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## Veteran gets benefits restored after WTHR report

03/18/10

**Sandra Chapman**/13 Investigates

Indianapolis - A local Gulf War pilot is getting his just due as a result of a 13 Investigates report.

**In November our investigation found** the V.A. denying veterans their benefits, and their credit for war time service.

Now it appears the government is making amends and taking steps to stop vets from getting lost in the system.

Lt. Col. Steve Avery's weak knees can barely support the weight of the find: hundreds of pages of medical records that the US Department of Veterans Affairs criss-crossed the country to dig up.

For two years they sat in government files as the former Gulf War pilot failed to convince the V.A. that he flew covert missions in and out of Kuwait, and suffered exposures to depleted uranium and insecticides.

Now, months after a 13 Investigates report prompted the V.A. to review Avery's case and its own internal policies, there is good news for him and veterans to come.

"They've given me 100-percent disability, my wife and children have certain benefits," Avery told 13 Investigates.

For starters, Avery's compensation is increasing to more than four times the monthly amount he received in 2007. The smaller amount was based on a 60-percent disability rating. But now the government says the retired Lt. Colonel is no longer able to work.

"I'm not complaining or anything, but when you go over there and go on these missions, you're not given credit for anything," said Avery. "You need help and thanks to [Sandra Chapman] and Channel 13 and several other people here I really appreciate your helping us out," he added.

The Defense Finance Center at Fort Benjamin Harrison in Lawrence and in Cleveland are among the agencies that helped. Payroll specialists used his earnings and check vouchers to confirm his Desert Storm flights.

In the government's award letter, the V.A. says, "All reasonable doubt is resolved in [Avery's] favor ...that [he] served on active duty while flying missions to Southwest Asia during the Gulf War." But the agency denies a connection between his Desert Storm service and his bad health.

Initially the V.A. refused to even consider Gulf War benefits for him or his squadron.

The 707th out of Charleston, South Carolina, wasn't officially activated, and there was no way for the V.A. to confirm Avery's participation in covert missions. Old Air Force records were tossed out.

After 13 Investigates exposed the gap, Rep. Steve Buyer, Indiana's ranking Republican on the Veterans Affairs Committee, called for a top level investigation, in a letter to V.A. Secretary Eric Shinseki.

"This is drawn attention nationwide at the Air Force Reserve and the Pentagon," said Avery, who has gotten the support of veterans across the country.

Within weeks, V.A. Centers all across the nation received new directives, alerting workers to new policies and a new operations unit at McDill Air Force Base in Tampa. The unit will help confirm war time duty for all veterans, whether they were officially activated or only used for temporary covert missions.

"At least the people in the future they'll have it documented so if something happens, they won't have to flounder around and wait and beg for 3 or 4 years to get their situation taken care of," said Avery

The V.A. still denies Avery and his squadron were exposed to toxic chemicals. While many of his comrades are too sick to go to war with the V.A., Avery vows to make a stand, no matter how weak, his knees.

It could take as many as two years before Lt. Col Avery's appeal regarding toxic exposures is resolved.

Officials from Veterans Affairs say according to the law, veterans must provide evidence they suffered exposure traveling to or from a war zone or in the line of duty.