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DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563

JANUARY 2008 NEWSLETTER

HAPPY NEW YEAR!

Theodore A. Barbuto; Department Commander

"We must adjust to changing times and still hold to unchanging principles."
~President James Carter

I hope that you and your families have a happy, healthy and prosperous New Year. A new year brings us a time for reflection, a time for rejuvenation, and a time for goal setting for 2008 and beyond.

Having met many of our goals in 2007, we must raise the bar higher for 2008. We must continue to work to press our government to continue to increase health benefits, as well as to provide provisions for mental and physical crises as these situations are occurring as never before as a result of this current war.

It's not only our right, but our responsibility to fight for benefits for ourselves and our fellow comrades. As Adjutant Siller recently requested in his Memorandum Dated December 21st, please visit www.dav.org to urge President Bush to pass the Omnibus Appropriations Act for fiscal Year 2008. This act will increase funding for the VA $3.7 billion above the President's proposed budget.

Continue to stay on top of Legislative alerts by accessing our website www.davny.optline or National's website at www.dav.org. Both will give you up to date information on what we need to be doing to stay on top of our legislators. The National website continues to provide templates and pre-filled in e-mail messages to send to your local legislators. We are our own best advocates and need to continue to be so for our new DAV members.

During December, Debbie and I had the privilege of attending several festivities held by our comrades across the state. We visited our friends in Albany and were overwhelmed as always by that "Schenectady Hospitality" at a holiday function organized by Chapter and Auxiliary #88. Mort Miller and Josie Minard went above and beyond to make everyone who attended feel very welcome.

We continued to take in the holiday spirit as we attended the annual DAV Department Holiday party. As always Prosper Sodano and Tom Mazza made sure that nobody went hungry. Food was abundant and a fine time was had by all. We were entertained not only by a D.J., but by our own DAV and Auxiliary Choir with a new rendition of the "Twelve Days of Christmas" organized by Margaret Finnerty.

The Department of New York was surprised with a donation from "Rolling Thunder" Chapter 2, New York. We thank them for their continued support and camaraderie with the DAV.

We accompanied DAV National Amputee Chapter #76 to a benefit concert for Disabled Veterans presented by singer Michael Amante. The performance was breathtaking and we were invited to the after party in which we were able to meet Michael. Thank you to Chapter #76 Commander John Devine, PNC, PDC Don Sioss and Diane, Paul Bennachio and all of the members and families of Chapter #76 for their hospitality and their invitation to this awesome event.

I look forward to seeing as many of you as possible at the March SEC in Kerhonkson, New York from March 28, 2008 to March 30, 2008. Please make your reservations as soon as possible. We will have an informative agenda in which we will discuss our goals for the future. We will have a joint DAV and DAV Auxiliary session on Sunday, March 30th.

Be well, be safe and look out for each other!

PROSPECTS FOR 2008

Sidney Siller, Sr., PDC; Department Adjutant

So, here we are at the start of 2008, which is our 88th year as a state veteran's service organization.

Founded by Judge Robert Marx and his comrades in Cincinnati, Ohio, we have grown nationally to the point where we have over a million fully paid life members. I for one do not know of any organization that is operative and performing professional and voluntary services for disabled veterans in our country with a cast of more than one million members.

Our mission is dedicated to making the lives of disabled veterans and their families better is not just an empty slogan.

Our staff of National Service Officers is the largest contingent of "attorneys in fact," that guide claimant's through the VA's claims process. In addition, we have local Chapter service personnel who assist veteran's in their search for benefits.

The DAV's Transportation Network is another great service we perform. In 1988, the VA stopped transporting the disabled to and from their homes for treatment at VA hospitals. DAV undertook the responsibility for transporting the disabled at a great expense. Almost all of the vans used in this program were purchased by the various echelons of the DAV. This program, together with the service officer corps, if not supported by the DAV would effectively cripple the health system for veterans in this country.

The Winter Sports Clinic that takes place annually in Colorado is another program that does not receive the accolades that it should. The sports clinic is a school of instruction for disabled, which teaches seriously injured amputees and paraplegics how to ski, scuba dive, and play ice hockey. Activities that many healthy and unimpaired people cannot and would not participate in.

By this point you're probably saying, I know all this, so what now!

Well in this year of 2008, I would like to envision the following happen for the New York Department DAV.

* The VA permit the vans we purchase and donate be used by the various DAV Chapter's across New York State for patriotic parades and other worthy civic events.

* That the VA terminate its efforts in recruiting (raiding) the best and the brightest of our National Service Officer's by offering more in salary and benefits than we can afford to pay them.

*That our grand plan to build assisted living for disabled veterans and their wives or significant others move forward so that they can have their lives extended by an improved quality of lifestyle.

*An Annual Northeast Legislative Breakfast on the hill in Washington, DC to promote our National Legislative Program starting in 2008.

*A Department magazine to be distributed to all members of DAV-NY.

*Annual participation at the Army-Navy game.

Any and all of the above are not just idle thoughts, but ones that are achievable with your support.

IRS 990N NOTICE

Anthony Mirando, NEC; Department Treasurer

By now, all Chapters should have received a notice from the IRS regarding the 990N form. The IRS is ***in the process*** of making up a new 990N electronic notice, which **all** Chapters must file. As more information becomes available, I will pass it on to the Chapters. Chapters do not have to file until November 15, 2008 and can only do so via the computer.

PEAKE SWORN IN AS VA SECRETARY

VA Press Release

WASHINGTON (December 20, 2007) - In a ceremony today Dr. James B. Peake, a combat veteran of the Vietnam War and former Army Surgeon General, was sworn in by President George W. Bush as the nation's sixth Secretary of Veterans Affairs."Dr. Peake takes office at a critical moment in the history of this Department," said President Bush. "Our nation is at war - and many new veterans are leaving the battlefield and entering the VA system. This system provides our veterans with the finest care - but the bureaucracy can be difficult to navigate."Secretary Peake stressed his commitment to easing the transition of our current generation of returning, combat experienced men and women and of "the opportunity to look to the future of this newest generation of combat veterans returning from Iraq and Afghanistan - getting it right for them and for their families."Peake, who retired in 2004

as a three-star general, is a board-certified thoracic surgeon. His commands included the U.S. Army Medical Command, headquartered at Ft. Sam Houston, Texas; Madigan Army Medical Center in Tacoma, Wash.; the 44th Medical Brigade at Fort Bragg, N.C.; and the 18th Medical Command in Seoul, South Korea. Secretary Peake told those assembled, "You need to know that I believe deeply in the mission; and that I believe in you. I know quite a number of you already. I've seen the ethic, the caring, the compassion, and the technical skills."

A native of St. Louis and graduate of the U.S. Military Academy at West Point, Peake attended medical school after serving in Vietnam, where he earned the Silver Star and Purple Heart. As Secretary of Veterans Affairs, Peake assumes leadership of the Department of Veterans Affairs (VA), the second largest cabinet department, with about 250,000 employees and a budget last year exceeding $82 billion. More than 5.5 million veterans are expected to receive care this year in VA's 153 hospitals and 900 clinics. VA also provides disability compensation and pensions to 3.5 million veterans and family members, and operates 125 national cemeteries.

VA IMPROVES HOUSING BENEFITS FOR SEVERELY DISABLED

VA Press Release

WASHINGTON (January 4, 2008) - A change in the law that allows certain seriously injured veterans and service members to receive multiple grants for constructing or modifying homes has resulted in many new grants, the Department of Veterans Affairs (VA) announced today. Before the change, eligible veterans and service members could receive special adaptive housing grants of $10,000 or $50,000 from VA only once. Now they may use the benefit up to three times, so long as the total grants stay within specified limits outlined in the law."Veterans seriously disabled during their military service have earned this benefit," said Secretary of Veterans Affairs Dr. James B. Peake."This change ensures that every eligible veteran and service member has the chance to use the maximum amount afforded to them by our grateful nation."In order to ensure all previous recipients are aware of this opportunity, VA has mailed more than 16,000 letters to eligible veterans, reaching out to those who used only a portion of their grant or who decided not to use the grant even after initially qualifying. The response over the past year has been dramatic, with more than 4,600 applications received thus far. Of these, approximately 3,900 veterans have been determined eligible under the new law, and more than 200 grants already awarded.

VA has averaged about 1,000 adaptive housing grant applications per year during the past 10 years. Since the program began in 1948, it has provided more than $650 million in grants to about 34,000 seriously disabled veterans. To ensure veterans' and service members' needs are met and grant money is spent properly, VA works closely throughout the entire process with contractors and architects to design, construct and modify homes that meet the individuals' housing accessibility needs. Eligible for the benefit are those with specific service-connected disabilities entitling them to VA compensation for a "permanent and total disability." They may receive a grant to construct an adapted home or to modify an existing one to meet their special needs. VA has three types of adapted housing grants available. The Specially Adapted Housing grant (SAH), currently limited to $50,000, is generally used to create a wheelchair-accessible home for those who may require such assistance for activities of daily living. VA's Home Loan Guaranty program and the Native American Direct Loan program may also be used with the SAH benefit to purchase an adaptive home. The Special Housing Adaptations (SHA) grant, currently limited to $10,000, is generally used to assist veterans with mobility throughout their homes due to blindness in both eyes, or the anatomical loss or loss of use of both hands or extremities below the elbow.

A third type established by the new law, the Temporary Residence Adaptation (TRA) grant, is available to eligible veterans and seriously injured active duty service members who are temporarily living or intend to temporarily live in a home owned by a family member. While the SAH and SHA grants require ownership and title to a house, in creating TRA Congress recognized the need to allow veterans and active duty members who may not yet own homes to have access to the adaptive housing grant program. Under TRA, veterans and service members eligible under the SAH program would be permitted to use up to $14,000, and those eligible under the SHA program would be allowed to use up to $2,000 of the maximum grant amounts. Each grant would count as one of the three grants allowed under the new program. "The goal of all three grant programs is to provide a barrier-free living environment that offers the country's most severely injured veterans or service members a level of

independent living," added Peake. Other VA adaptive housing benefits are currently available through Vocational Rehabilitation and Employment Service's "Independent Living" program, the Insurance Service's Veterans Mortgage Life Insurance program, and the Veterans Health Administration's Home Improvement and Structural Alterations grant. For more information about grants and other adaptive housing programs, contact a local VA regional office at 1-800-827-1000 or local veteran service organization. Additional program information and grant applications (VAF-26-4555) can be found at

http://www.homeloans.va.gov/sah.htm.

ENCOURAGE THE PRESIDENT TO SUPPORT THE OMNIBUS APPROPRIATIONS ACT

We want to thank you for your assistance in support of the Omnibus Appropriations Act for Fiscal Year 2008 by the many responses you sent to your respective members of Congress, followed by communication to the President. As you know, House and the Senate passed the appropriations bill, and forwarded the bill to the president wherein he has until January 18, 2008, to request $3.7 billion as emergency funding. He has signed the appropriations bill, but as of this date, he has not signed the emergency designation.

Therefore, we once again ask that you contact the President and urge his support of the needed $3.7 billion increase in emergency funding for the Department of Veterans Affairs. This total budgetary increase would equal $6.6 billion more than last year.

Without the proposed $3.7 billion in increased funding, the VA would most likely fail once again to meet the challenge imposed upon it by the ongoing wars in Afghanistan and Iraq. This proposed funding comes at a time when the VA is desperately struggling to solve problems ranging from reducing the alarming spike in veteran suicides, treatment for complex traumatic brain injuries, rising rates of post-traumatic stress disorder among veterans of the ongoing wars, an ever-growing, seemingly unstoppable, disability claims' backlog and homelessness among the nation's newest generation of veterans.

Please contact the President immediately by telephone or email and urge him to sign and request the emergency funding contained in the Omnibus Appropriations Act for Fiscal Year 2008. If you prefer, you may visit the DAV website, **www.dav.org**, to send a prepared email to the President.

As always, we greatly appreciate your efforts on behalf of our nation's disabled veterans.

PAY IN VET'S WORK PROGRAM RULED TAX FREE

VA Press Release

WASHINGTON (January 7, 2008) -- Payments provided to veterans under two specific programs of the Department of Veterans Affairs (VA) -- the Compensated Work Therapy (CWT) and Incentive Therapy (IT) programs – are no longer taxable, according to the Internal Revenue Service. Veterans who paid tax on these benefits in the past three years can claim refunds. Recipients of CWT and IT payments no longer receive a Form 1099 (Miscellaneous Income) from VA. Veterans who paid tax on these benefits in tax years 2004, 2005 or 2006 can claim a refund by filing an amended tax return using IRS Form 1040X. Nearly 19,000 veterans received CWT benefits last year, while 8,500 received IT benefits. The IRS agreed with a U.S. Tax Court decision earlier in 2007 that CWT payments are tax-free veterans benefits. In so doing, the agency reversed a 1965 ruling that these payments were taxable and required VA to report payments as taxable income. The CWT and IT programs provide assistance to veterans unable to work and support themselves. Under the CWT program, VA contracts with private industry and the public sector for work by veterans, who learn new job skills, strengthen successful work habits and regain a sense of self-esteem and self-worth. Veterans are compensated by VA for their work and, in turn, improve their economic and social well-being. Under the IT program, seriously disabled veterans receive payments for providing services at about 70 VA medical centers.

VA'S CEMETERIES HONORED

VA Press Release

WASHINGTON (Dec. 18, 2007) - Again this year, the national cemetery system of the Department of Veterans Affairs (VA) has received the highest rating in customer satisfaction for any federal agency or private corporation surveyed, according to a prestigious, independent survey of customer satisfaction."This survey highlights the outstanding service employees at VA's 125 national cemeteries provide to our nation's

veterans and their families," said Acting Secretary of Veterans Affairs Gordon H. Mansfield. "It is our honor to care the for the nation's heroes in perpetuity, meeting the highest standards for professionalism and compassion."More than 200 companies and most of the federal sector take part in the American Customer Satisfaction Index (ACSI) survey, conducted by the University of Michigan Business School every three years. "VA should be commended for continuing to provide such a high level of service to America's veterans' families," said John Cioffi, senior consultant with CFI Group USA, one of the survey's sponsors. "VA serves as an excellent example of how government should provide services to its citizens."This year's survey is the third consecutive one in which VA's cemetery system received the top rating in the nation. For 2007, VA's cemetery system earned a customer satisfaction rating of 95 out of a possible 100 points. The national cemeteries also ranked number one in customer satisfaction in 2001 and 2004. The ACSI survey polled next of kin or other people who had arranged for the interment of a loved one in a VA national cemetery within the past six months to one year. Three thousand people received the survey and nearly 600 responded, which is a high response rate for a mail survey. ACSI's index for "user trust" produced a rating of 96 out of a possible 100 points for the VA-run cemetery system, which indicates that respondents are exceptionally willing to say positive things about VA's national cemeteries. Since 1994, ACSI has been a national indicator of customer evaluations of the quality of goods and services available to U.S. residents. It is the only uniform measure of customer satisfaction for government and industry. ACSI allows benchmarking between the public and private sectors and between one year's results and the next.

VA LAUNCHES CAREGIVER PROGRAM

VA News Release

WASHINGTON (December 6, 2007) - The Department of Veterans Affairs (VA) today announced it will provide nearly $4.7 million for "caregiver assistance pilot programs" to expand and improve health care education and provide needed training and resources for caregivers who assist disabled and aging veterans in their homes."This funding will enhance support and training for the family members and other caregivers who sacrifice to care for disabled and aging veterans," said Acting VA Secretary Gordon H. Mansfield. "At VA, we're committed to looking after caregivers who dedicate their own time and well-being to take care of loved ones who are veterans."The pilot programs will support eight caregiver projects across the country. In addition, VA provides support and assistance through a variety of programs such as care management, social work service, care coordination, geriatrics and extended care, and through its nationwide volunteer programs. Among the key services provided to caregivers are transportation, respite care, case management and service coordination, assistance with personal care (bathing and grooming), social and emotional support, and home safety evaluations. Education programs teach caregivers how to obtain community resources such as legal assistance, financial support, housing assistance, home delivered meals and spiritual support. In addition, caregivers are taught skills such as time management techniques, medication management, communication skills with the medical staff and the veteran, and ways to take better care of themselves.

Many of the projects use technology, including computers, Web-based training, video conferencing and teleconferencing to support the needs of caregivers who often cannot leave their homes to participate in support activities. The VA pilot programs announced today include:* At the Memphis (Tenn.) and Palo Alto (Calif.) VA medical centers, a project will provide education, support and skills-building to help caregivers manage both patient behaviors and their own stress. This intervention will be provided in 14 Home-Based Primary Care (HBPC) programs across the country and also to caregivers in non-HBPC settings at the Palo Alto VAMC. * At the VA medical center in Gainesville, Fla., caregivers will take part in a Transition Assistance Program to provide skills training, education and supportive problem solving using videophone technology.* At the VA Healthcare System of Ohio, headquartered in Cincinnati, caregiver advocates will be available around the clock to coordinate between VA and community services.* At the VA Desert Pacific Network and the VA Sierra Nevada Healthcare System, VA will work with a community coalition to provide education, skills training and resources for caregivers of veterans with traumatic brain injury using computer-based telehealth, including Web, telephone and videoconferencing.* At the VA

medical center in Albany, N.Y., a pilot project will convert a three-hour workshop developed by the National Family Caregivers Association called "Communicating Effectively with Health Care Professionals" into a cost-effective multimedia format.

* At the Atlanta VA Medical Center, use of computer-based technology will provide instrumental help and emotional support to caregivers who live in remote areas or to those who cannot leave a patient alone. * The Tampa VA Medical Center and the Miami VA Healthcare System are working on a collaborative project. In the Tampa area, the current program will be expanded to provide 24-hour in-home respite care to temporarily relieve caregivers up to 14 days a year. In Miami, the program will coordinate comprehensive community-based care services, including respite, home companions, adult day care and use of emergency response system.* The VA Pacific Islands Health Care System will use the "medical foster home" model of care, in which caregivers in the community take veterans into their homes and provide 24-hour supervision. This program will take place on the islands of Kauai, Hawaii, Maui and rural areas of Oahu.

VA CHANGES PHONE SYSTEM

We received the following message from the VA: “Effective Dec. 20, the National Automated Response System (NARS) was modified to disable the zero option to reach a counselor on the Main Menu. Additionally, if the caller chooses the Benefits information option (currently #2 option from Main Menu), the zero option will be removed from this menu as well. Zero will remain an option for all other NARS menus.

The intent of the change is to get callers with questions on specific benefits directly to the call center for the business line that can best answer them. For example, if the caller has a question on education benefits, he/she should push 1, then 2, then 1. (This assumes the caller is using a touch-tone phone.) The caller will then hear the education menu and can select the option that most directly relates to his/her question including the option to speak to a counselor at the RPOs (Regional Processing Office).

We anticipate there may be some confusion for those individuals who are frequent callers and are used to pressing 1 and then 0 to speak to a counselor at a regional office. Please reassure those callers our intent is to improve our service by directing callers with specific questions to the appropriate business line. There may be a period of confusion until frequent callers learn the new menu.”

The NARS phone system is what you call into when you dial the VA toll-free number 1-800-827-1000. The VA believes this change will make the system more responsive to your needs and allow them to answer your questions much more quickly and accurately.

VETS RECEIVE VA COLA INCREASES

VA Press Release

WASHINGTON (December 31, 2007) - Millions of veterans and eligible family members will see their disability compensation, pension, and survivors' benefits increased as the Department of Veterans Affairs (VA) provides an annual cost-of-living increase for key benefits."This increase ensures that those veterans who have earned this benefit for incurring a disability in defense of our country receive payments that keep pace with today's cost of living," said Secretary of Veterans Affairs Dr. James B. Peake. "VA is committed to the needs of our veterans and their families. We owe America's defenders no less."A recent law signed by President Bush provides a 2.3 percent increase in disability compensation and survivors' benefits. Eligible veterans and family members will see this increase starting in their January 2008 checks. Under the veterans' disability compensation program, tax-free payments will generally range from $117 to $2,527 per month depending on the degree of disability. Special payments up to $7,232 per month apply to the most severely injured veterans. Pension disability benefits will also be increased by the same percentage and effective on the same date. The maximum annual rate for permanently and totally disabled veterans or veterans over age 65 can range from $11,181 to $18,654, based on household income and whether veterans are in need of help with activities for daily living. This increase also applies to survivors of veterans who died in service or from a service-connected disability. Dependency and indemnity compensation (DIC) survivors' benefit payments can range from $1,091 to $2,499 per month. Survivors of wartime veterans receiving death pension are also entitled to an increase. The maximum annual payment rate for a surviving spouse can range from $7,498 to $11,985. Benefits under this program are intended to bring an eligible spouse's income to a level established by law. Under each benefit

program, additional allowances may be payable for helpless, minor or school age children. For more information about VA benefits and services, go to VA's website at www.va.gov or call 1-800-827-1000.

MEMORANDUM

From: Theodore A. Barbuto, Department Commander

To: All DAV Members
Re: SEC Meeting and Seminars

Make your reservations now for the SEC and Seminars to be held March 28th - 30th, 2008 at the Hudson Valley Resort in Kerhonkson, New York. If you need a reservation form, please call headquarters at 516-887-7100. All reservation forms must be returned to headquarters.

TAPS

Department has been notified that the following comrades have been called into final formation above:

Nicalo Lappano, Chapter #30 Past Commander, 11/07

Charles Capach (Chief), Chapter #179, 11/07

Department and the membership extend deepest sympathies to the family members, friends and comrades of these fallen heroes. May each one rest in honor.

Please feel free to call, write or e-mail **davny@optonline.net** Headquarters if you have a loss in your Chapter that you would like to include in this column.

DATES FOR YOUR DIARY

2008 Mid Winter Conference

March 2, 2008 to March 5, 2008
Crystal Gateway Marriott
Arlington, VA 22202

State Executive Committee and Seminars
March 28, 2008 to March 30, 2008
Hudson Valley Resort
Kerhonkson, New York

Department of New York's 87th Anniversary Celebration
Sunday May 18, 2008
El Caribe Country Club
Brooklyn, New York

Department of New York Convention
June 22, 2008 to June 25, 2008
Hudson Valley Resort
Kerhonkson, New York

2008 National DAV Convention
August 9, 2008 to August 12, 2008
Bally's Hotel Las Vegas
South Las Vegas, NV