed Marines participating in a political event in light of relevant Department of Defense instructions and regulations?
6. What, if any, written opinion or guidance was created or relied upon by you or any other individual in the Department of Defense in evaluating the application of relevant Department of Defense instructions or regulations to the participation of uniformed Marines in this political event?
7. If not you, which specific individuals at the Department of Defense approved the appearance of uniformed Marines in the speech?
8. Which specific individuals directed the physical placement of the uniformed Marines in front of Independence Hall prior to and during the speech?

Thank you for your consideration of this request. We look forward to your prompt response.

Sincerely,



Elise Stefanik
Member of Congress



Ken Calvert
Ranking Member
House Appropriations Subcommittee
on Defense



Mike Rogers
Ranking Member
House Armed Services Committee