

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :

v. : 12-CR-231 (RC)

JAMES F. HITSELBERGER :

DEFENDANT'S SENTENCING MEMORANDUM

On April 25, 2014, James F. Hitselberger entered a guilty plea to a one count misdemeanor offense of unauthorized removal and retention of classified documents, in violation of 18 U.S.C. § 1924. He will appear before this Honorable Court for sentencing on July 17, 2014. Through undersigned counsel, Mr. Hitselberger respectfully submits the following information for the Court's consideration in determining an appropriate sentence. For the reasons set forth below, and such other reasons as may be presented at the sentencing hearing, Mr. Hitselberger respectfully requests that the Court impose a sentence of time served with no term of supervised release or probation.

Factual Background

Mr. Hitselberger is 57 years old and has never before been charged with or convicted of a criminal offense. The offense at issue here did not arise out of any specific criminal intent but simply out of Mr. Hitselberger's intellectual curiosity and a lapse in judgment. As the evidence presented at the motions hearing demonstrated, Mr. Hitselberger signed on to his secure email account within a restricted access area on the Naval Base in Bahrain and began reading classified documents that were sent to him via email. When a Master Sergeant who was standing nearby

told Mr. Hitselberger that he needed the computer and Mr. Hitselberger would have to sign off, Mr. Hitselberger decided to read the documents in his living quarters. He then -- in full view of the Master Sergeant and with other military personnel in the surrounding area -- printed the documents, put them in his backpack and walked out of the secured area. For doing so, he already has been severely punished, and no additional punishment is necessary to serve the purposes of sentencing.

Mr. Hitselberger was born in Detroit, Michigan and lived there with his parents until he was four years old, when his family moved to Wisconsin. He attended school in Wisconsin until his parents enrolled him in boarding school at Choate High School in Connecticut.

Mr. Hitselberger developed an interest in foreign languages while studying Russian in high school. After graduating from Choate High School in 1975, he studied Arabic in Libya and in Iran prior to the Iranian revolution. He studied history and Arabic at Georgetown University, earning a Bachelor of Science degree in 1980. He later attended graduate school at the University of Texas in Austin. He is fluent in Arabic, Farsi and Russian. He worked as a Department of Defense civilian contract linguist for a number of years, including in Iraq from 2004 to 2007.

Working in Iraq, particularly while stationed in Fallujah, was extremely stressful. Iraq was, of course, a war zone and translators were needed in some of the most dangerous areas. Mr. Hitselberger served at bases in Baghdad, Ramadi, Fallujah, and an area south of Baghdad known as "the Triangle of Death." He was constantly in danger from improvised explosive

devices.¹ At one point, a mortar landed approximately 30 feet from him on a base in Ramadi. On another occasion, he left his job at a checkpoint, only to learn later that a suicide bomber attacked the checkpoint a short time later, killing several troops. He worked at a major checkpoint in Fallujah, developing local contacts to uncover caches of ammunition and explosives intended for use against U.S. troops. Although the work was dangerous, the interpreters in Iraq were critical to the mission of the troops, and Mr. Hitselberger is rightfully proud of the work he did there. *See Attachment N* (commendations regarding work in Iraq).

The stress of the work, however, took a toll on Mr. Hitselberger, and his family noted a change in him when he returned. *See Attachment A* (letter from James F. Hitselberger, M.D.); *see also PSR ¶ 50.* In 2007, he realized he needed a break and took time off from working as an interpreter. He spent time renovating houses in the Upper Peninsula of Michigan, and supported himself with rental income and his savings.

In June 2011, Mr. Hitselberger decided he needed to return to full-time work and took a position as a linguist with Global Linguist Solutions. He was assigned to work as a contract interpreter for the U.S. Navy in Bahrain (Naval Support Activity - Bahrain). According to at least one witness interviewed with regard to the instant matter, Mr. Hitselberger was very good at his job. He worked hard to ensure accurate translations and volunteered to provide his superiors with translations of local press reports in order to ensure that the military was familiar with the local community.

¹An estimate 1,000 interpreters were killed during the war in Iraq. *See Doug Bandow, Endangered Wartime Interpreters: The U.S. Should Protect Those Who Protect Us*, N.Y. Times, Feb. 25, 2013, available at <http://www.forbes.com/sites/dougbandow/2013/02/25/endangered-wartime-interpreters-the-u-s-should-protect-those-who-protect-us/>.

The charged offense arose out of an incident that occurred on April 11, 2012, when Mr. Hitselberger printed the documents in front of the Master Sergeant and walked out of the restricted access area. He was stopped a short distance from the office, and Navy officials retrieved the two documents from his backpack. Mr. Hitselberger was initially permitted to go on his way, but was soon called back to the secured facility to speak to NCIS investigators. As reflected in an NCIS report, Mr. Hitselberger "appeared emotionally distraught" and was "weeping and sobbing" when speaking of his relationships with fellow employees and an instance when he was not invited to a party. With regard to the documents, he recognized he made a mistake. Following the interview, he was assigned to a new room on the base and permitted to leave the NCIS offices for the evening. The following day, he again met with NCIS investigators at their request and answered their questions. At the conclusion of the second interview, the NCIS agents asked Mr. Hitselberger for a mailing address where they could send his personal property after he left the base. Mr. Hitselberger provided his address in Ontonagon, Michigan, along with the telephone number for his home and his gmail email address. He also provided a Yahoo! email address.

Mr. Hitselberger was then permitted to return to his originally assigned room and pack a bag for his impending departure from Bahrain. Mr. Hitselberger was told that his company, Global Linguistic Services, had arranged for a ticket for him to leave Bahrain, return to the United States and "out-process" from the company due to the security violation -- in other words, he was being fired. Mr. Hitselberger was provided with an airline ticket to return to the United States, via Frankfurt, Germany, and was taken to the airport, where he boarded an airplane.

Military officials told Mr. Hitselberger only that he had to leave Bahrain and would no longer be employed by Global Linguistic Services. Although he was told that his company would formally “out-process” him when he returned to the United States, he was not told that he was required to return to the United States, and he was not told that NCIS or any other law enforcement agency had any need to speak to him further at that time. While it was clear that NCIS thought he had committed a serious security violation and intended to investigate him further, he was not told that he would be charged with a criminal offense or even that NCIS investigators thought that he had committed a criminal offense. Mr. Hitselberger was not asked to stay in contact with NCIS or any other law enforcement officials.

After leaving Bahrain, Mr. Hitselberger’s flight stopped in Frankfurt, Germany. Because he felt ill and unable to travel, he decided not to continue on the flight. Instead, he notified his employer that he was not continuing on the flight and checked himself into a hotel in Germany. Over the next six months, he traveled to a number of European countries, including Albania and the United Kingdom. He did so using his U.S. passport and never tried to conceal his identity or location.

As NCIS reports confirm, during this time period, Mr. Hitselberger stayed in contact with his former employer and his family and friends, and on at least two occasions, emailed one of the U.S. Army officials who had stopped him when he left the secured facility on April 11th. He regularly checked the email account addresses that he had given the NCIS investigators on April 12th. He expected that if law enforcement officials wanted to contact him, they would do so through the contact information he gave NCIS or through his former employer. No law enforcement official ever tried to contact him through the email addresses he provided.

Instead, on August 6, 2012, the government filed a sealed complaint charging Mr. Hitselberger with one count of unlawful retention of national defense information, in violation of 18 U.S.C. § 793(e). Mr. Hitselberger was not notified that the complaint was filed or that a warrant had been issued for his arrest. Although the government had Mr. Hitselberger's email contact information and knew that his employer, as well as the U.S. Army official, were able to contact Mr. Hitselberger, no government agent ever contacted Mr. Hitselberger or asked him to return to the United States to answer to the charges. Because the complaint was sealed, Mr. Hitselberger had no way of knowing he had been charged.

While traveling in Europe, Mr. Hitselberger was in frequent contact with his former employer and wanted to obtain his personal belongings that he left behind in Bahrain. In late September 2012, his former employer notified him that if he traveled to Kuwait, he could pick up the possessions at a U.S. military base there. He was told that he would have to be escorted onto the base to retrieve his property. Mr. Hitselberger had no fear of going to the military base in Kuwait to retrieve his belongings and voluntarily traveled to Kuwait to do so, because he was not hiding from U.S. officials or anyone else. When he arrived in Kuwait on October 24, 2012², his passport was confiscated and he was arrested. Until then, he did not know he was charged with a criminal offense.

Upon his arrival in the United States, on October 25, 2012, the government agents took Mr. Hitselberger to an office in Virginia, where he again agreed to speak with them. At his initial appearance on October 26, 2012, the government sought and obtained pretrial detention,

²The Pretrial Services Report (“PSR”) incorrectly lists Mr. Hitselberger’s arrest date as October 26, 2012. See PSR at 1. That was the date of his initial appearance. Counsel apologizes for not recognizing this mistake prior to the submission of the final PSR.

arguing that Mr. Hitselberger was a flight risk, despite the fact that Mr. Hitselberger had made no effort to hide his whereabouts after he left Bahrain, traveled openly using his passport, and was in contact with his friends, former employer and military officials. Mr. Hitselberger was then held without bond at the District of Columbia Jail.

Fifty-four days later, following a hearing on December 19, 2012, the Court granted Mr. Hitselberger's Motion to Reconsider the Detention Order, and ordered Mr. Hitselberger released to the High Intensity Supervision Program. As a conditions of his release, Mr. Hitselberger was required to live with his aunt in Northern Virginia and to wear an ankle monitor. He was confined to his aunt's home for almost eight months with only limited exceptions for pre-authorized appointments, such as for legal appointment, doctors visits and church services. He fully complied with those conditions, and on August 6, 2013, the Court modified the conditions of Mr. Hitselberger's release, removing him from the HISP program and permitting him to move back to his home in Michigan, but requiring that he remain on GPS monitoring. On March 27, 2014, without objection from the government, the Court terminated the GPS monitoring condition. Throughout the more than 18 months that Mr. Hitselberger has been on pretrial release, he has fully complied with every condition imposed.

Argument

When imposing a sentence, the Court must consider:

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed –
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;

- (B) to afford adequate deterrence to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and
 - (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;
- (3) the kinds of sentences available;
- (4) the kinds of sentence and the sentencing range established for [the applicable offense and the applicable category of defendant as set forth in the Sentencing Guidelines];
- (5) any pertinent policy statement [issued by the Sentencing Commission];
- (6) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and
- (7) the need to provide restitution to any victims of the offense.

See 18 U.S.C. § 3553(a); United States v. Booker, 543 U.S. 220, 259 (2005).

Congress has further provided that:

[t]he court, in determining whether to impose a sentence of imprisonment, and, if a term of imprisonment is to be imposed, in determining the length of the term, shall consider the factors set forth in Section 3553(a) to the extent that they are applicable, recognizing that imprisonment is not an appropriate means of promoting correction and rehabilitation.

See 18 U.S.C. § 3582 (emphasis added). With that limitation and considering all of the purposes of sentencing, the Court must impose a sentence that is “sufficient, but not greater than necessary, to comply with the purposes [of sentencing].” 18 U.S.C. § 3553(a) (emphasis added).

(1) The United States Sentencing Guidelines.

As set forth in the Presentence Investigation Report (“PSR”), the recommended sentencing range under the United States Sentencing Guidelines is 0 to 6 months. The requested sentence of time served (approximately two months) is within this range.

(2) The Nature and Circumstances of the Offense.

Mr. Hitselberger does not dispute that the mishandling of classified documents under any circumstances is a serious offense. The circumstances of the instant offense, however, demonstrate that Mr. Hitselberger did not intend to disclose classified materials to unauthorized individuals or intend to undermine the integrity of the information contained in the documents at issue. He took the documents out of the restricted access area only to read in his living quarters on the base. These documents were sent to him (and numerous other individuals working on the naval base), and he was authorized to read them. His mistake was printing them and taking them out of the restricted access area. He did this in full view of military personnel, demonstrating that he did not stop to think about what he was doing or specifically make a well-thought, deliberate or calculated decision to thwart the rules for handling classified materials. Instead, his conduct was the result of a lapse in judgment.

(3) The History and Characteristics of the Defendant.

Mr. Hitselberger cannot fully explain this lapse in judgment, because he simply did not put a great deal of thought into his actions. The evidence demonstrates that at the time of the offense he was experiencing some emotional instability. When talking to government investigators, he placed a great deal of emphasis on his lack of friendships

with others on the base and his feelings of being excluded. He cried when explaining that he had been excluded from a party on the base -- an unusually emotional reaction to such a small matter. His family believes that his emotional instability in Bahrain was related to the trauma he experienced while serving as an interpreter in Iraq and perhaps working again in a military environment raised the same feelings of stress and trauma he had experienced in Iraq. Regardless of the cause of his actions, these actions were out of character.

As the attached letters demonstrate, apart from the instant offense, Mr. Hitselberger has led a very respectable, law-abiding and productive life. He worked hard to obtain an education and to learn several different languages. He served his country honorably as a civilian contract interpreter during the war in Iraq. He has been honest, kind and generous with his friends and family, and he is a modest person who lives a modest lifestyle. His lapse in judgment that led to the instant offense does not accurately represent his true character. Rather, the numerous letters submitted on his behalf by loyal and dedicated friends, his education and work history, and his service to his country demonstrate his true character. *See Attachment B (letter from Shaun M. Jordan); Attachment C (letter from Oliver van den Berghe); Attachment D (letter from Mark Lehman); Attachment E (letter from Charles and Judy Perkins); Attachment F (letter from Robin Stalling s); Attachment G (letter from Mark Randall); Attachment H (letter from Ali Olaikan); Attachment I (letter from Mary Lawton); Attachment J (letter from Margaret Huffstickler); Attachment K (letter from Preston Smith); Attachment L (letter from Dr. Hamid Rezai); Attachment M (letter from Josh Lasch).*

(4) The Purposes of Sentencing.

The Sentencing Reform Act requires the Court to impose a sentence that not only will reflect the seriousness of the offense and promote respect for the law, but also will provide just punishment, afford deterrence to criminal conduct, and protect the public from further crimes of the defendant. Under the circumstances of this case, a sentence of incarceration is not necessary to serve these purposes of sentencing, nor is any sentence of supervised release, probation or a fine.

Mr. Hitselberger has been significantly punished for his involvement in the instant offense. He lost his job as a interpreter; he has lost the ability to obtain a security clearance necessary for similar employment; he experienced the humiliation of being arrested in Kuwait and escorted back to the United States; he was detained at the District of Columbia Jail for 54 days; he was on home confinement with electronic monitoring for almost eight months; he was on electronic monitoring confined to the isolated county where he resides in Michigan for almost eight additional months; he experienced the humiliation of having every aspect of his life fully investigated and numerous family members, friends and acquaintances interviewed by federal agents; and he now has a criminal conviction on his record. He needs no further punishment to be deterred from future crimes, and the general deterrent effect of the price Mr. Hitselberger has paid is sufficient to deter others with access to classified documents and encourage them to strictly abide by the handling requirements. Mr. Hitselberger is not a threat to anyone and incarceration is not necessary to protect the public. During the more than 18 months

that he has fully abided by the conditions of pretrial release, he has demonstrated that he is a well-adjusted, educated, productive citizen who is not in need of any supervision.

(5) The Kinds of Sentences Available.

Here, the Court can and should impose a sentence of time served without a term of supervised release or probation. Although the Court is authorized to impose a term of supervised release or probation, the Court is not required to do so, and for the reasons set forth above, no such term is necessary to serve the purposes of sentencing.

(6) The Need to Avoid Unwarranted Disparities.

A sentence of time served is within the Guidelines sentencing range and would not cause any unwarranted disparity. In fact, a sentence of time served with no additional penalty should be imposed to avoid an unwarranted disparity by punishing Mr. Hitselberger more severely than similarly situated defendants. Other defendants who have entered guilty pleas to the misdemeanor offense of unauthorized removal and retention of classified documents, in violation of 18 U.S.C. § 1924, have been sentenced to terms of probation and served no jail time. *See United States v. Berger*, 05-mj-175 (DAR), Dkt. # 17 (D.D.C. Sept. 13, 2005) (former very high level official took documents from archives, destroyed at least one document, entered plea to misdemeanor § 1924 violation, and sentenced to two years probation); *United States v. Blauvelt*, 06-cr-71 (HBG), Dkt. #10 (E.D. Tenn. Oct. 25, 2006) (contractor for National Nuclear Security Administration gathered "personal and potentially compromising" information about fellow employees, removed secret information and stored substantial amount of classified information at home, deleted information when search warrant executed,

entered plea to misdemeanor § 1924 violation, and sentenced to one year probation); *United States v. Uppal*, 07-mj-274 (BRP), Dkt. # 3 (E.D. Va. Mar. 29, 2007) (Boeing employee who stored classified information relating to design and control of highly sensitive missiles, radar systems, and aircraft control systems at his home and in commercial storage unit -- seventeen classified documents consisting of 241 pages which had been gathered over the course of a number of years -- entered plea to misdemeanor § 1924 violation, and sentenced to one year probation); *United States v. Kirby*, 07-mj-463 (TRJ), Dkt. # 6 (E.D. Va. Jun. 8, 2007) (Defense logistics Agency employee who regularly -- on 50 to 60 occasions -- took classified documents home, lost thumb drive in parking lot, reported loss, lied about finding drive, and had Top Secret information on his home computer entered plea to misdemeanor § 1924 violation, and sentenced to \$500 fine); *See also United States v. Drake*, 10-cr-181 (RDB), Dkt. 169 (D.Md. Jul. 15, 2011) (high level government employee sentenced to one year probation after entering plea to misdemeanor offense of exceeding authorized use of a computer, in violation of 18 U.S.C. § 1030, and government dismissed charges including wilful retention of national defense information, based on repeated disclosure of information to reporter over course of at least two years).

(7) Restitution and Fines.

Restitution is not applicable because Mr. Hitselberger's conduct did not cause a financial loss.

The Court also should not impose a fine because Mr. Hitselberger has suffered and will continue to suffer financially as a result of the offense. He lost his job and lost

his ability to find employment as a cleared interpreter -- perhaps the most lucrative position for which he is qualified. While he has some assets (property and relatively small amounts of cash), he will need to use these assets to support himself in the future. Placing any additional financial burden on him would further his punishment beyond what is reasonable for the offense of conviction and would not serve any purpose of sentencing.

Conclusion

For all of the foregoing reasons and such other reasons as may be presented at the sentencing hearing, the Court should impose a sentence of time served without a term of supervised release or probation or any additional financial penalty.

Respectfully submitted,

A. J. KRAMER
FEDERAL PUBLIC DEFENDER

/s/

MARY MANNING PETRAS
Assistant Federal Public Defender
625 Indiana Avenue, N.W.
Suite 550
Washington, D.C. 20004
(202) 208-7500 ext. 109

ATTACHMENT A

June 6, 2014

Honorable Rudolph Contreras

Dear Sir:

This concerns James Hitzelberger, my son, who is scheduled to appear in your court on July 17, 2014. Jim served as an interpreter in Iraq from 2004 to 2007. He was one of a group of twelve interpreters, three of whom survived. Jim was one of the survivors. He had been subjected to numerous bombings and shootings in combat areas such as Fallujah, once being shot at in point blank range.

When he returned he was a different person - very tense, anxious, sleeping poorly, with impaired decision making ability. He was far from recovered when he left to work as an interpreter in Bahrain.

I served on the medical staff at McGuire VA Hospital in Richmond from 2004 to 2007, where we treated casualties from Afghanistan and Iraq.

stress disorder was seen frequently,
and that certainly would have been my
diagnosis had Jim been my patient.

This should be factored in when
the Court passes judgment on Jim

Respectfully,

James F. Hitzelberger, M.D.

ATTACHMENT B

Shaun Jordan

June 21, 2014

Honorable Rudolph Contreras
United States District Judge
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Dear Honorable Judge Contreras,

I met James Hitselberger in 1986 when I was a freshman at the University of Texas at Austin. Like all incoming freshmen athletes in 1986 I was assigned an academic mentor. Lucky for me my academic mentor was Mr. Hitselberger. I arrived at the University of Texas as an average student who could not wait to swim. As an incoming freshman, I lacked true academic discipline and I was an unfocused and haphazard student. Over the year that I was assigned to Jim, he pushed and prodded me to become a better student. He made me rewrite papers until I had completed the project properly. And most importantly, I was able to witness Jim's curiosity and hunger for knowledge first hand and it was contagious to me and the other athletes around Jim.

After a rocky first semester, I got things steadied in the classroom. With Jim's encouragement and guidance I explored the Liberal Arts Department and laid a firm academic foundation for myself. This academic foundation allowed me to realize my dreams in the swimming pool. While a student at U.T., I was a part of 4 consecutive NCAA Team Championships. I also swam on the 4x100 freestyle relay in the 1988 and 1992 Olympic Games winning a gold medal both times. It was a busy time in my life and Jim helped me to stay focused on academics while I was juggling international travel and lots of pool time. He was a good friend and a good mentor. I am grateful for Jim's encouragement to be a good student and plan for graduate school despite what was going on in the pool. I ultimately graduated with a BA in Economics and returned to the University of Texas at Austin for a MBA a few years later.

I have been a close friend with Jim for over 27 years now. We lived in the same neighborhood until he left Austin in 2004. He was a contributing member of our community, involved in everything from recycling efforts to organizing poetry readings at the local coffee house. As I traveled for swimming and later clinics, Jim was the guy who took care of my dog, apartment, and watered my plants, etc. Jim is a good friend and a good neighbor. Jim is known as a kind, gentle, soft spoken, brilliant, fascinating, polite, good hearted, generous person who is beloved by lots of people all over the world.

Your honor, as a person who has known Jim for 27 plus years, I know that the last two years have been hell for him. As you know Jim has already spent two months in the D.C.

City Jail, the first week of that was in solitary confinement. As both a friend of Jim and as a citizen of the United States, it is my humble opinion that he has been punished severely and adequately for his mistakes. I am hopeful that Jim is at the end of this chapter in his life and I am excited to see him move forward in a productive way from here. Thank you for your time and consideration.

With my highest regards and best wishes,

Shau

Shaun M. Jordan

ATTACHMENT C

Honorable Rudolph Contreras
United States District Judge
333 Constitution Avenue, N.W.
Washington, D.C 20001

Your Honor:

I am writing this testimonial on behalf of my good friend, Mr. James F. Hitselberger, in the hope that his abundant attributes may be duly considered in the disposition of his case.

My acquaintance with Mr. Hitselberger extends almost 30 years to the summer of 1986, when I met Jim as an entering Graduate student in the Department of Government at the University of Texas at Austin. Although I was immediately impressed by Jim's proficiency in three formidably difficult languages (Arabic, Farsi, and Russian), my enduring friendship has been forged from the staunch loyalty and principled dedication which Mr. Hitselberger has demonstrated throughout the course of our association.

At the civic level, Jim has always impressed me by his social conscience and the integrity of his actions. These facets are reflected not only in benign deeds such as his donating blood to the Red Cross, gifting merchandise to charitable causes/organizations, or championing the cause of recycling, but also in the most mundane daily activities such as shopping. Although Mr. Hitselberger may not project the image of a flag-waving Patriot, I have personally encountered nobody who makes a more concerted effort to buy American products and support domestic jobs, than Jim. Whether the item at issue is a pair of shoes, a set of tires, or just an umbrella, I have seen Jim literally traverse a city (Austin, Texas) in his determined quest to buy American. Much to Jim's frustration, such efforts are often expended in futility, but the ever scarcer availability of domestically-produced merchandise has only served to kindle his determination. Speaking for myself and everyone else I know, I fear we have succumbed to the unyielding tide of imports, but not Jim.

At a more personal level, I could fill several pages listing the favors which Mr. Hitselberger has rendered me or others. I, for example, will be forever grateful when Jim came to my rescue in the Texas Hill country, and towed my disabled Honda Civic 50 miles back to Austin, with his Landcruiser. And I believe even greater measures of gratitude were spurred by Jim's devoted visits to Denver to an ailing mutual acquaintance (a Mr. James West) before his succumbing to Lou Gehrig's disease about two years ago. Needless to say, given my longstanding friendship with Mr. Hitselberger, I find his current legal problems bewildering, and I regret that I can shed no factual light on this pressing matter. I can, however, confidently state that if circumstances were reversed to where I stood accused a crime and was allowed to make one phone call, that call would probably be to Jim.

Sincerely – Oliver van den Berghe

ATTACHMENT D

Date: June 14, 2013

To: The Honorable Rudolph Contreras
United States District Judge
Constitution Ave., N.W.
Washington, D.C. 20001

From: Mark Lehman

:

Re: Sentencing Hearing for Mr. James Hitselberger

Dear Judge Contreras,

Please know I have dedicated much of my professional life to working for two United States Senators and one United States Congressman. I would therefore never write a letter of this nature on anyone's behalf if I felt that he could be a potential future threat of any type to our national security or to our foreign positions.

I have known Mr. Hitselberger for almost two decades and I am confident he has never been a threat to the United States of America or to American agents protecting our interests outside of our borders. Jim is by nature an even-handed and peaceable person who, even in these recent times of great personal upheaval, he has never expressed any negative feelings about our country.

I can speak with absolute certainty that Mr. Hitselberger never intended to cause such extensive damage to his personal reputation or to that of family, whose house was pictured on the front page of their local newspaper in the aftermath of his arrest. He deeply regrets this incident and the heartache it has caused so many loved ones. More importantly, he has a great deal of remorse for the burden he has placed on his country. He has paid dearly for his careless indiscretion and lack of good judgment, and he will continue to pay for the rest of his life. The entire incident has left him emotionally and financially decimated, and I feel any additional punishment would not be necessary and would also fail to be of any additional benefit.

Jim has expressed a desire to continue to live peacefully in a remote and impoverished area of Michigan where he is currently restoring and managing three homes. He also wants to continue offering much needed assistance to his aging parents who greatly need his help.

Your consideration of my observations during the sentencing hearing for Mr. Hitselberger is greatly appreciated.

Respectfully,



Mark Lehman

ATTACHMENT E

Charles & Judy Perkins

June 17, 2014

Honorable Rudolph Contreras
United States District Judge
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Your Honor:

We have known Jim Hitselberger for approximately 15 years. During this time he has been a capable, industrious and helpful friend, neighbor and member of the community.

Until 2007, when we retired to Covesville, we only spent our weekends, vacations and holidays in Covesville. Similarly, Jim split his time between Austin, Texas and the Boaz family home in Covesville, owned by his mother and her three siblings. Typically we would see Jim dozens of times throughout year, when our schedules matched-up.

Jim's ancestors, the Boaz family, were early settlers in the Covesville area. Also, Judy's father, Roy McClanahan began working for William Boaz in the late 1920's. In the 1940's he bought the Boaz apple and peach orchard and packing plant. He operated this business until he retired in the late 1970's. The Boaz family and the McClanahan family had a close relationship and we naturally shared with Jim an interest in the history and heritage of the Covesville area. Through Jim we have also come to know his parents and some of his aunts, uncles and cousins. When he was in Covesville he worked on maintaining the Boaz family house and property. Most of this time he was the only family member in residence.

Jim has always been a friendly, helpful person in the community. For example, as he hacked away at the overgrown areas of the property, typically he would haul the brush and vegetation to one of our neighbors to use as forage for their goats and sheep. He also gave away over 100 boxes

of kindling that he had accumulated during his clean-up work. At times when one of our neighbors found themselves with more eggs than they could use, Jim would help them by brokering and delivering the surplus in the neighborhood. During the summer Jim would plant a garden and gladly share the sauces and soups that he made with the veggies he grew. Jim is an inveterate recycler and frequently would stop on his way to recycling center and offer to haul away our recyclables. These are some of the friendly, neighborly acts that are characteristic of his activity in the community.

In late 2004, Jim was hired as an interpreter working with the U.S. military in Iraq. This service lasted approximately 2 ½ years. During this time we communicated through mail, telephone and e-mail. Typically we contacted each other, at least, monthly but often more frequently. During Jim's time-off (usually every six months) we would see him when he returned to Covesville.

Most of his work in Iraq was under very difficult living and working conditions but we believe that Jim got a great deal of satisfaction in his work. He spoke Arabic very well (he typically scored at very high levels in the pre-employment language tests) and he had the advantage of being a native English speaker. This enabled him to provide very accurate and nuanced translations. Most of the linguists were Arab speakers but with varying degrees of English fluency.

After he finished working in Iraq in 2007, Jim moved to Ontonogan Michigan. He bought several houses; he lived in one and started repairing and renting the others. He also continued to visit his friends in the Covesville area from time to time.

In 2011 Jim was hired as an interpreter. He was assigned to Bahrain. We continued to exchange e-mails and Jim would phone from time to time. On his free time he would go to the local markets and he sent back numerous "care packages" to his friends in Covesville—dates, delicious preserved feta cheese, and assorted spices and pastries.

In 2012 Jim left Bahrain and traveled throughout Europe. We continued to exchange e-mails and we could follow his travel through Europe by viewing the numerous photos that he posted on his Facebook page.

In October 2012 Jim was arrested when he returned to Kuwait, charged with security violations and returned to Washington D.C. He called us shortly after he arrived in Washington. Jim is our friend and we have continued to support him during this ordeal. He is an avid reader and book collector and we sent him a subscription to the New Yorker. We also sent him several books while he was in the D.C. jail.

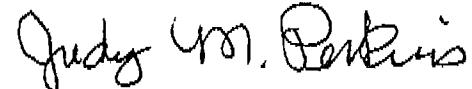
He was released from jail in January 2013 while his case has continued. We have continued to communicate on a regular basis.

Jim is a capable and gifted linguist; he graduated from Georgetown University and continued graduate work at the University of Texas. He is a lifelong learner who is intellectually curious about everything. He is a hard worker and he is a friendly and helpful neighbor and friend. He is a modest person and has a very modest lifestyle. When this case ends we believe he will be able to successfully restart his life in whatever direction he chooses.

Sincerely yours,



Charles S. Perkins III



Judy M. Perkins

ATTACHMENT F



BikeTexas
Texas Bicycle Coalition

www.BikeTexas.org

Honorable Rudolph Contreras
United State District Judge
333 Constitution Avenue, N.W.
Washington, D.C. 20001
June 20, 2014

Dear Judge Contreras,

I have been the Executive Director of BikeTexas, the statewide non-profit bicycle safety education and advocacy organization since 2003. We have a professional staff of nine and work with city council, state legislature and congressional elected officials; citizen and corporate stakeholders; and government employees to advance bicycle safety access and education in Texas. I write this letter of support as an individual and not from the organization.

I have known James Hitselberger since 1983. I received my BA in Middle East Studies from the University of Texas at Austin in 1981. We met when I was visiting the University post graduation and have stayed in touch ever since. My studies also included several years of study of Arabic and Farsi languages. We both came from universities where Middle Eastern language departments were established thanks to the 1958 Defense Language Act. This act was passed by Congress in that year as a direct response to Sputnik and the fear that the Soviet Union was not only surpassing the U.S. technologically, but also politically in Asia, Africa and Latin America. I worked as an interpreter and Iran specialist in Iran for NBC Television News in 1979-1980. Our shared interest in the Middle East has been part of our friendship ever since.

I have always regarded James as one of the best and the brightest students of the Middle East that I have ever met. American universities have rarely taught anything but a literary version of Arabic which has little practical benefit in speech and comprehension. But James studied obscure North African and Arabian dialects which enabled him to become the only field translator not of an Arab ethnic background who was used in Iraq. He has also contributed to the field of Middle Eastern studies as a natural born archivist. I know from personal experience how few Americans understand anything about the Middle East. For this reason James is a great asset to our country for his knowledge and his professional commitment to sharing it.

In spite of James's deep knowledge of politics and history of countries around the world, he has never seemed to be very political himself. I have never known James to support any particular candidates or political parties. I believe that James was proud to use his language skills to benefit the United States.

P.O. Box 1121, Austin, Texas 78767-1121
512-476-RIDE (7433) Fax: 512-476-7458
mail@biketexas.org - www.BikeTexas.org

On a more personal note, I have known James to be a good friend in time of need. Although he is not a man of great means and lives frugally, James will make large sacrifices to generously help his friends. James is also a hard worker, whether it be in his job, research or hobbies. For example, he self taught himself how to restore VW buses and restored several of them. While he was in Austin, he collected broken bikes, repaired them and sold them for modest prices to make ends meet. In the late 1970s and early 1980s James collected Iranian political posters, documents and books. He created the largest such known collection and found a home for it at Stanford University at the Hoover Institution. In Austin, James collected issues of the Austin Chronicle, a weekly newspaper influential both politically and in the music industry (it established the South by Southwest music festival). His collection of the Austin Chronicle was more complete and more thorough than the publisher's and he sold it back to Chronicle in a bound set!

Please have mercy on James when you decide his sentence. Please consider giving him "time served." He has already paid dearly in many ways by the damage to his career and the disruption to his life. On top of jail time, James served eight months of house arrest in Arlington, Virginia and he has been confined to Ontonagon, Michigan since then. He has been forbidden a security clearance for any future government-related work. He has lost his interpreting job and income, not to mention the revocation of \$4,000 in overdue vacation pay by his former employer in Bahrain. Additionally, James also lost thousands of dollars of books on Arabic dialects and on Middle East geography when he was forced to abruptly leave his quarters on base in Bahrain, not to mention his other personal property. I have confidence that James will be a valuable addition to the community wherever he lives. I also believe I can attest that James will never do anything like this again that would cause so much distress and risk his liberty.

Sincerely,



Robin Stallings

ATTACHMENT G

Mark Randall

June 19, 2014

Honorable Rudolph Contreras

United States District Judge

333 Constitution Avenue, N.W.

Washington, D.C. 20001

Dear Judge Contreras:

My name is Mark Randall, and I have been acquainted with Mr. James Hitselberger since we were undergraduates at Georgetown University 39 years ago. In that time we have studied Arabic together, we have studied Persian together as guests of the Shah of Iran, we have studied Turkish together as recipients of Fulbright language study fellowships in Turkey, and, most recently, we have traveled together to Belize.

Throughout this time I have known Jim as a gentleman who has been financially responsible, self-sustaining, sober, and law-abiding. Never one to have succumbed to the moral hazards of youth and middle age, Jim is a secular humanist with strong emotional ties to Roman Catholicism, to family and to his country. His record of service as a translator in Iraq understates the positive influence he exercised in moderating the often aggressive presentation of wartime parlance into a form which was more understanding and interculturally acceptable.

During the nearly 40 years in which I have counted Jim among my best friends, I have never known him to contemplate or discuss the commission of any act contrary to law or convention. I consider the matter which occasions the writing of this letter to be the result of a lapse of judgement which had the additional saving grace of having had no material adverse impact on the national security of the United States.

I therefore beg the Court for clemency in sentencing Mr. Hitselberger, recognizing that the anxiety, guilt and shame which he has brought upon himself are suitable retribution for an error with no lasting consequence.

Sincerely,

Mark Randall

ATTACHMENT H

June 23, 2014

Your Honor,

I am originally from the city of Nasiriyah in Iraq. When the Americans came, I was eager to become a translator. I was one of the best English language students in my school and having won first prize in a weight-lifting competition before the liberation of Iraq, I thought that I was in good physical condition to meet the rigors of military life. I met James Hitselberger in 2005 when I was billeted in a big tent on Asad Airbase with about 40 other Iraqi translators. Our tent comprised of so-called "local" translators, that is, Iraqis hired from "in-country." There were also Iraqis and other Arabs hired by Titan from the U.S. and who had U.S. citizenship (The California-based Titan Corporation had the lucrative contract for providing the U.S. military with translators). However, these translators from the United States were billeted elsewhere. When we ran into them, they often seemed aloof. But James Hitselberger chose to stay with us in our tent. A couple of the translators in the tent already knew James from FOB Kalsu and had a positive opinion of him. At Kalsu James had protested when he observed two Titan site managers abusing and maltreating a couple of "local" translators. As a kind of punishment for James, Titan officials assigned him to permanent gate duty. Base entrances were the targets of car bombs, suicide bombers and mortar attacks and only "local" translators were typically assigned there. Although James is much older than I am and we normally defer to our elders in Iraq, James made me feel as his equal and that I was his colleague and peer. He never condescended down to me in any way. He listened as closely to my advice and opinions as I did his. These facts and his loyalty laid the basis for a long-lasting friendship.

James Hitselberger immediately impressed me by his eagerness to learn about our spoken dialects. He usually wrote down every new word and phrase in a small pocket notebook (and he filled one notebook after another!). Sometimes he asked me about words and expressions which I did not know about, but which were common in other parts of Iraq. He learned a lot of the slang words too. For example, he learned that the word "ghost" in slang refers to a Mercedes. So if someone says that he saw a ghost, it can

mean that he saw a Mercedes. Likewise, if I say that I saw someone riding an elephant, it can mean that he was a passenger in a Toyota Landcruiser. There is another expression which translates literally as "hitting someone with a pipe" but is slang for "letting someone down." All Iraqis know these words and slang phrases, but the Iraqi translators from the States did not often understand them because they had been absent many years and even decades. However, James came to master these phrases and many more! Some translators would often gloss over things which they did not understand. But if a translator failed to identify a "ghost" correctly as a Mercedes Benz, that might be crucial information lost when pursuing terrorists. James, however, was never ashamed to say when he did not understand a word or phrase.

James Hitselberger was my sponsor when I came to the US in January, 2008. He made an 800 mile trip to meet me at O'Hare airport in Chicago. Afterwards, he took me by train and bus to Fond du Lac, Wisconsin, where we stayed one night at his parents'. Then we drove up to Michigan where he made me feel at home and introduced me over the next week to the townsfolk. Although I do not drink, the first night in Ontonagon he took me to a bar where he knew I could play pool. I was invited that evening to join the local pool team and over the next couple of months I played with the team against other teams across Michigan's Upper Peninsula. Although James had to travel and left me to 'guard the fort,' he made it clear to me that I could stay as long as I wanted. It was hard for me to be away from my country for the first time in my life and James helped me a lot. He did all of that without expecting anything in return. It was my pleasure to host him when he visited Phoenix in 2010.

I have known James Hitselberger to be a kind and selfless person who would do anything to help a friend in need. I hope that I have shown more fully who James is in a way that the charges before the court cannot.

Truly,

Ali Olaikhan

ATTACHMENT I

Your Honor,
Thank you in advance for reading my
letter regarding a friend and
neighbor, James H. Littleburger. I am
honored to write this on his behalf.
I moved to Astoria last October when
I was no small thing for a seventy-one
year old woman by myself. After
retiring as a Spanish teacher, I wanted
to return to the place I had been
most happy in my life and that
was near my cabin on Lake Superior.
I bought a big Victorian in town and
was wading my way out from under
hundreds of boxes when James
appeared at my door asking if he could
help in any way. He was the first
person to welcome me to the neighborhood
and he helped me clear out many
of the boxes and as the weeks went
by he introduced me to other
neighbors & did many kind & thoughtful
things for me such as shoveling
snow I had not imagined at
winter with 250" of the white stuff!
He was a big help and a good
friend. I could go on about
his kindness to me but must

p. 2

importantly he has expressed
me as a profoundly dedicated
humanitarian who has great
respect for all people & all things.
I am so impressed with his dedication
to keeping & for the respect
he has for the world in which
we live. I have met very few
people with such reverence.

I am deeply saddened by what
he has had to endure as I have
gotten to know him over these past
months. I just can't imagine
the person I know as being
involved in anything hurtful
to our Country, nor to anyone
nor anything. This would not
be the person I know as my
neighbor and friend.

Again, thank you your Honor for
considering the words of my
humble letter.

Most respectfully
Mrs. Aduton.

ATTACHMENT J



Character Reference for James Hitselberger
margaret huffstickler

to:

mary_petras@fd.org
06/23/2014 01:34 PM

Hide Details

From: margaret huffstickler <margaret_huffstickler@fd.org>

To: "mary_petras@fd.org" <mary_petras@fd.org>

Please respond to margaret huffstickler <margaret_huffstickler@fd.org>

Margaret Huffstickler

U.S. District Court Judge Rudolph Contreras

Your Honor:

I am writing to attest to the excellent character of James Hitselberger, who has pled guilty in your court to the charge of removing classified information without permission. I have known Jim for over 12 years, before which he was, for 12 years, the friend and next-door neighbor of my father, the honored Texas poet Albert Huffstickler.

I met Jim when I flew to Austin in February 2002 upon the death of my father. We soon became good friends and have remained so all this time, first as next-door neighbors, when I moved into my father's apartment after his death, and then as frequent house guests in each others homes, after we were separated geographically.

If I had to choose the three most outstanding among Jim's many good qualities, I would say they are honesty, loyalty and a sense of personal responsibility.

A few examples:

When I flew from Austin to Washington DC to study for a doctoral degree in Music at The Catholic University of America, I trusted Jim to move my things out of my Austin apartment, and he fulfilled my trust magnificently, putting my things in storage, placing my piano with a trusted (musical) friend; and later even driving the piano to DC for me!

Still later, on his own initiative, he gradually moved my things from storage in Austin to his house in Ontonagon, MI so that I would not have to pay the storage bills, packing them away carefully.

A friend of Jim's who had known him since their youth once told me, with tears in his eyes, that Jim was the only one of his friends who had helped his wife financially when he was in a very difficult situation and unable to care for his family himself.

In Austin Jim tutored students from the University of Texas, and would spend considerable time thoroughly studying the subject he was to tutor, in order to help the student. As he told me, he also enjoyed learning the different subjects, and increasing his knowledge in this way.

As Jim's guest in Ontonagon, MI on two different occasions, for over two months, I was able to observe what a valued member of the community he is in this small county seat in the far north.

I know that Jim has already suffered greatly as a result of the transgression to which he has pled guilty, not only from the legal consequences--the shock and anguish of being unexpectedly taken into custody, shipped in irons back to the US and held in the DC Jail, followed by the many months of restrictions accompanied by the

stress of uncertainty about his fate—but also from his own regret and self-condemnation, which he expressed to me vehemently the first time I spoke with him after he had been arrested.

Further adjectives that I would use to describe Jim are: gentle, kind, thoughtful, calm, modest and unassuming. On the other hand, he loves meeting new people, especially people from different cultures, and is friendly and outgoing. He is a lover of knowledge who spends a good deal of his time reading. He is a good citizen, and clearly an asset to the community in which he resides.

If more information is needed I can be contacted at: (country code)

Thank you very much.

Sincerely yours,

Margaret Huffstickler

ATTACHMENT K

Honorable Rudolph Contreras
United States District Judge
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Preston Smith
Managing Director
CEE Consulting Group
Nowogrodzka 7/9 m. 44
00-513 Warsaw, Poland

June 18, 2014

Your Honor,

I am writing this letter as I recently became aware of the prosecution against James Hitselberger, a long-time friend, who is currently being tried, as I understand it, for the wrongful removal of classified documents.

I must admit that I know little about the case—only what I have read in internet media—but I would like to make a few statements about James (actually, I know him as Jim) as I feel his character and background should be noted in the case.

I met Jim approximately 20 years ago as a student at the University of Texas in Austin. I had just begun doctoral studies, and Jim was in the process of completing his studies or his thesis at the time. He struck me as the atypical academic. His apartment was half-full with books, notes and papers, with the rest of the space relegated to automobile parts, guinea pig cages and guinea pigs.

To this day I have never met anyone so remarkably talented. Highly intelligent, Jim spoke numerous languages (thinking back, I believe we met in a Czech language course); could repair just about anything on two or four wheels; likely could have become a zoologist or animal breeder and had a much wider range of friends than anyone I have ever met.

Jim knew jazz musicians, athletes, fellow academics, struggling students and, it seemed, everyone in between. By no means a ladies' man, again and again I saw him bemuse, if not charm, the pretty sorority co-eds who flocked to him in his role as a highly sought-out tutor. (On this point, I can only say I doubt I could have remained so patient, considering the rather unimpressive level of some students).

Generally speaking, he was someone who was interested in everything, extremely patient, open-minded and, from what I saw, genuine and genuinely kind.

Jim gradually fell into a group of my own friends. These were primarily students interested in camping and music, and although slightly older than most of us, he often tagged along. It was a somewhat diverse

group, with some being quite religious and others being extremely liberal in their views. Let's just say there was constant, and often quite vigorous, debate.

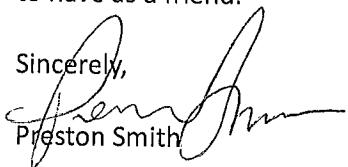
Again, I found Jim impressive. He never became frustrated, never lost his temper. His arguments were consistently well-thought out and he still had the ability to be surprised and become interested in others' views (something that I believe remains unique in society to this day). Likewise, he was genuinely willing to volunteer time to help others, whether this be repairing a bike or vehicle, offering transportation or helping with studies.

Perhaps these were small things, but so few people are willing to do anything at all for anyone else, that he did indeed set himself out from the pack.

Later, to my regret, I somewhat lost track of Jim. I left to teach and then build a career as a journalist overseas, and I have worked abroad ever since. We met maybe a year after I left UT—probably 18 or 19 years ago. He was passing through with plans to head north to see his family, which seemed very important to him. He ended up staying with me and my parents for a few days. I have to say that my own father, the typical soft-spoken Texas conservative, found Jim tremendously entertaining. Jim's stories, political observations and wide range of abilities could range from the provoking to the comedic, and actually I still remember those days as a warm time with my own father, something that was helped by simply having Jim around.

That was the last time that I saw him in person. We kept in touch on quite a sporadic basis, the odd "hello" mail every few years, but it did not surprise me when I heard that he had decided to cooperate with the military. He always seemed to have a deep sense of country and obligation to country, and he definitely seemed the type to put up with hardship. That said, he was also quite the finished product. I can't imagine him being much different than the Jim I knew 20 years ago, who was someone I was glad to have as a friend.

Sincerely,

A handwritten signature in black ink, appearing to read "Preston Smith".

ATTACHMENT L

Dr.Hamid Rezai

The Honorable Rudolph Contreras
United States District Judge
333 Constitution Avenue, N.W.
Washington D.C. 20001

June 22, 2014

Your Honor,

I received James Hitselberger's request to write a character reference for him while I was on a ship collecting plankton samples in the Gulf of Oman off the Arabian Peninsula. I have known James Hitselberger since 1977 when we were both students in Washington, D.C. He was studying Iranian literature when he asked my opinion about a paper that he had written. The subject of his paper was one of my favorite authors. We became good friends afterwards.

When James Hitselberger went to Iran in 1978 to study Persian as part of a Georgetown University program, he had never traveled by himself, let alone outside the United States. My parents met him at the Tehran airport when he arrived close to midnight. He still needed to travel across Iran to reach the city of Mashhad. Because of a religious holiday, all trains, buses and planes were fully booked. For a full week, my father patiently took James Hitselberger to the train and bus stations day after day till my father finally decided that it would be better for him to board a train without a ticket and pay a penalty.

My father died in 1982 when I was a student in France. Iran's revolution had occurred in 1979 and Iran was at war with Iraq from 1980 to 1988. There was no way for my family to remit money to me. On top of that, the British bank where my father had established an account refused to recognize me as an heir. I soon lost my French student visa because I became destitute. I was now in France illegally. In order to subsist, I became an undocumented worker in a Bordeaux factory wrapping cigars. Not only was I ruining my lungs, but I also risked deportation. Once back in Iran I would have been drafted and sent to the war front. I doubt that I would have ever been able to

complete my education. James Hitselberger sent me \$3,000 which enabled me to demonstrate to the French government that I was not indigent and that I had funds in my bank account. It was an additional requirement that these funds came from abroad. The French government re-issued my student visa when I met those requirements. It was still not easy afterwards, but James Hitselberger's help was the crucial element which enabled me to remain in France. I not only finished my studies in France, but soon met the woman I married.

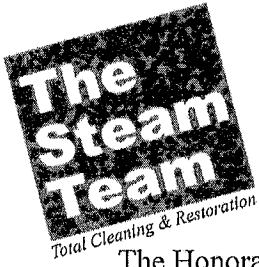
James Hitselberger has always been there for me regardless of where I was. He has been a lifelong friend who has provided me with moral support. Whenever I was poor or lonely, there was always a letter or a package from him.

His only problem was that he was too curious, collecting books, pamphlets, journals, etc. as long as I remember. In fact, he could have been a war correspondent given his background studies in political studies, knowledge of different languages and cultures, including Persian and Arabic and his excellent communication skills.

In characterizing James's personal history and his friendship with me, I am saddened to hear that this faithful friend is in trouble and hope when all facts are revealed, he could be given a fair judgment.

Sincerely,
Hamid Rezai (PhD)

ATTACHMENT M



The Steam Team

Total Cleaning & Restoration

The Honorable Rudlh Contreras
United States District Judge
333 Constitution Ave., N.W.
Washington, D.C. 20001

June 16th, 2014

Your Honor:

This letter is to attest to the character and qualities of James Hitselberger.

I have had the privilege of knowing James for more than 15 years. He has served me as a tutor during college and as a friend in life. James is one of the most intelligent, friendly, giving and helpful people I know. He has an amazing ability to find a way to positively connect to all those around him and with people from many different walks of life. James is a man of his word. He respects and treats each individual he encounters the way they would want to be treated. It is rare these days to find someone who embodies these principles and expects nothing in return.

I had worked on many projects with James through my college years. He was always patient and enthused to help me succeed. During the years we worked together James helped me take on many subjects at the University of Texas as he had a very versatile scholastic skill set. But the one thing above all that I will remember Jim for was helping me get back up from one of the most difficult periods in my life.

My father had suddenly passed only a few months before I matriculated to college. Needless to say that's a hard age to lose a parent. I doubt Jim knows this, as I've never told him. But without his help there is no way I would have graduated school as quickly as I did or possibly at all.

At that time I was compelled to drop out of school and work only on the business that I inherited. I would easily lose focus during this time on my school work and as always Jim would get me back on track. He tutored me for countless hours and helped me keep my grades up and helped changed the course of my life in the process. I can honestly say without Jim my life may have been very different. He had a subtle way of doing things and by doing what he did he was a big part of helping me get my diploma. That's something I will always be indebted to him for.

I would not hesitate to give my full 100% endorsement of James's character, ethics and integrity. I know he is an asset and a friend to his community and to anyone he encounters in life. He is an outstanding individual who I respect and think very highly of.

I do not write these letters often, but felt compelled to do so in this situation to show my utmost support for James.

Please don't hesitate to reach out to me with any questions regarding this letter.

Respectfully,



Josh Lasch
Owner
The Steam Team Inc.
jlasch@thesteamteam.com
(512) 947-8502

ATTACHMENT N



TURKEY

ILITIZAM MUSH-TARAK UNITED COMMITMENT

THE IRAQI GROUND FORCES COMMAND (IGFC)

MILITARY TRANSITION TEAM

CERTIFICATE OF APPRECIATION

IS AWARDED TO

MR. JAMES HITZELBERGER

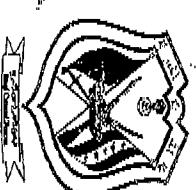
A.I.A.N.D.

IN RECOGNITION AND THANKS FOR YOUR EXCEPTIONAL
PERFORMANCE IN SUPPORT OF THE IRAQI GROUND FORCES
COMMAND HEADQUARTERS AND THE IRAQI GROUND FORCES
COMMAND MILITARY TRANSITION TEAM.
YOUR ACTIONS WERE INSTRUMENTAL IN SUSTAINING
SUCCESSFUL OPERATIONS AND REFLECT GREAT CREDIBILITY
YOU AND YOUR ORGANIZATION.

26 DECEMBER 2006

DATE

JEFFREY W. TERRHUNE
COLONEL, U.S. ARMY
IGFC MTT CHIEF





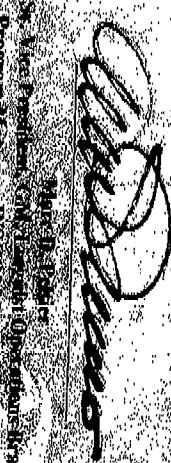
communications
Titan Linguist Operations
& Technical Support

Presented to

James Hitzelberger

12 Months Of Outstanding Dedicated Service in Iraq

For your outstanding commitment
and service to L-3 Communications and the American people in support of
Operation Iraqi Freedom. Our thanks, admiration and lifetime appreciation.


James Hitzelberger
Program Manager
Tactical Linguist Operations

S. Vice President, Mission Support
Program Manager, Post Op Linguist Contract