

United States Senate

WASHINGTON, DC 20510

October 15, 2010

The Honorable Dr. Robert Gates
Secretary of Defense
The Pentagon
Washington, D.C. 20301

Mr. Secretary

In 2007, several members of the Senate formed a bipartisan coalition to identify and combat the misuse of personality disorder (PD) discharges in the Armed Forces, and as a result, improved mental health care and services for combat veterans. Today, we request your assistance to ensure that a new loophole has not been created that abuses the administrative discharge system by erroneously discharging members of the Armed Forces who are experiencing symptoms of Post Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI) rather than providing them with medical care worthy of their service and sacrifice.

While it is a good thing that the Pentagon has moved away from unfairly discharging combat troops by erroneously claiming a service member had a PD rather than addressing the harmful effects of combat stress, we need to ensure a new method is not being used to deny combat veterans the care and benefits they deserve. Unfortunately, the recent drop in discharges for PDs has been accompanied by a disturbing rise in discharges for the “convenience of the government” for “other physical or mental conditions not amounting to disability.” According to Pentagon data, while PD discharges have decreased from 1,072 in Fiscal Year 2006 to just 64 through March, 2010, discharges for “other physical or mental conditions” have more than doubled from 1,453 in Fiscal Year 2006 to 3,844 in Fiscal Year 2009. We fear the rise in this category of discharges could reflect a failure to identify and treat troops for whom a deployment-related disability board would be more appropriate.

Under a discharge for the “convenience of the government,” troops may be separated from the Army for mental or physical conditions “manifesting....behavior sufficiently severe that the Soldier’s ability to effectively perform military duties is significantly impaired”. We are concerned that many of these discharges are occurring among Soldiers in whom the diagnosis reflected in the discharge may actually represent a deployment-related mental health condition which might—had the Soldier continued on active duty—otherwise have progressed towards a diagnosis eligible for a disability evaluation. Specifically, we are aware of numerous discharges for “adjustment disorder”, a mental health condition which, according to U.S. Army documents, exists along a spectrum of deployment-related stress occurring in progressive severity, from acute stress reaction to PTSD. We are particularly concerned that troops who display symptoms of combat stress are being expeditiously chaptered out of the military by the medical bureaucracy prior to their condition meeting formal diagnostic criteria for PTSD or other conditions that would constitute disability.

This problem appears to be most acute in the U.S. Army, which is why in early August of this year we asked the Army to provide information on the number of soldiers discharged with an

"adjustment disorder" or similar mental health diagnosis under the provisions of Army Regulation 600-235 ("Enlisted Separations), chapter 5-17, and the number of troops who served in combat. Army officials assured us they would provide the information in 30 days, but as the due date arrived, announced their data search would take 6 months to complete and even at that late date would only include soldiers discharged in fiscal year 2009. As a result of this disappointing response and our ongoing concern for the treatment of our combat troops, we request your assistance in obtaining information on the use of the adjustment disorder discharge by the Army.

In order to identify discharge trends and ensure our combat troops are receiving proper care it is critical Congress be provided figures on the number of active duty Army service members discharged from 2008 through 2010 for Personality Disorders (Chapter 5-13) and for "other designated physical or mental conditions" (Chapter 5-17). Specifically, we request the following information by fiscal year:

- 1) The total number of soldiers discharged each under provisions of Chapter 5-13 and 5-17; and
- 2) Among (1), the number of those each who had served in an imminent danger pay area.

As members of the United States Senate, we have an obligation to ensure that our troops receive the benefits and care they have earned on the battlefield. We are eager to work with you the Administration on these issues to ensure no soldier who has served their nation honorably in combat is unfairly discharged from the military or denied the care needed to heal their wounds, whether physical or mental.

Sincerely,








