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Comment On: VA-2025-VACO-0001-0042

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution: (FR Doc No: 2025-11957/ OMB Control No. 2900-0116)

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Comment from Los Angeles County Department of Military and Veteran Affairs on VA-2025-VACO-0001-0042

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Government Agency: Los Angeles County Department of Military and Veteran Affairs

General Comment

Under 38 CFR 3.665, veterans service connection compensation is reduced at the 61st day of their incarceration. While some veterans are able to file an apportionment to have funding go to authorized family members, it is a cumbersome process requiring filling out VA Form 21-0788 and many veterans and their dependents never become aware of the ability to file an apportionment. Successful apportionment sometimes take several months leaving the veteran's dependents in financial hardship. VJOs do not make regular visits to our county jails and state prison in our county. As the County Veteran Service Officer for my county, we do not have the resources to get to all the veterans in our jails. Additionally, many veterans do not want to self identify their veteran status due to shame and fear of losing their benefits. Many dependents of incarcerated veterans face financial hardship at no fault of their own. The service connection dollars that are withheld goes back into the VA general fund. As a result, I recommend that VA consider automating apportionments through a policy change if possible. If it isn't possible, I urge federal legislators to pursue a legislative fix.