



## PRESS RELEASE

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IMMEDIATE RELEASE

December 15, 2010

No. 10-24

Press Release

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146

### **Defense Department Wrongfully Discharges Nearly 26,000 Veterans, Refuses to Release Records**

**Washington, D.C.**--The Defense Department's (DoD) failure to comply with the law in releasing records that show it has blocked disabled veterans from receiving disability compensation and other benefits, earned as a result of service to our nation has prompted Vietnam Veterans of America (VVA) and VVA Chapter 120 in Hartford, Connecticut, to file a federal Freedom of Information Act (FOIA) lawsuit.

The complaint, filed today at the U.S. District Court in New Haven by the Veterans Legal Services Clinic of the Jerome N. Frank Legal Services Organization at Yale Law School, charges that, since the beginning of the Global War on Terrorism, DoD has systematically discharged nearly 26,000 veterans, wrongfully classified as suffering from Personality Disorder, a characterization that renders the service member ineligible for receiving rightful benefits. Personality Disorder is a disability that begins in adolescence or early adulthood and can present with symptoms which may mimic Post-traumatic Stress Disorder (PTSD).

"DoD's Personality Disorder designation prevents thousands of wounded veterans from accessing service-connected disability compensation or health care," said VVA National President John Rowan.

In 2007, the Veterans Affairs Committee in the U.S. House of Representatives charged DoD with deliberately misusing personality disorder diagnoses in order to reduce to the cost of health care and disability compensation by at least \$12.5 billion. Since then, DoD has dramatically decreased the number of soldiers it has discharged on the

basis of Personality Disorder. After discharging an average of 3,750 service members per year for Personality Disorder between 2001 and 2007, DoD has discharged only 960 service members in 2008; 1,426 in 2009; and 650 to date in 2010. However, rather than repairing the harm it has caused to the veterans it misdiagnosed, DoD is refusing to admit that veterans were inappropriately discharged with Personality Disorder before 2008.

"While DoD protects its reputation and its pocketbook, veterans with Post-traumatic Stress Disorder and Traumatic Brain Injury continue to be denied the benefits and medical care they are due," said Dr. Thomas Berger, Executive Director of VVA's Veterans Health Council. Since 2007, VVA has publically criticized DoD's systematic misuse of Personality Disorder discharges, in correspondence to DoD Secretary Gates and in testimony before the House Veterans Affairs Committee, with the intent of curbing the wrongful discharge practice and assisting those wrongfully discharged veterans in receiving the benefits to which they are entitled.

"If DoD truly believes that all Personality Disorder discharges were lawful, why does it refuse to provide records responsive to VVA's Freedom of Information Act request?" asked Melissa Ader, a law student intern in the Jerome N. Frank Legal Services Organization at Yale Law School, which is counsel in the case. "We hope that this lawsuit will allow the public to assess for itself whether DoD has treated veterans unjustly."

For more information visit: <http://www.vva.org/ppd.html>

*Vietnam Veterans of America (VVA) is the nation's only congressionally chartered veterans service organization dedicated to the needs of Vietnam-era veterans and their families. VVA's founding principle is "Never again will one generation of veterans abandon another."*

