



February 16, 2018

The Honorable James Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Mr. Secretary:

The Defense Department announced this week a change in its retention policy for service members. The Veterans of Foreign Wars of the United States supports a force ready to defend our nation and its interests both at home and abroad. However, ambiguities regarding implementation of the policy raise concerns.

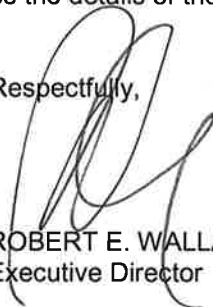
The policy calls for the mandatory separation—administrative or via the Disability Evaluation System (DES)—of military personnel who have been non-deployable for 12 continuous months. Additionally, the policy provides commanders with the ability to initiate separation of service members based on a “determination” that a service member will be non-deployable for more than 12 months. Although the policy states the intent to establish standardized criteria for the retention of non-deployable personnel, a number of areas are left undefined and delegated to the Services.

The separation of individuals who are anticipated to be, as opposed to proven to be, non-deployable for 12 continuous months is of particular concern. The policy provides no definition of what a qualifying “determination” consists of, who has the authority to make the determination, or what the appeal process is, should a service member disagree with the determination. Additionally, it is unclear how this determination will be applied to service members who are wounded in action and at what point in their care the decision will be made that they meet the 12-month threshold.

Of further concern is the lack of clarity on how the Department is preparing for a potential increase in individuals utilizing the Disability Evaluation System and whether it is coordinating with the Department of Veterans Affairs on the anticipated increase in processing demands. The Department reports approximately 286,000 service members currently categorized as non-deployable for medical reasons, an amount significantly higher than the 34,993 DES evaluations conducted in FY16, as reported in the *Disability Evaluation Systems Analysis and Research: Annual Report 2017*. At current capacity, the average process is taking upwards of 290 days. Referring additional cases to the DES without providing sufficient resources to address the increase could result in unnecessary uncertainty for service members and their families as well as negative impacts on continuity of care.

We would welcome an opportunity to discuss the details of the policy. The best way to reach me is via e-mail at bwallace@vfw.org.

Respectfully,



ROBERT E. WALLACE
Executive Director

NO ONE DOES MORE FOR VETERANS.