

Privacy Act of 1978 (12 U.S.C. 3413(p)) only if the Secretary determines that the requested information—

(1) is necessary in order for the Secretary to administer the provisions of law referred to in that section; and

(2) cannot be secured by a reasonable search of records and information of the Department.

(b) The Secretary shall include a certification of the determinations referred to in subsection (a) in each request presented to a financial institution.

(c) Information disclosed pursuant to a request referred to in subsection (a) may be used solely for the purpose of the administration of benefits programs under laws administered by the Secretary if, except for the exemption in subsection (a), the disclosure of that information would otherwise be prohibited by any provision of the Right to Financial Privacy Act of 1978.

(Added Pub. L. 102-568, title VI, § 603(b)(1), Oct. 29, 1992, 106 Stat. 4342.)

Editorial Notes

REFERENCES IN TEXT

The Right to Financial Privacy Act of 1978, referred to in subsec. (c), is title XI of Pub. L. 95-630, Nov. 10, 1978, 92 Stat. 3697, which is classified generally to chapter 35 (§ 3401 et seq.) of Title 12, Banks and Banking. For complete classification of this Act to the Code, see Short Title note set out under section 3401 of Title 12 and Tables.

§ 5320. Threshold for reporting debts to consumer reporting agencies

The Secretary shall prescribe regulations that establish the minimum amount of a claim or debt, arising from a benefit administered by the Under Secretary for Benefits or Under Secretary for Health, that the Secretary will report to a consumer reporting agency under section 3711 of title 31.

(Added Pub. L. 116-315, title II, § 2007(a), Jan. 5, 2021, 134 Stat. 4977.)

Statutory Notes and Related Subsidiaries

DEADLINE

Pub. L. 116-315, title II, § 2007(c), Jan. 5, 2021, 134 Stat. 4977, provided that: “The Secretary of Veterans Affairs shall prescribe regulations under section 5320 of such title [title 38], as added by subsection (a), not later than 180 days after the date of the enactment of this Act [Jan. 5, 2021].”

§ 5321. Benefits helpline

(a) ESTABLISHMENT.—The Secretary shall maintain a toll-free telephone helpline that a covered individual may call in order to—

(1) obtain information about any service or benefit provided under the laws administered by the Secretary; or

(2) be directed to an appropriate office of the Department regarding such a service or benefit.

(b) CONTRACT FOR DIRECTION OF CALLS AUTHORIZED.—The Secretary may enter into a contract with a third party to direct calls made to the

helpline to an appropriate office under subsection (a)(2).

(c) LIVE INDIVIDUAL REQUIRED.—The Secretary shall ensure that a covered individual who calls the helpline has the option to speak with a live individual.

(d) DEFINITIONS.—In this section:

(1) The term “covered individual” means—

(A) a veteran;

(B) an individual acting on behalf of a veteran; or

(C) an individual other than a veteran who is eligible to receive a benefit or service under a law administered by the Secretary.

(2) The term “veteran” has the meaning given such term in section 2002(b) of this title.

(Added Pub. L. 118-159, div. E, title L, § 5002(a), Dec. 23, 2024, 138 Stat. 2408.)

CHAPTER 55—MINORS, INCOMPETENTS, AND OTHER WARDS

Sec.

- 5501. Commitment actions.
- 5501A. Beneficiaries' rights in mental competence determinations.
- 5502. Payments to and supervision of fiduciaries.
- 5503. Hospitalized veterans and estates of incompetent institutionalized veterans.
- 5504. Administration of trust funds.
- [5505. Repealed.]
- 5506. Definition of “fiduciary”.
- 5507. Inquiry, investigations, and qualification of fiduciaries.
- 5508. Periodic onsite reviews of institutional fiduciaries.
- 5509. Authority to require fiduciary to receive payments at regional offices of the Department when failing to provide required accounting.
- 5510. Annual report.

Editorial Notes

AMENDMENTS

Pub. L. 115-407, title VII, § 702(a)(1), Dec. 31, 2018, 132 Stat. 5381, inserted period at end of item 5501A.

2016—Pub. L. 114-255, div. B, title XIV, § 14017(b), Dec. 13, 2016, 130 Stat. 1307, added item 5501A.

2004—Pub. L. 108-454, title V, §§ 501(a)(2), 502(b), 504(a)(2), 505(b), Dec. 10, 2004, 118 Stat. 3617, 3619, 3621, 3622, added items 5506 to 5510.

1994—Pub. L. 103-446, title XII, § 1201(g)(4)(B), Nov. 2, 1994, 108 Stat. 4687, struck out item 5505 “Limitation on compensation payments for certain incompetent veterans”.

1991—Pub. L. 102-40, title IV, § 402(c)(1), May 7, 1991, 105 Stat. 239, renumbered items 3201 to 3205 as 5501 to 5505, respectively.

1990—Pub. L. 101-508, title VIII, § 8001(a)(2), Nov. 5, 1990, 104 Stat. 1388-342, added item 3205.

1984—Pub. L. 98-223, title II, § 207(b)(2), Mar. 2, 1984, 98 Stat. 43, substituted “fiduciaries” for “guardians” in item 3202.

§ 5501. Commitment actions

The Secretary may incur necessary court costs and other expenses incident to proceedings for the commitment of mentally incompetent veterans to a Department hospital or domiciliary when necessary for treatment or domiciliary purposes.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1232, § 3201; renumbered § 5501, Pub. L. 102-40, title IV,