



DEPARTMENT OF VETERANS AFFAIRS  
REGIONAL PROCESSING OFFICE  
PO Box 4616  
BUFFALO NEW YORK 14240-4616

July 14, 2009

In Reply Refer To: [REDACTED]

CSS XXX-XX [REDACTED]  
[REDACTED]

Dear [REDACTED]

We received your application for the Post-9/11 GI Bill. This letter gives you details about your eligibility under the Post-9/11 GI Bill.

### Eligibility Under an Existing Program

If you are eligible for benefits under the Montgomery GI Bill - Active Duty (MGIB or Chapter 30), Montgomery GI Bill - Selected Reserve (MGIB-SR or Chapter 1606), or Reserve Educational Assistance Program (REAP or Chapter 1607) on August 1, 2009, you must relinquish benefits under the program for which you are eligible in order to receive benefits under the Post-9/11 GI Bill. If you are eligible under more than one of the listed programs, you are only required to give up benefits under one of the programs to receive benefits under the Post-9/11 GI Bill.

### What We Found

After reviewing your claim, we determined that, on August 1, 2009, you would be eligible for MGIB. Your eligibility for benefits under MGIB was relinquished to establish eligibility under the Post-9/11 GI Bill.

You may not receive more than a total of 48 months of benefits under two or more education programs.

CSS XXX-XX [REDACTED]  
[REDACTED]

## Certificate of Eligibility

This certifies that you are entitled to benefits for an approved program of education or training under the Post-9/11 GI Bill beginning August 1, 2009.

**You must take this letter to your school. Your school must certify your enrollment before you can get paid.**

You have 36 months and 0 days of full time benefits. You have until February 22, 2021 to use your benefits under this program, which is 15 years from the date of your last separation from active duty.

You're entitled to receive 80% of the benefits payable under the Post-9/11 GI Bill program for training offered by an institution of higher education. We determined this percentage based on your length of creditable active duty service. We based our decision on the following service information:

<u>Begin Date</u>	<u>End Date</u>	<u>Length (in Days)</u>
February 14, 2004	February 21, 2006	739

Qualifying Days of Chapter 33 Service: 739

**Note:** By law we can't include dates of entry level and skill training because your total aggregate service is less than 30 months.

## Eligibility for Other Types of Training

Individuals electing to receive Post-9/11 GI Bill benefits by relinquishing eligibility under the Montgomery GI Bill (MGIB), the Montgomery GI Bill-Selected Reserve (MGIB-SR), or the Reserve Educational Assistance Program (REAP) can also receive educational assistance for training programs that are not authorized to be available under the provisions of the Post-9/11 GI Bill, but are available under the relinquished benefit.

Examples include, but are not limited to, approved on-the-job training, apprenticeship training, flight training, correspondence training, and non-college degree programs offered at institutions other than colleges or universities. For these types of training VA will award educational assistance at the rate payable under the relinquished benefit. You will not be eligible to receive the monthly housing allowance or the books and supplies stipend while pursuing flight, correspondence, apprenticeships, or on-the-job training.

CSS XXX-XX [REDACTED]  
[REDACTED]

## Approved Programs of Education

Approved training under the Post-9/11 GI Bill includes graduate and undergraduate degrees and vocational/technical training. All training programs must be offered by a degree granting institution and approved for GI Bill benefits. Additionally, tutorial assistance and licensing and certification test reimbursement are approved under the Post-9/11 GI Bill.

*Note:* Since all training facilities and programs aren't approved for VA benefits, please contact us to confirm the program is approved for education benefits before you enroll.

**You are responsible for ALL debts resulting from reductions or terminations of your enrollment even if the payment was submitted directly to the school on your behalf.**

## To Receive Advance Payment

You may receive an advance payment for the first month (or part of a month) and second month of the monthly housing allowance if all of the following conditions are met:

- You are enrolled with a rate of pursuit greater than ½ time training; and
- Your school has agreed to receive and process advance payments; and
- You request advance payment by signing the request block on the enrollment certification your school sends to us, and
- VA receives your enrollment certification at least 30 days before classes start.

*Note:* If we don't pay an advance payment, we'll pay you after each month you attend school.

## Career Counseling

You are eligible for VA's professional career counseling at any time during your period of eligibility for education benefits. For more information about career counseling, call 1-800-827-1000.

## Other Information

You should promptly notify your school's veterans certifying official and VA if there is any change in your enrollment. You are responsible for ALL debts resulting from reductions or terminations of your enrollment even if the payment was submitted directly to the school on your behalf. Generally, we can't pay you for—

- Courses you don't attend;

CSS XXX-XX [REDACTED]  
[REDACTED]

- Courses from which you withdraw; or
- Courses you complete but receive a grade that will not count towards graduation.

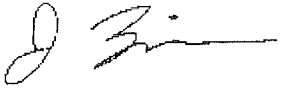
You may notify VA via

- The Internet by visiting [www.GIBILL.va.gov](http://www.GIBILL.va.gov) (click on Questions and Answers on the left side of the screen. You can then send VA a message using the Ask a Question tab); or
- Telephone by calling toll-free at 1-888-GI-BILL-1 (1-888-442-4551);
- Postal mail by sending correspondence to the address at the top of this letter.

### **If You Have Questions or Need Assistance**

If you have questions or need assistance, contact us. See the *If You Need Help* enclosure for contact information. If you disagree with us, you have the right to appeal our decision. You must write and tell us why you disagree. The enclosed VA Form 4107 explains your rights.

Sincerely yours,



J. Zinn  
Education Officer

Enclosure(s): If You Need Help  
VA Form 4107

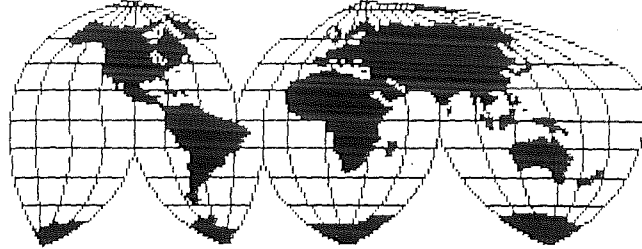
CC: American Legion



## IF YOU NEED HELP

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If you need help with your VA education benefits, you can contact us in the following ways:

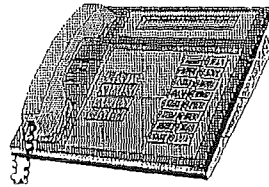


VA has a national education Home Page on the World Wide Web (internet) where you can get information about VA education benefit programs. The National Home Page address is:

<http://www.gibill.va.gov>

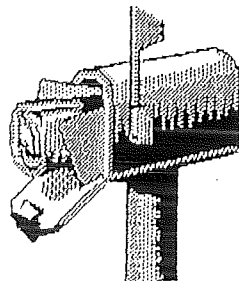
You can ask questions about your education claim by choosing the "Ask A Question and Find Answers" option from the home page.

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If you need help with your VA education benefits, you can call toll-free from the U.S. by dialing 1-888-GI BILL-1 (1-888-442-4551). If you're hearing impaired, call 1-800-829-4833. For other VA benefits call 1-800-827-1000.

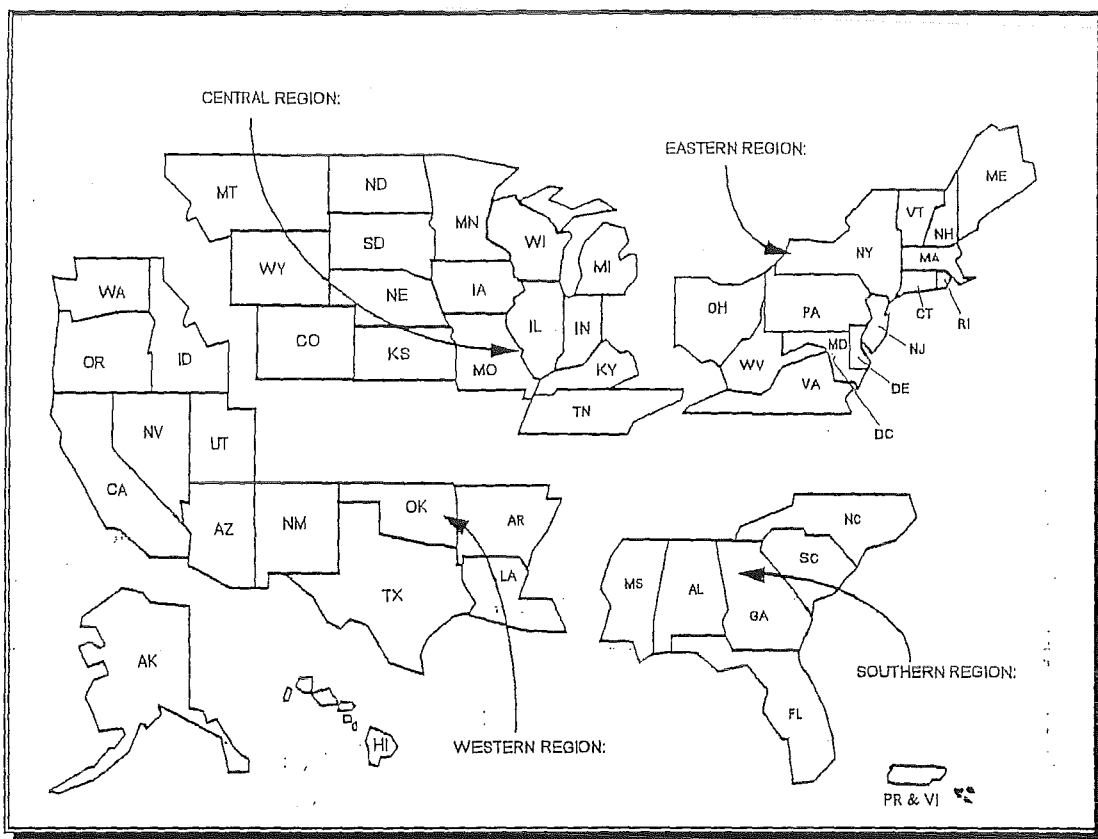
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You can mail inquiries or claims for education benefits to your Regional Processing Office. See the back of this sheet for instructions.

## Which VA Office Handles Your Education Claim?

There are four regional education processing offices that handle claims for the entire country, which we have divided into regions. The map below shows the states in each region. Find the state where you'll be attending school or job training. You should mail inquiries or claims for education benefits to the processing office for that region.



### CENTRAL REGION:

VA Regional Office  
PO Box 66830  
St. Louis, MO 63166-6830

### EASTERN REGION:

VA Regional Office  
PO Box 4616  
Buffalo, NY 14240-4616

### WESTERN REGION:

VA Regional Office  
PO Box 8888  
Muskogee, OK 74402-8888

### SOUTHERN REGION:

VA Regional Office  
PO Box 100022  
Decatur, GA 30031-7022



After careful and compassionate consideration, a decision has been reached on your claim. If we were not able to grant some or all of the VA benefits you asked for, this form will explain what you can do if you disagree with our decision. If you do not agree with our decision, you may:

- appeal to the Board of Veterans' Appeals (the Board) by telling us you disagree with our decision
- give us evidence we do not already have that may lead us to change our decision

This form will tell you how to appeal to the Board and how to send us more evidence. You can do either one or both of these things.

*NOTE: Please direct all new evidence to the address at the top of our letter. Do not send evidence directly to the Board until you receive written notice from the Board that they received your appeal.*

### WHAT IS AN APPEAL TO THE BOARD OF VETERANS' APPEALS?

An appeal is your formal request that the Board review the evidence in your VA file and review the law that applies to your appeal. The Board can either agree with our decision or change it. The Board can also send your file back to us for more processing before the Board makes its decision.

### HOW CAN I APPEAL THE DECISION?

**How do I start my appeal?** To begin your appeal, write us a letter telling us you disagree with our decision. This letter is called your "Notice of Disagreement." If we denied more than one claim for a benefit (for example, if you claimed compensation for three disabilities and we denied two of them), please tell us in your letter which claims you are appealing. *Send your Notice of Disagreement to the address at the top of our letter.*

**What happens after VA receives my Notice of Disagreement?** We will either grant your claim or send you a Statement of the Case. A Statement of the Case describes the facts, laws, regulations, and reasons that we used to make our decision. We will also send you a VA Form 9, "Appeal to Board of Veterans' Appeals," with the Statement of the Case. You must complete this VA Form 9 and return it to us if you want to continue your appeal.

**How long do I have to start my appeal?** You have one year to appeal our decision. *Your* letter saying that you disagree with our decision must be postmarked (or received by us) within one year from the date of *our* letter denying you the benefit. In most cases, you cannot appeal a decision after this one-year period has ended.

**What happens if I do not start my appeal on time?** If you do not start your appeal on time, our decision will become final. Once our decision is final, you cannot get the VA benefit we denied unless you either:

- show that we were clearly wrong to deny the benefit *or*
- send us new evidence that relates to the reason we denied your claim

**Can I get a hearing with the Board?** Yes. If you decide to appeal, the Board will give you a hearing if you want one. The VA Form 9 we will send you with the Statement of the Case has complete information about the kinds of hearings the Board offers and convenient check boxes for requesting a Board hearing. The Board does not require you to have a hearing. It is your choice.

**Where can I find out more about appealing to the Board?**

- You can find a "plain language" booklet, called "How Do I Appeal," on the Internet at: <http://www.va.gov/vbs/bva/pamphlet.htm>. The booklet also may be requested by writing to Hearings and Transcription Unit (014HRG), Board of Veterans' Appeals, 810 Vermont Avenue, NW, Washington, DC 20420.
- You can find the formal rules for appealing to the Board in the Board's Rules of Practice at title 38, Code of Federal Regulations, Part 20. You can find the complete Code of Federal Regulations on the Internet at: <http://www.gpoaccessgov/cfr/index.html>. A printed copy of the Code of Federal Regulations may be available at your local law library.

Can I get someone to help me with my appeal to the Board? Yes. You can have a veterans' service organization representative, an attorney-at-law, or an "agent" help you with your appeal. But you are not required to have someone represent you. It is your choice.

- Representatives who work for accredited veterans' service organizations know how to prepare and present claims and will represent you. You can find a listing of these organizations on the Internet at: <http://www.va.gov/vso>.
- A private attorney or an "agent" can also represent you. If applicable, your local bar association may be able to refer you to an attorney with experience in veterans' law. VA only recognizes attorneys who are licensed to practice in the United States or in one of its territories or possessions. An agent is a person who is not a lawyer, but who VA recognizes as being knowledgeable about veterans' law. Contact us if you would like to know if there is a VA accredited agent in your area.

Do I have to pay someone to help me with my appeal to the Board? It depends on who helps you. The following explains the differences.

- Veterans' service organizations will represent you for free.
- Attorneys or agents can charge you for helping you under some circumstances. Paying their fees for helping you with your appeal to the Board is your responsibility. If you do hire an attorney or agent to represent you, one of you must send a copy of any fee agreement to the following address within 30 days from the date the agreement is executed: Office of the General Counsel (022D), 810 Vermont Avenue, NW, Washington, DC 20420. See 38 C.F.R. 14.636(g). If the fee agreement provides for the direct payment of fees out of past-due benefits, a copy of the agreement must also be filed with us at the address at the top of our letter. See 38 C.F.R. 14.636(h)(4).

### CAN I GIVE VA ADDITIONAL EVIDENCE?

Yes. You can send us more evidence to support a claim whether or not you appeal to the Board. If you want to appeal, though, do not forget the one-year time limit!

If you have more evidence to support a claim, it is in your best interest to give us that evidence as soon as you can. We will consider your evidence and let you know whether it changes our decision. Please keep in mind that we can only consider new evidence that: (1) we have not already seen and (2) relates to your claim. You may give us this evidence either in writing or at a personal hearing.

*In writing.* To support your claim, you may send documents and written statements to us at the address on the top of our letter. Tell us in a letter how these documents and statements should change our earlier decision.

*At a personal hearing.* You may request a local hearing with us at any time. This hearing is separate from any Board hearing you might ask for later if you appeal. We do not require you to have one. It is your choice. At this hearing, you may speak, bring witnesses to speak on your behalf, and hand us written evidence. If you want a hearing, send us a letter asking for a hearing. Use the address at the top of our letter. We will then:

- arrange a time and place for the hearing
- provide a room for the hearing
- assign someone to hear your evidence
- make a written record of the hearing

### WHAT HAPPENS AFTER I GIVE VA EVIDENCE?

We will review the record of the hearing and other new evidence, together with the evidence we already have. We will then decide if we can grant your claim. If we cannot grant your claim and you appeal, we will send the new evidence and the record of any local hearing to the Board.