

For Immediate Release: *December 13, 2012*

Washington, D.C. —□ This morning, Representative Duncan Hunter commented that he was "beyond disappointed" after receiving [an official response](#) from Secretary Panetta regarding the decision not to award the Medal of Honor to Marine Corps Sergeant Rafael Peralta.

"Sergeant Peralta is a hero," said Representative Hunter. "He died in service to his country and he died protecting his fellow Marines. He and his family are an inspiration to me and many others, for their courage, their dedication and their sacrifice.

"While I vehemently disagree with Secretary Panetta's decision, I do appreciate the fact that he took the time to personally examine the Peralta case and consider the new evidence that was submitted. What is still unsettling to me and many others who have followed this case is the process that led to Sergeant Peralta's downgrade to the Navy Cross—a high honor, but not the Medal of Honor.

"For the first and only time on record, Secretary Gates formed a scientific panel consisting of several forensic experts to refute the findings and recommendation of both the Marine Corps and the Navy. Until then, there was absolutely no disagreement that Sergeant Peralta's actions were in the spirit and tradition of the Medal of Honor. Secretary Gates manufactured the doubt—the same doubt that led Secretary Panetta not to award the Medal of Honor. I also have questions about the legal authority to conduct such a review in accordance to regulations—something I intend to examine more closely.

"In his letter, Secretary Panetta makes several points that, in all due respect, are the same arguments of convenience made by Secretary Gates.

“He specifically raises concerns with the eyewitness accounts—the eyewitness accounts of U.S. Marines who were engaged in combat and saw their brother do the unthinkable. These Marines know what they saw. They stand by their statements. There were in fact 5 eyewitness accounts that led to the original decision. Four of the statements are independent of each other and all four are consistent. And for the Medal of Honor, the standard has always been two eyewitness accounts. Not three, not four, not five, but two eyewitnesses.

“Meanwhile, the new evidence that was reviewed, including the video, as confirmed through multiple sources, was not previously considered. The video, in particular, invalidates Secretary Gates’ conclusion that the grenade detonated one to three feet from Sergeant Peralta’s left leg. Also, the pathology report that was submitted identifies multiple distinct irregularities with Secretary Gates’ findings, such as a piece of the grenade fuse lodged in Sergeant Peralta’s flak jacket, center-mass. Above all, this evidence was intended to invalidate Secretary Gates’ judgment, as it clearly does. It also reaffirms the original eyewitness accounts.

“The fact that Sergeant Peralta still has not been awarded the Medal of Honor he deserves is a severe injustice, not just for Sergeant Peralta, but his family, his fellow Marines and anyone who has been willing to fight and die for their country. The only way to correct this error in judgment is to honor Sergeant Peralta with the award he deserves.”