

United States Senate

WASHINGTON, DC 20510

November 19, 2014

The Honorable John McHugh
Secretary of the Army
101 Army Pentagon
Washington, DC 20301-0101

Dear Secretary McHugh:

We write to express our grave concern over the Army's treatment of a significant number of Army captains and majors who are former non-commissioned officers. These former non-commissioned officers answered the Army's call for volunteers to attend Officer Candidate School as the Army expanded its officer corps to fight the wars in Iraq and Afghanistan. Now, despite having served for years as commissioned officers and rising through the ranks to become captains and majors, these dedicated soldiers will soon be forced to retire at their highest previous *enlisted* rank. This will result in a significant decrease in lifetime retirement benefits for the impacted soldiers, approximately \$1,000 per month or just over \$1 million over a 40 year retirement in the case of a captain forced to retire as a sergeant first class. This is simply unacceptable.

These former non-commissioned officers have been placed in this untenable position as a result of the Army's use of Enhanced-Selective Early Retirement Boards (E-SERB). Officers selected by the boards are forced to retire as soon as they reach 20 years of service. Unfortunately, under current law a soldier must serve at least 8 years of active service as a commissioned officer in order to retire as a commissioned officer. Soldiers who serve 20 years total, but less than 8 years as commissioned officers are retired at their highest enlisted rank. While this requirement makes sense in the case of soldiers who choose to retire, are passed over for multiple promotions, or are forced to retire due to misconduct, none of those cases applies to the soldiers in question. On the contrary, Army Human Resources Command has explicitly acknowledged that E-SERB will separate fully qualified officers "who have rendered quality service to the nation." To demote these soldiers in retirement is an injustice that devalues their service and will materially disadvantage them and their families for the rest of their lives.

Rather than forcing these officers to retire as soon as they reach 20 years of service, the Army could modify its E-SERB policy to delay the mandatory retirement date of affected soldiers until the first month after they become eligible to retire as commissioned officers. For many of the affected soldiers this would extend their time in service by only a few months. We strongly urge you to take the necessary steps to rectify this situation in order to allow these soldiers to retire at the rank they have earned and appropriately honor their service to our nation.

Sincerely,



Patty Murray
United States Senator



Johnny Isakson
United States Senator

Shirley Brown

Tom Harkin

Carole McCasill

Susan Collins

Mark Royce

Jim Johnson

Sally Chaudin

Maria Cantwell

Mike Johanns

Ben Sanders

Patrick Leahy

Amy Klobuchar

Jeanne Shaheen