

118TH CONGRESS
1ST SESSION

H. R. 2971

To amend title 38, United States Code, to promote assistance from persons recognized by the Secretary of Veterans Affairs for individuals who file certain claims under laws administered by the Secretary.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2023

Mr. PETERS introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to promote assistance from persons recognized by the Secretary of Veterans Affairs for individuals who file certain claims under laws administered by the Secretary.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Claims Edu-
5 cation Act of 2023”.

1 **SEC. 2. PROMOTION OF ASSISTANCE FROM PERSONS REC-**
2 **OGNIZED BY THE SECRETARY OF VETERANS**
3 **AFFAIRS FOR INDIVIDUALS WHO FILE CER-**
4 **TAIN CLAIMS UNDER LAWS ADMINISTERED**
5 **BY THE SECRETARY.**

6 (a) NOTICE TO CLAIMANTS OF AVAILABLE ASSIST-
7 ANCE FROM RECOGNIZED PERSONS.—Section 5103A of
8 title 38, United States Code, is amended—

9 (1) by redesignating subsections (g) through (i)
10 as subsections (i) through (k), respectively;

11 (2) by inserting after subsection (f) the fol-
12 lowing new subsections:

13 “(g) Upon receipt of an initial claim by a claimant
14 not represented by an accredited person, the Secretary
15 shall provide notice to the claimant that—

16 “(1) an accredited person may be able to rep-
17 resent the claimant;

18 “(2) a veterans service organization recognized
19 under section 5902 of this title may represent the
20 claimant at no charge to the claimant;

21 “(3) provides the web address of the online tool
22 maintained under subsection (h); and

23 “(4) provides the web address of an appropriate
24 and publicly accessible website of the Department
25 through which a claimant may report—

1 “(A) a person, who is not an accredited
2 person, who represented the claimant; and

3 “(B) any fee charged by such person for
4 such representation.

5 “(h)(1) The Secretary shall maintain an online tool
6 that allows a claimant to search a list of accredited per-
7 sons who represent claimants.

8 “(2) The Secretary shall ensure that such list is cur-
9 rent at least once each calendar quarter.

10 “(3) The Secretary shall ensure that such tool is eas-
11 ily accessible to a claimant.”; and

12 (3) by adding at the end the following new sub-
13 section:

14 “(1) In this section:

15 “(1) The term ‘accredited person’ means—

16 “(A) a veterans service organization recog-
17 nized under section 5902 of this title; or

18 “(B) an attorney, agent, or other person
19 recognized under section 5904 of this title.

20 “(2) The term ‘represent’ means to prepare,
21 present, or prosecute a claim under a law adminis-
22 tered by the Secretary on behalf of a claimant.”.

23 (b) ONLINE INFORMATION REGARDING PERSONS
24 THAT ASSIST CLAIMANTS.—The Secretary of Veterans
25 Affairs shall include, in each web portal of the Department

1 of Veterans Affairs, through which an individual may file
2 a claim for a benefit administered by the Under Secretary
3 for Benefits or the Under Secretary for Health, a warning
4 regarding fees an agent or attorney may charge such indi-
5 vidual for assistance in filing such claim. Such warning
6 shall include the following:

7 (1) A link to the online maintained under sub-
8 section (h) of section 5103A of such title, as amend-
9 ed by subsection (a).

10 (2) A link to the website of the Department de-
11 scribed in subparagraph (D) of section 5103A(f)(1)
12 of such title, as amended by subsection (a).

13 (c) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Secretary shall—

15 (1) complete a review the regulations, processes,
16 and procedures of the Department of Veterans Af-
17 fairs that pertain to recognition under section 5904
18 of title 38, United States Code;

19 (2) develop recommendations for legislative or
20 administrative action to improve such regulations,
21 processes, and procedures; and

22 (3) submit to the Committees on Veterans' Af-
23 fairs of the Senate and House of Representatives a
24 report containing the findings of the Secretary with
25 respect to the review completed under paragraph (1)

1 and the recommendations developed under para-
2 graph (2).

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