

September 13, 2011

Dr. Clifford L. Stanley  
Under Secretary of Defense for Personnel and Readiness  
U.S. Department of Defense  
4000 Defense Pentagon  
Washington, DC 20301-4000

Dear Under Secretary Stanley,

I am writing to express my disappointment that you have not followed through on your promise to change the Department of Defense's (DoD) policy concerning the Transitional Assistance Medical Program (TAMP). Hundreds of injured soldiers continue to be denied the medical benefits they have earned because of the continued failure of DoD to properly implement TAMP.

As you know, the FY2005 Defense Authorization bill (P.L. 108-375) extended TAMP benefits to 180 days for members of the National Guard and Reserve who have returned from combat and separated from Active Duty. This gives them, and their families, access to TRICARE health care for 180 days after they leave active duty service in order to ease their transition back to civilian life.

Unfortunately, DoD has been misapplying this law and counting injured servicemembers that are assigned to a Warrior Transition Battalion (WTU) or a Community Based Warrior Transition Battalion (CBWTU), and are still on Active Duty, as being separated from Active Duty. This means that the more injured a servicemember is, and the longer he or she receives care in a WTU or CBWTU, the fewer days of TRICARE medical coverage that servicemember gets. And if a servicemember stays on Active Duty in a WTU or CBWTU for more than 180 days, as is common for those that have lost a limb in combat, they receive no TAMP benefit at all when they are finally released.

During our April 8, 2011 meeting, I expressed my view that this interpretation not only violates the intent of the law passed by Congress, it defies decency, and harms those who have given the most for their country. During that meeting you agreed with me that the law was being improperly applied when it comes to Guard and Reserve members who return from combat. You pledged to quickly change the DoD policy to properly reflect the intent of Congress that TAMP benefits should begin when a service member is released from Active Duty and not from a particular Active Duty deployment, so that TAMP benefits do not run concurrent with recovery at a WTU or CBWTU.

It has now been over 150 days and injured servicemembers continue to be denied benefits because you have failed to reform DoD policy. This delay is inexcusable and I ask you, in the strongest terms, to quickly follow through with your commitment.

Thank you for your swift attention to this important matter.

Sincerely,



Ron Wyden  
Ron Wyden  
United States Senator