

**From Patrick Welch, Director**



Welcome to the first issue of The Erie County Veteran Newsletter. We will distribute this electronic newsletter each month to inform our veterans and the community of issues that relate to our military and veteran population.

Information will be gathered from many sources to present a wide range of information from the federal, state, county, military and veteran's advocates around the country. There will be features on veteran owned businesses, articles written by local veteran leaders and much more.

Our main economic program to bring our new generation of veterans back to WNY is called the; Four Pillars of Empowerment. You will be seeing and hearing a lot of coverage on this initiative and our first announcement happened on Monday May 19 when Trocaire College came forward to provide a tuition free education for OEF/OIF veterans.

Please distribute this newsletter to your email distribution list. Anyone who would like to receive this each month can email me at [welchp@erie.gov](mailto:welchp@erie.gov)

## TBI Bill Signed into Law

President Bush signed "The Reauthorization of the Traumatic Brain Injury Act" (S. 793) that authorizes the Centers for Disease Control and Prevention (CDC) to provide state grants for patients with traumatic brain injury (TBI) to enter treatment and rehabilitation programs. The measure, sponsored by Senator Orin Hatch (Utah), was referenced in FRA's recent testimony before the House and Senate Veterans Affairs Committees. The new law would also require the CDC to monitor brain injury incidents and create a reporting system to track the condition. The CDC and the National Institutes of Health (NIH) would also study treatment techniques and conduct basic treatment research. Furthermore, the bill would authorize a study on improving access to care for veterans with TBI. Ensuring that wounded troops and their families are cared for by a grateful nation is an overriding FRA priority, and the Association wants to thank shipmates who used the Action Center to advance this legislation.

*FRA Newsbytes - 9 May 2008*

## Senate Passes Veterans Bill

The Senate recently passed [S. 1315](#), the Veterans Benefits Enhancement Act of 2007, by a vote of 96 - 1. The act includes provisions to: (1) establish a new program of insurance for service-connected disabled veterans; (2) expand eligibility for retroactive benefits from traumatic injury protection coverage under Service members' Group Life Insurance; (3) increase the maximum amount of Veterans' Mortgage Life Insurance that a service-connected disabled veteran may purchase; (4) provide individuals with severe burn injuries specially adapted housing benefits; and (5) extend the monthly educational assistance allowance for apprenticeship or other on-the-job training to two years. The bill now moves to the House of Representatives.

*www.military.com*



## Veteran Unemployment at All Time High

The U.S. Department of Labor's Bureau of Labor Statistics (BLS) released its biennial report, "The Employment Situation of Veterans: 2007." The BLS report states that the unemployment rate for veterans who have served since September 2001 is 6.1 percent. Veterans who are current or past members of the National Guard or Reserve, who served since September 2001, had a lower unemployment rate of just 2.6 percent. The report is available at the [BLS' website](#). For more information on all the veterans' employment programs offered by the Veterans' Employment and Training Service (VETS), visit the [VETS website](#).

To access the largest veteran job board in the world, visit the Military.com [Career Center](#).

*www.military.com*

## VA Suicide Prevention --- May Exceed Combat Deaths

Suicides by veterans of wars in Iraq and Afghanistan could well top the combat deaths in the two conflicts, according to the top official of National Institute of Mental Health. On 5 MAY, Dr. Thomas Insel, director of the National Institute of Mental Health, told reporters at an annual meeting of the American Psychiatric Association in Washington that it was possible that "suicides and psychiatric mortality...could trump combat deaths." Insel said he based this assessment in part on figures from a recent Rand Corp. study as well as suicide rates for patients who have substance abuse problems and other complications of post-traumatic stress disorder (PTSD) as a result of combat. Insel's comments were put in context on 6 MAY during a House Veterans Affairs Committee hearing, when Dr. James Peake, secretary of VA, said that the number of suicide attempts by all veterans under treatment by the department could exceed an earlier official estimate of 1,000 a month. The Defense Department estimates that slightly more than 4,500 troops have been killed in combat in Afghanistan and Iraq. The RAND study determined that up to 300,000 returning U.S. troops from those wars suffer from PTSD. The same study concluded that 320,000 troops returning from Afghanistan and Iraq have suffered traumatic brain injury (TBI), with only half of those veterans seeking treatment.

During the hearing, Peake told lawmakers that the number of suicide attempts could be more than 1,000 a month because of "underreporting" within the VA. Dr. Ira Katz, deputy chief patient care services officer for mental health at the Veterans Health Administration, testified that his earlier estimate of 1,000 suicide attempts per was based on only three months of data from the department's mental health co-coordinators. Laurie Tranter, a VA spokeswoman, told Government Executive that the data Katz based his earlier estimate on was derived from

a suicide tracking system and suicide prevention program. She said both are at various stages of deployment throughout the Veterans Health Administration. Rep. Bob Filner (D-CA), chairman of the House Veterans Affairs Committee accused Peake of "criminal negligence" in trying to cover up the number of suicide attempts by veterans. He said the VA's actions fit a pattern of trying to cover up or deny serious medical problems suffered by veterans from the Korean, Vietnam and Gulf Wars. Peake said that all veterans from Afghanistan and Iraq receive a mental health screening by a general practitioner. Filner said he wants VA and Defense to provide a mandatory, one-hour mental health check-up conducted by a psychiatrist for all combat veterans.

Secretary Peake told the Committee that no single agency has accurate statistics on veteran suicides, but he is implementing ways to improve data collection and reduce suicide rates, including hiring suicide coordinators in VA facilities, establishing a suicide prevention call center, and pushing outreach and prevention efforts for veterans and their families. Peake assured the committee that his agency would be more forthcoming with information in the future and would work toward more transparency in the VA system. A Government Accountability Office offered additional recommendations, including:

- Ensuring timelier referral to care.
- Developing a comprehensive substance abuse program.
- Enhancing access to mental health care.
- Coordinating efforts between VA and non-VA health care providers.
- Fostering increased communication with veterans and their families

*RAO Bulletin*



### Get Credit for Your Military Experience

Today employers are looking for those holding a degree. Veterans can earn a degree without starting over again with a program called Credit for Life Experience -- also known as a Prior Learning Assessment. Many colleges and universities now offer these programs, giving service members and veterans the ability to turn their experience, college courses, military schools and training into viable college credits. [Find out more information here.](#)

The first step in finishing your degree is to find a school that matches your career goals and education needs. [www.military.com](http://www.military.com) can connect you with Military-Friendly schools by filling out a simple form. [Get started now.](#)

[www.military.com](http://www.military.com)

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## Military Stolen Valor

A man who lied during a public meeting about being awarded the nation's highest military honor pleaded guilty 5 APR to violating the Stolen Valor Act of 2005. Xavier Alvarez, 50, of Pomona, said he served as a Marine and won the Medal of Honor when he was introduced as a newly elected member of a Claremont water board in JUL 07. "I'm a retired Marine of 25 years. I retired in the year 2001. Back in 1987, I was awarded the Congressional Medal of Honor. I got wounded many times by the same guy. I'm still around," Alvarez said during the meeting, according to a recording of it. His attorney, Deputy Federal Public Defender Brianna Fuller, argued that his free speech was protected by the First Amendment. Government prosecutors argued that the First Amendment does not protect deliberate falsehoods. His plea with the U.S. Attorney's Office gives Alvarez the right to appeal the plea based on his right to free speech. Alvarez faces up to one year in federal prison and a \$100,000 fine when he is sentenced 21 JUL.

An Oroville CA man has pleaded guilty to falsely representing himself as a decorated military hero from the Vietnam War. Michael Allan Fraser, 62, claimed in an interview with the Oroville Mercury-Register last year that he was awarded two Purple Hearts and two Bronze Stars for combat in Vietnam. He also traveled to Vietnam with war veterans on a mission to "bury the ghosts of the past." But a Colorado man who helped write the Stolen Valor Act, which was signed into law by President Bush in 2006, noticed

problems with Fraser's daring tale of valor. He looked up Fraser's record and found that he had served in the military as a veterinarian's assistant in the Philippines. U.S. Magistrate Judge Edmund F. Brennan sentenced Fraser this week to 100 hours of community service helping veterans and issued a \$500 fine.

A Navy Reserve public affairs officer is facing a general court-martial next week for allegedly forging an award citation and pretending to be a lieutenant when he was one rank lower at the time, the Navy said. Lt. Paul J. Pelletier, 42, is charged with five counts of violating the Uniform Code of Military Justice, including failure to obey an order or regulation, making false official statements and going absent without leave. His court-martial is set to begin 13 MAY. According to the charge sheet, Pelletier put himself in for a Joint Service Achievement Medal at some point between 20 JUN and 20 JUL 06 while serving with Multi-National Force in Baghdad. He served at Camp Victory in Iraq for nine months in 2006. The award justification "outlined achievements he had not accomplished," the sheet said. Around the same time, he wore the rank of lieutenant when he was actually a lieutenant junior grade, the sheet said. He continued to wear the unauthorized rank, the charge sheet stated, even though he had been ordered by a captain to stop.

*[Source: AP articles posted 6 & 9 May 08 + +]*

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## House Veterans Affairs Chairman Calls for Removal of Top VA Officials

Chairman Filner Calls on Secretary Peake for a plan of action: "Until you tell us what you need to address the epidemic of veteran suicide, all this talk about data is meaningless"

Washington, D.C. – On Tuesday, the House Committee on Veterans' Affairs, led by Chairman Bob Filner (D-CA), held a hearing to learn the truth about veterans' suicides. Lawmakers questioned whether bureaucrats at the Department of Veterans Affairs (VA) have attempted to manipulate suicide data to portray a lesser problem. Chairman Filner called for VA Secretary Peake to remove Dr. Kussman and Dr. Katz from their positions at the VA for their role in obfuscating veteran suicide data.

"The first step in addressing a problem is to understand the scope and extent of the problem," commented Chairman Filner. "In the case of the VA and the epidemic of veteran suicides, either the VA has not adequately attempted to determine the scope of the problem, which is an indictment of the VA's basic competence, or the VA knows the extent of the problem, but has attempted to obfuscate and minimize the problem to veterans, Congress, and the American people, which is an indictment of the leadership of the entire Department."

In November 2007, CBS News aired a story entitled "Suicide Epidemic Among Veterans" and found that veterans were more than twice as likely to commit suicide in 2005 than non-veterans. The news report showed that veterans aged 20 through 24 had an extremely high proportional rate of suicide compared to civilians the same age. Veterans' advocates called on the VA to address what they deemed an epidemic of mental health problems.

On December 12, 2007, the House Committee on Veterans' Affairs held a hearing entitled "Stopping Suicides: Mental Health Challenges within the Department of Veterans Affairs." At the hearing, Dr. Ira Katz, a representative from the VA, downplayed the CBS News report and stated, "their number for veteran suicides is not, in fact, an accurate reflection of the rates of suicide." Dr. Katz also stressed a low-rate of veteran suicide, stating that "from the beginning of the war through the end of 2005 there were 144 known suicides among these new veterans."

At the December hearing, Chairman Filner stated that suicide can be a very difficult public health crisis to gauge. He stressed that perfect statistics were not essential to aggressively responding to this issue and he expressed concern about the lack of an immediate and urgent response from the VA.

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Just three days after the hearing, VA's Under Secretary for Health Dr. Kussman, referred to a newspaper article in an internal e-mail and wrote that "18 veterans kill themselves every day and this is confirmed by the VA's own statistics. Is that true? Sounds awful but if one is considering 24 million veterans." That same day, Dr. Katz responded: "There are about 18 suicides per day among America's 25 million veterans. This follows from CDC findings that 20% of suicides are among veterans it is supported by CBS numbers."

In February 2008, Dr. Katz sent an e-mail stating "Shh! – Our suicide prevention coordinators are identifying about 1000 suicide attempts per month among the veterans we see in our medical facilities. Is this something we should (carefully) address ourselves in some sort of release before someone stumbles on it?"

On April 21, 2008, CBS News aired another story in their series, "VA Hid Suicide Risk, Internal E-Mails Show." This story exposed the internal e-mails that had been entered as evidence in an ongoing trial.

"Either Dr. Katz knew that the CBS figures were indeed an accurate reflection of the rates of suicide at the December hearing or he had a sudden epiphany just three days later," exclaimed Chairman Filner. "It angers me that there was data within the VA that seemed to dispute what we were told in the hearing in December. Nearly five months later, we are again holding a hearing on the tragic issue of suicide among our veterans and what the VA is doing to address what is clearly an epidemic."

*News from Chairman Bob Filner,  
House Committee on Veterans' Affairs*

### What is Aid and Attendance?—and Who Qualifies?

from Sergio Rodriguez, Assistant Service Officer

The Aid and Attendance (A&A) program is a Non-Service-Connected Disability Pension Benefit that is available to war-era veterans discharged under other than dishonorable conditions. Aid and Attendance is a Special Monthly Pension (SMP) awarded to veterans or their surviving spouse and are considered to be permanently and totally disabled or over the age of 65. Since VA Pension Benefits is a "Needs-based program", there are certain income criterions that must be met. The

Department of Veterans Affairs, or the VA, uses what they refer to as "Countable Income" to determine the financial needs aspect of A&A eligibility.

Simply put, Countable Income is equal to the amount remaining after all health-related costs, such as medical insurance, prescription co-pays and monthly medical bills have been deducted from all other sources of income. Additionally, all veterans or their surviving spouses that meet

these criteria and are receiving Medicaid benefits while in a nursing home can also receive \$90 a month for personal use.

To see if you or someone you know qualifies for Aid and Attendance benefits, contact the Erie County Veterans Services. I will be discussing the differences between a Pension Benefit and a Compensation Benefit in our next installment of the Erie County Veterans News Letter.

### DC Circuit Court of Appeals Reverses Vietnam Blue Water Case

The U.S. Court of Appeals for the Federal Circuit unfortunately reversed the decision of the U.S. Court of Appeals for Veterans Claims in *Haas v. Peake*. That decision had found that Vietnam War blue water veterans who had served on ships off the coast of Vietnam but had never set foot within the land borders of Vietnam were entitled to a presumption of service connection disability if they suffer from one of the listed diseases associated with Agent Orange exposure. The Court of Appeals of Veterans Claims had ruled that the VA's regulatory interpretation that the veteran needed to have "set foot within the land borders of Vietnam" was unduly restrictive.

The Court of Appeals reversed and ruled: "We hold that the agency's requirement that a claimant have been present within the land borders of Vietnam at some point in the course of his duty constitutes a permissible interpretation of the statute and its implementing regulation, and we therefore reverse the judgment of the Veterans Court." This was a 2-1 decision with a thoughtful dissent by Judge Fogel so the Claimant may attempt to appeal to the U.S. Supreme Court.

*TREA Washington Update*

You can find the full 57 page decision in the list of decisions at <http://www.ca9c.uscourts.gov/>

## Official Urged Fewer Diagnoses of PTSD By Christopher Lee Washington Post Staff Writer

A psychologist who helps lead the post-traumatic stress disorder program at a medical facility for veterans in Texas told staff members to refrain from diagnosing PTSD because so many veterans were seeking government disability payments for the condition.

"Given that we are having more and more compensation seeking veterans, I'd like to suggest that you refrain from giving a diagnosis of PTSD straight out," Norma Perez wrote in a March 20 e-mail to mental-health specialists and social workers at the [Department of Veterans Affairs](#)' Olin E. Teague Veterans' Center in Temple, Tex. Instead, she recommended that they "consider a diagnosis of Adjustment Disorder."

VA staff members "really don't . . . have time to do the extensive testing that should be done to determine PTSD," Perez wrote.

Adjustment disorder is a less severe reaction to stress than PTSD and has a shorter duration, usually no longer than six months, said Anthony T. Ng, a psychiatrist and member of Mental Health America, a nonprofit professional association.

Veterans diagnosed with PTSD can be eligible for disability compensation of up to \$2,527 a month, depending on the severity of the condition, said Alison Aikele, a VA spokeswoman. Those found to have adjustment disorder generally are not offered such payments, though veterans can receive medical treatment for either condition.

Perez's e-mail was obtained and released publicly yesterday by VoteVets.org, a veterans group that has been critical of the Bush administration's policies in Iraq and Afghanistan, and [Citizens for Responsibility and Ethics in Washington](#) (CREW), a nonprofit government watchdog group.

"Many veterans believe that the government just doesn't want to pay out the disability that comes along with a PTSD diagnosis, and this revelation will not allay their con-

cerns," John Soltz, chairman of VoteVets.org and an Iraq war veteran, said in a statement.

[Melanie Sloan](#), executive director of CREW, said in a statement: "It is outrageous that the VA is calling on its employees to deliberately misdiagnose returning veterans in an effort to cut costs. Those who have risked their lives serving our country deserve far better."

Veterans Affairs Secretary James B. Peake said in a statement that Perez's e-mail was "inappropriate" and does not reflect VA policy. It has been "repudiated at the highest level of our health care organization," he said.

"VA's leadership will strongly remind all medical staff that trust, accuracy and transparency is paramount to maintaining our relationships with our veteran patients," Peake said. Peake said Perez has been "counseled" and is "extremely apologetic." Aikele said Perez remains in her job.

A [Rand Corp.](#) report released in April found that repeated exposure to combat stress in Iraq and Afghanistan is causing a disproportionately high psychological toll compared with physical injuries. About 300,000 [U.S. military](#) personnel who have served in Iraq or Afghanistan are suffering from PTSD or major depression, the study found. The economic cost to the United States -- including medical care, forgone productivity and lost lives through suicide -- is expected to reach \$4 billion to \$6 billion over two years.

Ng said diagnosing PTSD often requires observing a patient for weeks or months because the condition implies a long, lingering effect of stress.

"Most people exposed to trauma, in general, can get better," Ng said. "You don't want to over-diagnose people with PTSD. Whether it's adjustment disorder is one thing. It's usually a temporary disorder with severity that is not as bad as someone with full-blown PTSD."

### *Mission Statement of Erie County Veterans Services*

To insure that every veteran in the county is registered in the VA System and is fully aware of all the benefits that they have earned.

To make veterans an economic force in education, employment and business development.

## Kennedy's First Annual Veterans' Outreach a Success

On Saturday, May 10<sup>th</sup>, 2008, Legislator Tim Kennedy welcomed over 150 veterans to the Buffalo Irish Center. In front of a standing room only crowd, Legislator Kennedy, Patrick Welch – Erie County Director of Veterans' Services - and representatives from various veterans' organizations delivered a program which informed veterans and their families of the benefits they had earned. Mayor Byron Brown, Assemblyman Mark Schroeder, Councilman Michael Kearns and a representative from Congressman Brian Higgins' office also were in attendance to honor the veterans.

This program was the first of its kind offered to the residents of Erie County. As veterans and their families came pouring in, they were

treated to a complimentary breakfast and asked to sign up for programs which would provide them with the benefits they had earned through their service to this county. In most cases, the veterans in attendance had not signed up with the VA Hospital. According to Patrick Welch, "Signing up with the VA Hospital is vitally important. In order to prevent delays in times of illness, preparation is needed." Welch went on to say that, "because of an event like this, veterans are now informed, and now know the services available to them."

Legislator Kennedy stated, "I am honored to serve the veterans in my district. My goal was to inform veterans of the benefits they had earned, and I'm confident that this objective was accomplished." Ken-

nedy went on to thank the representatives from the various veterans' organizations that make up the Veterans' Outreach Squad. "People like Carol Griffith from the VA Hospital, Alissa Radlich from 2-1-1 WNY, Brian Held from the Disabled American Veterans (DAV), and Patrick Welch deserve a tremendous amount of credit. All these people know the importance of our veterans, and make it a priority to go that extra mile for them."

If you could not attend the veterans' event, and would still like to find out information on the benefits offered to veterans, please feel free to contact Legislator Tim Kennedy's office at 824-6180. Arrangements will be made for you or a family member to receive an informational packet.



## Hero's Monument to be Dedicated

After 10 long years in the making the monument to honor Lt. Col. Matt Urban will be dedicated on June 14, 2008.

Lt. Col. Matt Urban, is America's most decorated combat soldier, a recipient of 7 Purple Hearts, The Congressional Medal Of Honor, plus many other individual awards for heroism and he is listed in the Guinness Book of Records. President Carter called him America's Greatest Soldier. Matt loved entertainment so this will be an event that would make him proud. Between his battle wounds, he organized shows for the troops with the likes of Betty Grable, Al Jolson, Martha Ray, & boxer Joe Lewis. Matt was an undefeated light heavyweight college boxing champion and an undefeated turkey trot racer.

**WHEN: SATURDAY JUNE 14, 2008**  
**TIME: 11:00 AM**  
**WHERE: RATH BLDG, 95 FRANKLIN ST., BUFFALO, NY 14202**

