

# United States Senate

WASHINGTON, DC 20510

November 4, 2015

The Honorable Eric Fanning  
Acting Under Secretary of the Army  
1000 Army Pentagon  
Washington, DC 20305-1000

General Mark A. Milley  
Chief of Staff of the U.S. Army  
1500 Army Pentagon  
Washington, DC 20310-1500

Dear Honorable Fanning and General Milley:


We are troubled by recent allegations that the U.S. Army is forcefully separating for misconduct servicemembers diagnosed with post-traumatic stress disorders (PTSD) or traumatic brain injuries (TBI). We encourage you to conduct a full U.S. Army Inspector General investigation into these recent allegations that the U.S. Army is violating the intent of Section 512 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2010.

Recent media reports indicate that since January 2009, the U.S. Army has separated over 22,000 soldiers for misconduct after they returned from deployment in Iraq and Afghanistan and were diagnosed with mental health problems or TBI. As a result, many of the dismissed soldiers have not received crucial retirement benefits, health care benefits, and post-service employment eligibility that soldiers receive with an honorable discharge. Soldiers who deploy are at an increased risk for mental health issues and the forceful separation of servicemembers post-deployment only further denies treatment and support at a critical moment in any soldier's life. Additionally, fear of dismissal may discourage servicemembers from seeking the medical treatment they require.

Section 574 of the FY14 NDAA called for a GAO report to look into these kinds of dismissal cases. That report was delivered to Congress in February of this year recommending that the services develop a method to identify the number of servicemembers separated for non-disability mental conditions and take actions to ensure that servicemembers are appropriately separated for non-disability mental conditions in accordance with DoD's separation requirements. Serious gaps in DoD policies have been identified and any investigation going forward should take this into consideration.

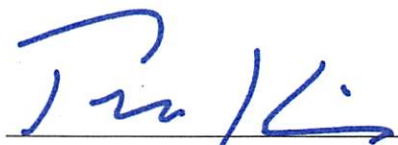
We are concerned that it may be easier to discharge service members for minor misconduct—possibly related to mental health issues—than to evaluate them for conditions that may warrant a medical discharge. We know that the health and safety of our servicemembers and their families is your top priority and we are confident that you will investigate these recent allegations. Thank you again for your service to our country and we look forward to working with you to rectify this grave offense to the men and women that serve in our armed forces.

Sincerely,



CHRISTOPHER S. MURPHY

United States Senator



TIM KAINE

United States Senator



EDWARD J. MARKEY

United States Senator



BARBARA BOXER

United States Senator



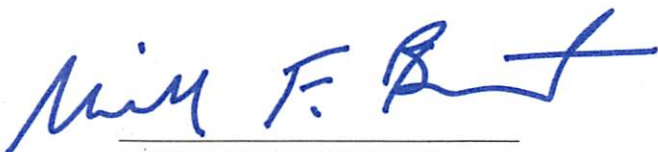
JON TESTER

United States Senator



TAMMY BALDWIN

United States Senator



MICHAEL F. BENNET

United States Senator



RICHARD BLUMENTHAL

United States Senator



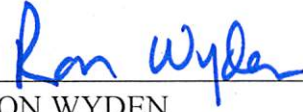
GARY C. PETERS  
United States Senator



SHERROD BROWN  
United States Senator



AMY KLOBUCHAR  
United States Senator



RON WYDEN  
United States Senator

James Brown

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James Brown

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