

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

November 9, 2021

The Honorable Carlos Del Toro  
Secretary of the Navy  
1000 Navy Pentagon  
Washington, D.C. 20350-1000

Dear Mr. Secretary,

Thank you for your October 14, 2021, interim response to our previous letter regarding LtCol Stuart Scheller. We appreciate your ongoing attention to this matter.

As we understand it, and according to public reporting, LtCol Scheller pleaded guilty to the charges against him on October 14, 2021.<sup>1</sup> The next day, Col Glen Hines sentenced LtCol Scheller to forfeit \$5,000 of pay for one month and a letter of reprimand. As part of the plea agreement, it is reported that LtCol Scheller will also resign his commission and receive either an honorable discharge or a general discharge under honorable conditions.<sup>2</sup> We understand that the specific discharge he will ultimately receive is at your discretion and subject to your determinations.

However, we have heard that although it has been three weeks since LtCol Scheller was sentenced, his resignation has not yet been accepted and signed. We understand that legal matters, especially sensitive ones like this, take time to resolve, but we are concerned that undue delays could be a disservice to the United States Marine Corps, LtCol Scheller, and the general public.

The events that transpired in August in Afghanistan were a difficult time in our nation's history. Many Americans, from servicemembers to civilians, were forced to reckon with images we saw on our televisions and the stories of Afghan allies desperately trying to escape the coming Taliban regime and the brutality they would bring with it. Congress and leaders within the Department of Defense are responsible for assessing the successes and failures of our presence in and withdrawal from Afghanistan, as well as holding leadership accountable.

Reporting indicates that LtCol Scheller pleaded guilty to violating the Uniform Code of Military Justice (UCMJ) by criticizing military leadership.<sup>3</sup> In pleading guilty to the charges, we believe that LtCol Scheller accepted responsibility for his actions and demonstrated accountability and ownership of his actions.

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<sup>1</sup> <https://www.marinecorpstimes.com/news/your-marine-corps/2021/10/14/marine-who-took-to-social-media-to-demand-accountability-pleads-guilty-to-all-charges/>

<sup>2</sup> <https://www.marinecorpstimes.com/news/your-marine-corps/2021/10/15/judge-blasts-command-gives-light-sentence-to-marine-who-demanded-accountability-on-social-media/>

<sup>3</sup> <https://www.jdnews.com/story/news/2021/10/14/court-martial-begins-marine-criticized-afghanistan-withdrawal-lt-col-stuart-scheller/8435075002/>

It is time for us to turn the page on this matter, but we cannot do so until LtCol Scheller's resignation is accepted, pursuant to the plea deal, and his discharge is signed. Within your rules and regulations, we would like to request an update from you on the status of this decision and urge you to resolve this in a timely manner.

Sincerely,



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Brad R. Wenstrup, D.P.M.  
Member of Congress



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Gregory F. Murphy, M.D.  
Member of Congress



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Richard Hudson  
Member of Congress



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Rob Portman  
United States Senator

Cc: Commandant of the Marine Corps