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To Whom It May Concern:

In the 21 years since my military retirement (30 September 1995), I have spent countless hours in my search for answers as to why I was denied my educational benefits (the Montgomery GI Bill) as a military veteran. I have had countless conversations with representatives from the VA, the Disabled American Veterans and the Veterans of Foreign Wars. None of the representatives I have spoken with have had any consistent answers. It seems that the "right hand doesn't know what the left hand is doing," as it relates to who knows what about anything remotely related to the reasons why I was denied the Montgomery GI Bill.

Today, I received an e-mail from my congressman's veterans' representative. It stated the reasons why the VA denied my claim for my Montgomery GI Bill. However, it was nothing more than a repeat (and an ambiguous one, at that) of what I had already been told. In the letter, it gave me the option of contacting an educational specialist at the VA, with a number I could call to get further clarification. I called the number, and found out, much to my dismay, that the ONLY DD-214 the educational specialist had access to in her computer system was the one from 14 September 1981 to 13 January 1986. THIS is a MAJOR discrepancy, especially since it is, according to 38 U.S.C. §§ 5102, 5103, 5103A, 38 U.S.C. § 5107, and 38 C.F.R. § 3.103(a), the VA's DUTY TO ASSIST a veteran in the claims process AND to give the veteran the benefit of the doubt, even when there is "an approximate balance of positive and negative evidence."

I have received SEVERAL different answers as to why I was denied my Montgomery GI Bill educational benefit(s). These answers included: 1) "you had a break in service," 2) "because you were a Vietnam Era veteran, unless you were already enrolled in school, you would lose your Montgomery GI Bill - and no one on active duty was told this," 3) "you were on active duty between 1984 and 1985," 4) "the only DD-214 we have in your electronic file is the one from 1981 to 1986," and 5) "he did not meet the criteria for eligibility due to the date he entered the service."

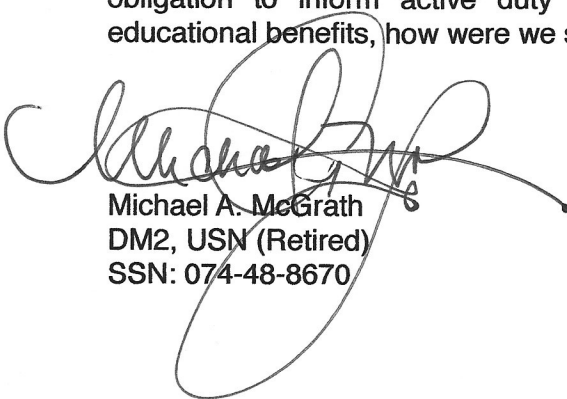
While I was on active duty, PRIOR to being issued my DD-214's, I ALWAYS asked this question, of each and every Navy career counselor: "Will my DD-214 affect, in ANY WAY, my eligibility for VA educational benefits?" And, without fail, each and EVERY time, the answer was a resounding, "No, this will NOT affect your VA educational benefits."

During the period when the VA was changing the educational benefits from the Montgomery GI Bill to VEAP, we were ALL told that those of us who wanted to retain our Montgomery GI Bill could do so (they called it "grandfathering"), without any repercussions. We were given the OPTION of keeping our Montgomery GI Bill OR converting over to VEAP. I chose, based on the information we were given, to keep my Montgomery GI Bill. I had been in over 15 years. Why would I consider changing to VEAP at that point?

After moving to the Denver, Colorado, area, and doing my research as to what type of school I wanted to enroll in, I spoke with the Colorado Institute of Art's veterans' representative, whom I assumed was proficient in applying for a veteran's educational benefits in the correct manor, since I was NOT the first veteran whom they had applied for educational benefits for. In your last letter, you stated that I was supposed to apply "for educational benefits prior to enrolling at the Colorado Institute of Art." How was I supposed to know the procedure for applying for VA educational benefits "prior to enrolling at the Colorado Institute of Art?" NOTHING in the TAP that I attended, prior to my retirement in September of 1995, informed me that this was the procedure for applying for my VA educational benefits. The VA does almost NOTHING, as far as how to apply for educational benefits are concerned, when it comes to TAP.

I was a VA benefits briefer at Buckley AFB from June to December 2014. I was trained by the VA in Colorado Springs, and NOTHING about "how to apply for your educational benefits" was EVER taught in our VA Benefits Briefer Training sessions. We were taught to tell veterans that they MAY be eligible to VA educational benefits, and that they should apply, but we weren't told how they should apply, when they should apply nor where they should apply. So, if WE, as VA benefits briefers weren't taught to tell veterans HOW to apply for their VA educational benefits, what makes you think that ANY veteran between 1986 and 1995 would know how to apply for benefits prior to enrollment in an institution of higher learning? All I was ever told was that I could go to a veterans' representative at any institution of higher learning and simply apply for my benefits upon enrollment. I was told to bring my DD-214's with me, which I did, and apply for my benefits upon enrollment. If the VA cannot disseminate correct information to its VA benefits briefers, how is anyone else supposed to know the application process?

So, considering these issues, I am appealing your last response to my congressional inquiry, and asking for a FULL INVESTIGATION as to 1) why the VA educational division doesn't have copies of my other DD-214's, 2) why it has taken 21 years for me to find this out, ESPECIALLY SINCE EVERY OTHER DEPARTMENT WITHIN THE VA HAS BEEN GIVEN COPIES OF MY DD-214's by the Disabled American Veterans and the Veterans of Foreign Wars, 3) why the VA educational division hasn't done their due diligence (as stated in the above regulations), and 4) why I was denied my Montgomery GI Bill. Since I was enlisted between 1974 and 1978, I was eligible for the Montgomery GI Bill. Forget the rest of my enlistments! This enlistment alone should have qualified me for educational benefits. If the VA wasn't forthright in its ethical obligation to inform active duty personnel of the CORRECT information related to our educational benefits, how were we supposed to be well-informed? Through osmosis?



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