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France

Commander 101st Airborne Division (AASLT)  
ATTN: FOIA Officer  
91 Michigan Avenue  
Fort Campbell, Kentucky 42223-5634

December 6, 2009

Dear Sirs,

This is a request under the Freedom of Information Act for the following records:

*Records of the Court Martials held at Fort Campbell in 2006 and 2007 against Paul Cortez, James Barker, Bryan Howard & Jesse Spielman, former 2nd Brigade Combat Team Soldiers of the 101st Airborne Division (Air Assault).*

Background information: In the years 2006 and 2007, four individual court martials were held at Fort Campbell against the above-mentioned individuals in connection with the rape and murder of Iraqi national Abeer Qassim Hamza on March 12, 2006 in the Iraqi city of Mahmoudiyah. On October 18, 2006 the Public Affairs Office at Fort Campbell announced in this matter the referral of charges for general court martial. On November 15, 2006, James Barker was sentenced to life confinement. On February 22, 2007, Paul Cortez was sentenced to 100 years confinement. On March 21, 2007, Bryan Howard was sentenced to 27 months confinement. On August 4, 2007, Jesse Spielman was sentenced to 110 years confinement.

The rape and killing of Abeer Qassim Hamza and her family and the subsequent trial of former 2<sup>nd</sup> Brigade Combat Team soldier Steven Green in a civilian court in Paducah, Kentucky created a massive global public interest and consequently numerous press articles and television documentaries. It even became the subject of a movie, "Redacted" by Brian De Palma, which retold the circumstances of the killings.

I request a waiver of search fees for this FOIA request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the circumstances of the killings and the legal process of the subsequent court martials. My website, [expose-the-war-profiteers.org](http://www.expose-the-war-profiteers.org) is a non-profit service, created to inform the general public about the activities of the U.S. Department of Defense, the U.S. civilian and military intelligence services, their affiliated private contractors, firms and state allies within the U.S.A. and abroad. In this context, I have followed up on the first media reports on the Mahmoudiya killings and I subsequently have created a webpage with several sub-chapters, containing information and documents on the killings itself and the legal process in the civilian courts:

[http://www.expose-the-war-profiteers.org/DOD/iraq\\_II/mahmudiya.htm](http://www.expose-the-war-profiteers.org/DOD/iraq_II/mahmudiya.htm)

I intend to add the records of the court martials to my web site in order to provide the general public with a complete set of legal documents that will show in detail the legal process in the military court at Fort Campbell, as it already does with regards to the civilian proceedings at the federal court in Paducah and the Appeals Court for the Sixth Circuit.

Thereby, my website would contribute significantly to public understanding of the legal process in the military court in the above-mentioned proceedings.

I also request a waiver of copying fees based on my status as a member of the news media. My work is similar to advocacy groups like the National Security Archive, who are considered members of the news media for the purpose of FOIA fees, because they produce distinct works from the materials they receive, and disseminate their works to the public. Other distinct works that I produce related to this FOIA request can be found on my website at [www.expose-the-war-profiteers.org](http://www.expose-the-war-profiteers.org). Currently, my website receives around 40,000 individual visits on average per month. Several individual pages of the site, such as the "The Mahmudiya Massacre", "The Blackwater Killings", "The Haditha Killings", "The Hamdania Killings" or "The Fallujah Killings", are among the top 5 ranked webpages on Google with regards to their respective keywords.

Finally, I request these records in electronic format as provided by the EFOIA amendments, in order to save copying costs. Thank you in advance for your consideration of this request.

Sincerely yours,

Martin Ottmann

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Attachments: Press Release of Public Affairs Office at Fort Campbell, Charge Sheets of Paul Cortez, James Barker, Bryan Howard & Jesse Spielman;