



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

JUN 09 2008

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20515

Dear Mr. Chairman:

Section 597 of the National Defense Authorization Act for Fiscal Year 2008 requested that the Secretary of Defense provide a report on administrative separations based on personality disorder.

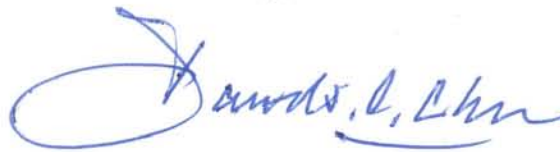
The Department appreciates the opportunity to provide Congress with information regarding the administrative separation of Service members based on personality disorder who had deployed in support of the Global War on Terror (GWOT) since October 2001. The data requested are enclosed. Analysis of separation data showed that only 3.4K (15 percent) of the 22.6K Service members with personality disorder coded separations had deployed in support of GWOT. Additionally, data indicate that the majority, 19.2K (85 percent), of the 22.6K Service members with personality disorder coded separations had two or fewer years in the service. Nevertheless, the Department shares Congress' concern regarding the use of personality disorder as the basis for administratively separating Service members who deployed in support of GWOT and who may have been more appropriately processed for disability.

To address this concern, the Department has been working over the past few months to implement changes that add additional rigor to the personality disorder separation policy. The new policy guidance, expected to be released later this month, will include allowing personality disorder separations only if diagnosed by a psychiatrist or PhD-level psychologist. The proposed change would require members who are being considered for administrative discharge based on personality disorder who had deployed or are currently deployed to designated imminent danger pay areas to have their personality disorder diagnosis corroborated by a peer, psychiatrist or PhD-level psychologist who must address Post Traumatic Stress Disorder or other mental illness comorbidity in their diagnosis. An additional change under consideration would require The Surgeon General of the Military Department concerned to review and endorse the personality disorder case for this class of Service member.

Finally, each Military Department has well established processes and procedures for former Service members who believe that their discharges were incorrectly characterized or processed to request adjudication through their respective Military Department's Discharge Review Board. The Department encourages former Service members to utilize these processes and procedures to request review of their specific cases.

A similar letter is being sent to the Chairman and Ranking Member of the House Armed Services Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "David S. C. Chu". The signature is fluid and cursive, with a large initial "D" and "C".

David S. C. Chu

Enclosure:
As stated

cc:
The Honorable John McCain
Ranking Member



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UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

The Honorable Ike Skelton
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

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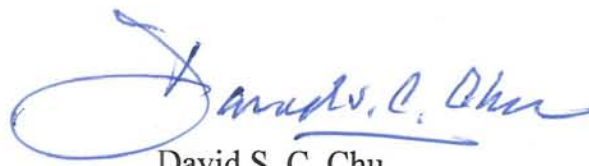
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Sincerely,



David S. C. Chu

Enclosure:
As stated

cc:
The Honorable Duncan Hunter
Ranking Member



REPORT TO CONGRESS
ON
ADMINISTRATIVE SEPARATIONS BASED ON
PERSONALITY DISORDER

Fiscal Years
2002 thru 2007

Prepared By:
Office of the Under Secretary of Defense
Personnel and Readiness

The Department appreciates the opportunity to provide Congress with information regarding the administrative separation of Service members on the basis of personality disorder for those members who had deployed in support of the Global War on Terror from October 2001 through 2007. To meet the specific requirements of Section 597 of the National Defense Authorization Act (NDAA) for Fiscal Year 2008 (FY08), the Secretary of Defense provides the following review and advice on administrative separations based on personality disorder.

FY08 NDAA, Section 597, Report Requirements

Section 597 of the FY08 NDAA requires:

(a) SECRETARY OF DEFENSE REPORT ON ADMINISTRATIVE SEPARATIONS BASED ON PERSONALITY DISORDER.—

(1) REPORT REQUIRED.—Not later than April 1, 2008, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on all cases of administrative separation from the Armed Forces of covered members of the Armed Forces on the basis of a personality disorder.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A statement of the total number of cases, by Armed Force, in which covered members of the Armed Forces have been separated from the Armed Forces on the basis of a personality disorder, and an identification of the various forms of personality disorder forming the basis for such separations.

(B) A statement of the total number of cases, by Armed Force, in which covered members of the Armed Forces who have served in Iraq and Afghanistan since October 2001 have been separated from the Armed Forces on the basis of a personality disorder, and the identification of the various forms of personality disorder forming the basis for such separations.

(C) A summary of the policies, by Armed Force, controlling administrative separations of members of the Armed Forces based on personality disorder, and an evaluation of the adequacy of such policies for ensuring that covered members of the Armed Forces who may be eligible for disability evaluation due to mental health conditions are not separated from the Armed Forces on the basis of a personality disorder.

(D) A discussion of measures being implemented to ensure that members of the Armed Forces who should be evaluated for disability separation or retirement due to mental health conditions are not processed for separation from the Armed Forces on the basis of a personality disorder, and recommendations regarding how members of the Armed Forces who may have been so separated from the Armed Forces should be provided with expedited review by the applicable board for the correction of military records.

(b) COMPTROLLER GENERAL REPORT ON POLICIES ON ADMINISTRATIVE SEPARATION BASED ON PERSONALITY DISORDER.—

(1) REPORT REQUIRED.—Not later than June 1, 2008, the Comptroller General shall submit to Congress a report evaluating the policies and procedures of the Department of Defense and of the military departments relating to the separation of members of the Armed Forces based on a personality disorder.

(2) ELEMENTS.—The report required by paragraph (1) shall—

(A) include an audit of a sampling of cases to determine the validity and clinical efficacy of the policies and procedures referred to in paragraph (1) and the extent, if any, of the divergence between the terms of such policies and procedures and the implementation of such policies and procedures; and

(B) include a determination by the Comptroller General of whether, and to what extent, the policies and procedures referred to in paragraph (1)—

(i) deviate from standard clinical diagnostic practices and current clinical standards; and

(ii) provide adequate safeguards aimed at ensuring that members of the Armed Forces who suffer from mental health conditions (including depression, posttraumatic stress disorder, or traumatic brain injury) resulting from service in a combat zone are not separated from the Armed Forces on the basis of a personality disorder.

(3) ALTERNATIVE SUBMISSION METHOD.—In lieu of submitting a separate report under this subsection, the Comptroller may include the evaluation, audit and determination required by this subsection as part of the study of mental health services required by section 723 of the Ronald W. Reagan National H. R. 4986—139 Defense Authorization Act of 2005 (Public Law 108–375; 118 Stat. 1989).

(c) COVERED MEMBER OF THE ARMED FORCES DEFINED.—In this section, the term “covered member of the Armed Forces” includes the following:

(1) Any member of a regular component of the Armed Forces who has served in Iraq or Afghanistan since October 2001.

(2) Any member of the Selected Reserve of the Ready Reserve of the Armed Forces who served on active duty in Iraq or Afghanistan since October 2001.

Data on Personality Disorder Administrative Separations

(A) A statement of the total number of cases, by Armed Force, in which covered members of the Armed Forces have been separated from the Armed Forces on the basis of a personality disorder, and an identification of the various forms of personality disorder forming the basis for such separations.

Paragraph (a)(2)(A), above, of Section 597 of the FY08 NDAA specifically asks for, “A statement of the total number of cases, by Armed Force, in which covered members of the Armed Forces have been separated from the Armed Forces on the basis of a personality disorder, and an identification of the various forms of personality disorder forming the basis for such separations.” Paragraph (c) of Section 597 defines “covered members” as Service members who served on active duty in Iraq or Afghanistan since October 2001. Based on the definition of “covered members” the information requested by paragraph (a)(2)(A) is the same as what is requested by paragraph (a)(2)(B), which specifically asks for:

(B) A statement of the total number of cases, by Armed Force, in which covered members of the Armed Forces who have served in Iraq and Afghanistan since October 2001 have been separated from the Armed Forces on the basis of a personality disorder, and the identification of the various forms of personality disorder forming the basis for such separations.

The Department assumes that Paragraph (a)(2)(A) was intended to request the total number of ALL cases, by Armed Force, in which members of the Armed Forces have been separated on the basis of a personality disorder since October 2001 (beginning of Fiscal Year 2002), and an identification of the various forms of personality disorder forming the basis for such separations. Given this assumption the Department submits the information in Table 1 to meet the requirements of Paragraph (a)(2)(A) of Section 597 of the FY08 NDAA. The data include the total number of separations coded for personality disorder, by Armed Force, from fiscal year 2002, which began October 2001, through fiscal year 2007.

Armed Force	Number of Personality Disorder Separation Cases
Army	5,652
Navy	7,554
Marine Corps	3,527
Air Force	5,923
Total	22,656

Table 1 – Number of administrative separations coded as based on personality disorder from fiscal year 2002 through 2007.

Table 2 lists the various forms of personality disorder forming the basis for the personality disorder coded separations of Service members from fiscal years 2002 through 2007.

Paranoid Personality Disorder	Explosive Personality Disorder
Affective Personality Disorder, Unspecified	Obsessive-Compulsive Personality Disorder
Chronic, Hypomanic Personality Disorder	Histrionic Personality Disorder, Unspecified
Chronic Depressive Personality Disorder	Unspecified Personality Disorder
Cyclothymic Disorder	Other Histrionic Personality Disorder
Schizoid Personality Disorder, Unspecified	Dependent Personality Disorder
Introverted Personality	Antisocial Personality Disorder
Schizotypal Personality Disorder	Narcissistic Personality Disorder
Avoidant Personality Disorder	Borderline Personality Disorder
Passive-Aggressive Personality	Other Personality Disorders
Chronic Factitious Illness with Physical Symptoms	

Table 2 – The various forms of personality disorder forming the basis for the personality disorder coded separation of Service members from fiscal year 2002 through 2007.

Paragraph (a)(2)(B) of Section 597 of the FY08 NDAA specifically asks for:

(B) A statement of the total number of cases, by Armed Force, in which covered members of the Armed Forces who have served in Iraq and Afghanistan since October 2001 have been separated from the Armed Forces on the basis of a personality disorder, and the identification of the various forms of personality disorder forming the basis for such separations.

The Department submits the information in Table 3 to meet the requirements of Paragraph (a)(2)(B). The data include the total number of separations coded for personality disorder, by Armed Force, of Service members who deployed in support of the Global War on Terror during fiscal years 2002 through 2007. The Department included all Service members who had deployed in support of the Global War on Terror as opposed to only those who had deployed to Afghanistan and Iraq in an attempt to identify a more comprehensive class of Service members for Congressional consideration.

Armed Force	Number of Personality Disorder Separation Cases
Army	1,480
Navy	1,155
Marine Corps	455
Air Force	282
Total	3,372

Table 3 – Number of administrative separations coded as based on personality disorder of Service members who deployed in support of the Global War on Terror for some period of time between 2002 through 2007.

The various forms of personality disorder forming the basis of personality disorder coded separations of Service members who deployed in support of the Global War on Terror are the same as those previously listed in Table 2.

Summary of Policy Controlling Personality Disorder Administrative Separations

(C) A summary of the policies, by Armed Force, controlling administrative separations of members of the Armed Forces based on personality disorder, and an evaluation of the adequacy of such policies for ensuring that covered members of the Armed Forces who may be eligible for disability evaluation due to mental health conditions are not separated from the Armed Forces on the basis of a personality disorder.

Department Policy governing the administrative separation of Service members for personality disorder is contained in DoD Directive, 1332.14, *Enlisted Administrative Separations*. The policy states that the Secretary concerned may authorize separation on the basis of other designated physical or mental conditions (may include, but not limited to, personality disorder, air sickness, and seasickness) not amounting to disability, that potentially interfere with assignment to or performance of duty under the separation guidance set forth in the directive.

Specific guidance on personality disorder separations is contained in DoD Directive 1332.14, Section E3.A1.1.3.4.8, *Other designated physical or mental conditions*. Separation processing may not be initiated on the basis of personality disorder “until the Service member concerned has been counseled formally concerning deficiencies and has been afforded an opportunity to overcome those deficiencies as reflected in appropriate counseling or personnel records.” Additionally, “separation on the basis of personality disorder is authorized only if a diagnosis by a psychiatrist or psychologist, completed in accordance with procedures established by the Military Department concerned, concludes that the disorder is so severe that the member’s ability to function effectively in the military environment is significantly impaired.” Furthermore, Department policy states that “separation for personality disorder is not appropriate when separation is warranted for” any of the following: expiration of Service obligation; selected changes in Service obligations; disability; defective enlistments and inductions; entry-level performance and conduct; unsatisfactory performance; homosexual conduct; drug abuse rehabilitation failure; alcohol abuse rehabilitation failure; misconduct; separation in lieu of trial by court-martial; security; unsatisfactory participation in the ready reserve; or reasons established by the Military Departments. Finally, Department policy requires the written notification to Service members prior to being involuntarily separated on the basis of personality disorder.

The written notification to Service members dictated by Department policy in DoD Directive, 1332.14, Section E3.A3.1.2, *Notification Procedure*, requires the Service member to be notified, in writing, of:

- The basis of the proposed separation, including the circumstances upon which the action is based and a reference to the applicable provision of the Military Department’s regulation.
- Whether the proposed separation could result in discharge, release from active duty to a Reserve component, transfer from the Selected Reserve to the Individual Ready Reserve, release from custody or control of the Military Services, or other form of separation.
- The least favorable characterization of service or description of separation authorized for the proposed separation.

- The right to obtain copies of documents that will be forwarded to the Separation Authority supporting the basis of the proposed separation.
- The respondent's right to submit statements.
- The respondent's right to consult with counsel qualified under Article 27(b)(1) of the Uniform Code of Military Justice. Non-lawyer counsel may be appointed when the member is deployed and aboard a vessel or in similar circumstances of separation from sufficient judge advocate resources as determined under standards and procedures specified by the Secretary of the Military Department concerned. The respondent also may consult with civilian counsel at the member's own expense.
- If the respondent has six or more years of total active and Reserve military service, the right to request an Administrative Board.
- The right to waive the preceding four rights (right to obtain copies of documents; right to submit statements; right to consult with qualified counsel; and, right to request an Administrative Board) after being afforded a reasonable opportunity to consult with counsel, and that failure to respond shall constitute a waiver of the right.

In addition to Department policy each Military Department has supplemental guidance controlling the administrative separation of Service members on the basis of personality disorder. They are listed below:

Army Policy: Army policy for administrative separation of enlisted Soldiers on grounds of personality disorder is contained in Army Regulation 635-200, *Active Duty Enlisted Administrative Separations*, paragraph 5-13 titled, "Separation because of personality disorder." The policy is not unilateral, but rather derives from governing Department of Defense policy (DoD Directive 1332.14, *Enlisted Administrative Separations*). The basis is a deeply ingrained maladaptive pattern of behavior of long duration, not amounting to a disability, which interferes with the Soldier's ability to perform duty. A key provision is that the diagnosis of personality disorder must be established by a psychiatrist or a doctoral-level clinical psychologist. In addition, the local Military Treatment Facility Chief of Behavioral Health must review the finding of personality disorder to ensure accurate diagnosis. Separation is authorized only if the diagnosis concludes that the personality disorder is so severe that the Soldier's ability to function effectively in the military environment is significantly impaired. Based on the medical diagnosis and conclusion, the Soldier's unit commander initiates involuntary separation proceedings and refers them to the separation authority, who is the special court-martial convening authority (a colonel).

Navy Policy (includes Marine Corps): Navy policy for administrative separation on the basis of personality disorder is contained in Department of the Navy Military Personnel Manual (MILPERSMAN) 1910-122, *Separation by Reason of Convenience of the Government – Personality Disorder (s)*. Marine Corps policy is contained in Marine Corps Order (MCO) P1900.16F, *Marine Corps Separation and Retirement Manual*, Section 3, titled Personality Disorder. Both references state that administrative separation on the basis of personality disorder is allowed only if the disorder is so severe that the member's ability to function effectively in a military environment is significantly impaired.

Service members recommended for administrative separation on the basis of personality disorder must receive a Mental Health Evaluation (MHE) conducted by a Mental Health Professional. A Mental Health Care Provider is defined in Secretary of the Navy (SECNAV) Instruction 6320.24A, *Mental Health Evaluation of Members of the Armed Forces*, Enclosure 1, as a psychiatrist, doctoral-level clinical psychologist, or doctoral-level social worker with necessary and appropriate professional credentials who is privileged to conduct mental health evaluations for DoD components. According to the same reference, the mental health evaluation "shall consist of, at a minimum, a clinical interview and mental status examination and may include, additionally: a review of medical records; a review of other record, such as the Service personnel record; information forwarded by the Service member's commanding officer; psychological testing; physical examination; and laboratory and/or other specialized testing."

Navy MILPERSMAN 1910-120, *Separation by Reason of Convenience of the Government – Physical and Mental Conditions*, is currently being revised to ensure alignment with guidance contained in MILPERSMAN 1910-122. The Department of the Navy Manual of the Medical Department, Chapter 18-5 lists personality disorders as "conditions not meriting a Medical Evaluation Board."

Air Force Policy: For enlisted Airmen, Personality Disorder discharges are processed under Air Force Instruction 36-3208, *Administrative Separation of Airmen*, Chapter 5, Involuntary Convenience of the Government (COG) Discharge. Specifically, paragraph 5.11., "Conditions That Interfere With Military Service," states that Airmen may be discharged when the commander determines that the condition interferes with assignment or duty performance. A recommendation for discharge under this provision must be supported by a report of evaluation by a psychiatrist or clinical psychologist (doctoral level) that confirms the diagnosis of a disorder as contained in the Diagnostic and Statistical Manual of Medical Disorders (DSM-IV). This report must state the disorder is so severe that the Airman's ability to function effectively in the military environment is significantly impaired. This report may not be used as, or substituted for, the explanation of the adverse effect of the condition on assignment or duty performance. When a psychiatrist or psychologist confirms diagnosis of a mental disorder that is so

severe that the Airman's ability to function effectively in the military environment is significantly impaired, and the commander chooses not to initiate separation action, the commander must have that decision reviewed by the discharge authority. Conditions that warrant disability processing will not be used to justify a separation under this instruction. A recommendation for discharge must be supported by documents confirming the existence of the condition and showing the member is medically qualified for worldwide duty. Except when enuresis or sleepwalking is involved, the commander must explain the adverse effect on assignment or duty performance. Similarly, administrative discharges of officers with Personality Disorder are processed under the guidance of AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*.

Current DoD and Military Department policies, regarding the use of personality disorder as the basis for administrative separations of Service members, allow for the controlled separation of Service members by the Military Departments, enabling the Military Department Secretaries to manage separations to ensure their forces are fit to fight. The requirement for the Military Departments to notify Service members, in writing, and to allow them to consult with legal counsel helps ensure Service members are not wantonly discharged at the convenience of the Military Department Secretaries on the basis of personality disorder and that the separation proceedings receive due diligence. The Department believes that existing policy could be strengthened and has been working over the past few months to implement more rigorous policy regarding the use of personality disorder as the basis for separation of Service members who have deployed to designated imminent danger pay areas (e.g., Iraq, Afghanistan, Kuwait, Saudi Arabia, Pakistan, Serbia, and Djibouti).

Measures Being Taken Regarding Personality Disorder Separations

(D) A discussion of measures being implemented to ensure that members of the Armed Forces who should be evaluated for disability separation or retirement due to mental health conditions are not processed for separation from the Armed Forces on the basis of a personality disorder, and recommendations regarding how members of the Armed Forces who may have been so separated from the Armed Forces should be provided with expedited review by the applicable board for the correction of military records.

The Department is in the final phase of adding additional rigor to the personality disorder administration separation policy. The revised policy would authorize personality disorder separations only if diagnosed by a psychiatrist or PhD-level psychologist. Moreover, members who are being considered for administrative discharge based on personality disorder who have served or are currently serving in designated imminent danger pay areas (e.g., Iraq, Afghanistan, Kuwait, Saudi Arabia, Pakistan, Serbia, and Djibouti) would have their personality disorder diagnosis corroborated by a

peer, psychiatrist or PhD-level psychologist, or another higher level mental health professional. The diagnosis would address Post Traumatic Stress Disorder or other mental illness co-morbidity. Finally, before a member who has served or is currently serving in an imminent danger pay area can be separated on the basis of personality disorder their case would be reviewed and endorsed by The Surgeon General of the Military Department concerned. The Department anticipates implementing the revised policy by July 2008.

Separation data show that only 3.4K of the 23K Service members administratively discharged with personality disorder coded separations between fiscal years 2002 and 2007 had deployed in support of the Global War on Terror. There is no indication that personality disorder diagnoses for members who were deployed in support of the Global War on Terror were prone to systematic or widespread error. Moreover, Department mental health providers are competent professionals who regularly screen and diagnosis Post Traumatic Stress Disorder and related mental health disorders. Furthermore, the Department is aware of no studies that show a strong correlation between personality disorder separations and Post Traumatic Stress Disorder, Traumatic Brain Injuries, or other Global War on Terror related mental health disorders. Still, the Department shares Congress' concern regarding the possible use of personality disorder as the basis for administratively separating this class of Service member. This concern led to the aforementioned pending policy change which specifically provides additional protections to ensure Service members who suffer from Post Traumatic Stress Disorder are not separated on the basis of personality disorder.

The Department encourages all former Service members who believe that their discharges were incorrectly characterized or processed to request adjudication through their respective Military Department's Discharge Review Board. Given that there are no indications that Service members suffering from Post Traumatic Stress Disorder were systematically processed for administrative separation based on personality disorder, the Department believes that members from this class of veterans should utilize the existing Discharge Review Board processes. These boards have well established processes and procedures in place to fairly evaluate each veteran's request in an expeditious fashion.

Conclusion

In conclusion, the Department appreciates the opportunity to provide Congress with information regarding the administrative separation of Service members based on personality disorder for those members who deployed in support of the Global War on Terror. There is no indication that personality disorder diagnoses for members who were deployed in support of the Global War on Terror were prone to systematic or widespread error. Moreover, Department mental health providers are competent professionals who regularly screen and diagnose Post Traumatic Stress Disorder and related mental health disorders.

The Department, however, has been working over the past few months to implement policy that adds additional rigor to the personality disorder administrative separation policy. The revised policy would specifically require personnel being considered for personality disorder separations who have served or are currently serving in designated imminent danger pay areas to be evaluated for Post Traumatic Stress Disorder or other mental illness co-morbidity prior to being separated on the basis of personality disorder.