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MAY 27 2004

The Honorable Duncan Hunter
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, D.C. 20515

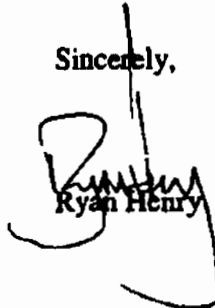
Dear Mr. Chairman:

On behalf of Secretary Rumsfeld, I am responding to you regarding an inquiry from Representative John Doolittle's constituent, Mrs. Sharon Schmidt, on the death of her husband.

The Department of Defense regrets the death of Mr. Schmidt and wishes to convey our sympathies to his wife and family for the loss of a loved one. We are, unfortunately, unable to respond to your request. Mrs. Schmidt filed suit in the U.S. District Court, Northern District of Georgia, Newnan Division, naming the Department of Defense and other defendants for the wrongful death of her late husband (complaint enclosed). Additionally, on April 15, 2004, Mr. Edwin Marger, attorney for Mrs. Schmidt, submitted a Freedom of Information Act request on her behalf for documents and information about the aircraft crash in which her husband was killed. The Defense Department will respond to the lawsuit and FOIA request in the appropriate manner in accordance with the law. While these matters are pending, responding to your request would not be appropriate.

Thank you for your interest in this matter. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,


Ryan Henry

Enclosure
As stated



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