



Office of Congressman Mike Coffman

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CASEWORK AUTHORIZATION & PRIVACY ACT RELEASE FORM

(Please type or print)

Full Name: Michael Anthony McGrath

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Social Security #: 074488670 Birthdate: 06/10/1956

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Loan #: _____ Agency/VA Claim #: 074-48-8670

Please describe the type of assistance you are seeking from the Representative's office. Include agency claim numbers and copies of all relevant documents and correspondence. If necessary, use a separate sheet of paper.

Which agency(s) have you contacted? VFW, DAV, VA

Have you contacted another Member of Congress about this matter? NO

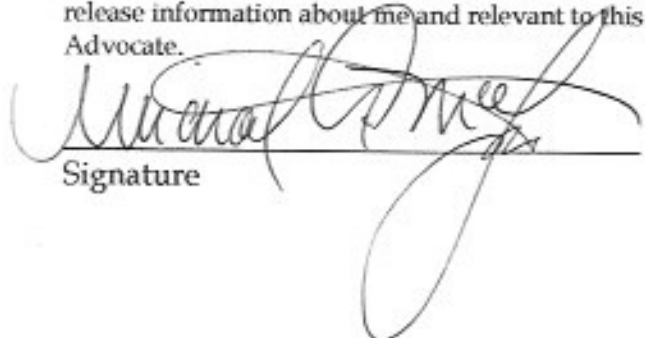
Have you hired an attorney? No Is there a pending court case? No

What problem are you having with the agency(s)? _____

Please see attached documentation.

How would you like Congressman Coffman to help you? Please help me get answers about why my educational benefits were removed without my notification, nor the notification of any other Vietnam Era veteran

Pursuant to the Privacy Act of 1974 (5 U.S.C. §552a), I hereby authorize appropriate governmental agencies to release information about me and relevant to this inquiry to Congressman Coffman and/or his Constituent Advocate.


Signature

02/16/17
Date

To Whom It May Concern:

I, Michael A. McGrath, 074-48-8670, DM2, USN (Retired), make this voluntary statement related to my experiences with the Veterans Administration, without any pressure or coercion of any kind from any person or organization.

My experiences with the Veterans Administration, apart from my dealings and interactions with the Golden VA Clinic in Golden, Colorado (which have been, on the whole, a pleasant and encouraging experience), have been horrific at best and nightmarish at worst. These experiences began, without my knowledge or understanding, prior to my retirement from active duty military service in September of 1995. Unbeknownst to me, or to any other military personnel I was acquainted with (including the officers and career counselors I was stationed with), in the mid-1980's the Veterans Administration redesigned the benefit regulations for veterans without notifying any of those of us who were still on active duty and would soon to be classified as veterans (upon our discharge or retirement). One of these regulations had to do with Vietnam Era veterans. According to the VFW representative I spoke with, a few years after my military retirement, the VA passed their regulations through Congress, and written into those regulations was a ruling that stated that ANY Vietnam Era veteran who was NOT ALREADY ENROLLED in an institution of higher learning would forfeit their educational benefits. In other words, they would LOSE their educational benefits. Permanently. Period. No questions asked. And no appeals process would ever be able to reestablish those educational benefits. I understand, based on my experience as a VA benefits briefer at Buckley AFB (in late 2014), that many of the benefits that had been taken away from the Vietnam Era veterans, in the mid-1980's, have since been reinstated. I cannot determine what educational benefits, if any, have been reinstated.

I enlisted in the Navy in early 1974, through what they called a "Delayed Entry Program," which was designed for students who were still enrolled in high school, but who were willing to commit themselves to an enlistment in the Navy and who would be able to utilize that short period of time prior to graduation in some capacity during their military career. I was able to use the Delayed Entry Program for my military retirement and gain time-in-service. I went on active duty in June of 1974 and was honorably discharged in June of 1978. I have a DD-214 to prove this. I reenlisted in 1979, and remained on active duty until early 1986, when I was discharged again. I have a DD-214 to prove this, as well. I reenlisted in late 1986 and remained on active duty until my retirement date of 30 September 1995. I have a DD-214, AND a retired military ID card to prove this, PLUS a certificate of retirement from active duty. (The reason I had so many breaks in my military service was due to family issues I was having during those periods of time, to which I needed to focus my attention).

After my retirement in 1995 (and the subsequent divorce I went through, with my first wife and her acquisition of 50% of my military retirement AND spousal support), I moved to New Mexico. One year after that move, I relocated to Denver, Colorado, in October 1996. Unaware that I had no educational benefits coming to me from the Veterans Administration, I enrolled in college at the Colorado Institute of Art (now called

the Art Institute of Colorado) in early 1997. At enrollment, I filled out the necessary paperwork for the VA to pay for my educational benefits. I was enrolled for a total of NINE (9) MONTHS BEFORE the Veterans Administration notified me, BY LETTER (NOT BY PHONE CALL), that I was NOT ELIGIBLE FOR EDUCATIONAL BENEFITS because (according to them) I had a "break in service." Now, to the novice, this might sound a bit odd, but not necessarily out of the ordinary. However, being that I was a military RETIREE, rather than someone who had only served for 2-4 years on active, my brain couldn't quite wrap itself around this LIE that the VA had sent me in the mail. Because I was having a difficult time wrapping my brain around this new information, AND, because I was on a limited source of income, my major depressive disorder, which I had been diagnosed with while on active duty, kicked in. I had to drop out of school, and, in the process, acquired two student loans, for which I now owe \$9,246.90 (not including the payments I have already made towards these loans).

Because of all this turmoil over the couple of years subsequent to my military retirement, I seriously considered suicide as an option. I contacted a local suicide hotline at the nearest phone booth (cell-phones had barely been invented, as yet). While on the phone with the suicide hotline, I heard a voice behind me say, "Put the telephone receiver down, and put your hands behind your head!!!" A local police unit had been dispatched and one of the officers was pointing a handgun at me. I did as I was instructed, and put the receiver back into its cradle in the phone booth. I was handcuffed and taken to the local police station. When the officers discovered that I was a retired Navy veteran (after seeing my military retiree ID card), they put me back into a police car and took me to the Denver VA Hospital, where I was admitted to the Mental Health Ward. I was there over the Christmas Holiday in 1997. I was put on Zoloft (or Sertraline), which I remained on for 1.5 years, until the side-effects were too much for me to handle. I attempted to get an appointment with my mental health provider at the Denver VA Hospital, however, he didn't deem me worthy to return my phone calls. So, I slowly weaned myself off of Zoloft. It took me 6 months before I was finished using that medication. I have not been on any medication for mental health issues since that time. (I remained in mental health counseling for many years and am currently in counseling at the Golden VA Clinic, which I find to be extremely valuable).

During the next few years, I researched every resource I could to try to determine why I had no educational benefits through the Veterans Administration. In the interim, I found work and periodically was seen at the Denver VA Hospital for those conditions that were included in my service-connected disabilities awarded to me by the VA. My disability status went from 10% to 50% during this period of time (1995-2004).

One day during the late summer of 2004, I received a phone call from a gentleman named William Lemmell, who was a counselor with the VA's Vocational Rehabilitation and Education (VR&E) Division. He simply told me that now that I had been awarded a 50% disability rating through the VA, I had qualified for enrollment in an institute of higher learning through the VR&E. I asked Bill what I was supposed to do, and he told me to "find a school to attend." I chose Rocky Mountain College of Art + Design (RMCAD), in Denver. I was overjoyed by this twist of events. I enrolled at RMCAD, and used my

military art portfolio and prior college courses (I was an Illustrator-Draftsman during my last 17 years of my Navy career) to gain me 24 credits, which helped me earn my Bachelor of Fine Arts in Illustration in 3 years, rather than in the usual 4 years. I graduated Summa Cum Laude in December 2007, with a GPA of 3.892. I spent the next 10 years attempting to find work as an illustrator. That never happened. When I would periodically receive a phone call from a VR&E counselor, in their attempt to "reach out and touch someone," they never were able to "help" me find work. I sat in one of their counselor's offices, shortly after I graduated from college. I showed him my senior art portfolio from college and he said to me (and I quote), "I don't know how I can help you. I have never worked with a 'creative' before." I'm NOT joking. Those were his exact words. I received a couple of phone calls from a VR&E counselor since then, but I was too disillusioned by the whole VR&E counseling process, that I never went back to them.

Since that day, I have been enrolled in the Colorado Division of Vocational Rehabilitation. Diane Rainville was my initial counselor. She assigned a job coach to me, who was so impressed by my ability to create resumes, and my professional appearance and interviewing skills as an interviewee, that she and I worked together diligently to find a job for me. No matter how many jobs I applied for, I always get the same answer: "you're overqualified." And, my job coach found this to be disturbing, even when I would "dumb-down" my resumes and the information I gave during my interviews. After working with this job coach for a few months, I just gave up. I found that as long as I don't have a job, the personnel at the Colorado Division of Vocational Rehabilitation HAVE jobs.

I have over 50 different resumes, and professional experiences related to anything from illustrator and graphic designer, to landscaper, from administrative assistant to caregiver, from VA benefits briefer at Buckley AFB, to part-time/part-time art teacher at the Malley Senior Resource Center in Englewood. I was even a freelance Trumaker shirt-salesman and a men's personal dresser for a year. Oh, and I am one course shy of being an organic master gardener.

A while back, I applied to be reinstated into the VA's VR&E program, for retraining. Last month, I received a letter from them stating that they had refused my request for VR&E. And, they want me to jump through all kinds of hoops IF I decide to appeal their decision. I am almost 61 years old. My disabilities aren't getting any easier to deal with. I am exhausted from having to face the VA, over and over again. I wasn't surprised when I heard that a veteran, named Peter A. Kaisen (who was 76-year old) shot himself outside the VA Hospital on Long Island. I can fully understand that man's frustration with the VA and it's inability to be empathetic, when it comes to those whom they are supposed to be serving.

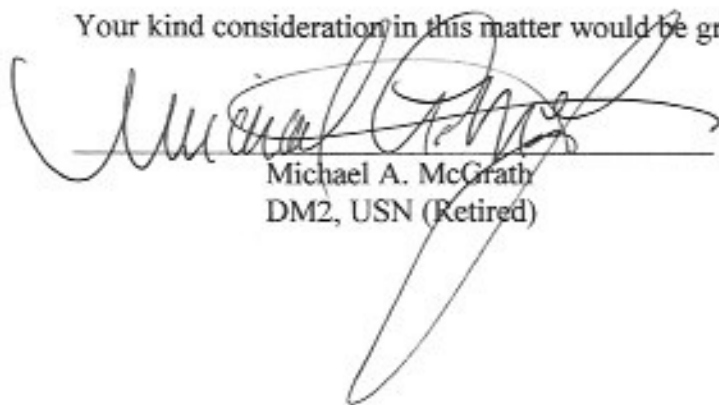
However, I still have this \$10,000 student loan hanging over my head. Yesterday, shortly before contacting Mike Coffman's offices in Denver, I called the Veterans Administration and spoke with one of their reps about this issue. I asked him what disqualified me from my original GI Bill educational benefits. He told me that I first enlisted in September 1975. I replied that I had enlisted PRIOR to June of 1974, with the

Delayed Entry Program, and had active duty in June of 1974. He didn't seem to be able to wrap his brain around this piece of information, but he did tell me, point blank, after he asked me if I was enlisted between 1984 and 1985 (and I confirmed that in fact I was enlisted between 1984 and 1985), that because I was enlisted during that one-year stint, I was NOT qualified for ANY educational benefits through the VA! In my frustration, I asked him why I was disqualified, when my brother (who is 12 years younger than me and who had retired from the Navy 12 years AFTER I did) had gotten HIS educational benefits, and my other brother (who is at least 12 years younger than my other brother, and who enlisted in the Navy, got out, went to college and is now an officer in the Army) had gotten HIS educational benefits!!! All the VA rep could say was, "That's how the regulations are written."

I am respectfully requesting your assistance with this issue with the Veterans Administration, as it relates to educational benefits and the VR&E. I am asking for a congressional inquiry as to why my active duty enlistment between 1984 and 1985 would disqualify me from my rightfully-earned educational benefits. And, I am asking for assistance in requesting that the VA pay for the student loans that were incurred (in the amount of \$9,246.90), because they weren't willing to be truthful and forthright with me, as it relates to their regulations related to that period of enlistment.

I am also respectfully requesting that your offices inquire as to why the VA cannot get my dates of service correct, to match my DD-214's, which they already have copies of, as confirmed by the Lakewood VFW Service Office (whom I spoke with yesterday about my dates of service and my DD-214's).

Your kind consideration in this matter would be greatly appreciated.



Michael A. McGrath
DM2, USN (Retired)

02/16/17
Date