

112TH CONGRESS
1ST SESSION

H. R. 1826

To amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2011

Mr. BILIRAKIS (for himself and Mr. WALZ of Minnesota) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees.

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. REINSTATEMENT OF PENALTIES FOR CHARG-**
4 **ING VETERANS UNAUTHORIZED FEES.**

5 (a) IN GENERAL.—Section 5905 of title 38, United
6 States Code, is amended to read as follows:

1 **“§ 5905. Penalty for certain acts**

2 “Except as provided in section 5904 or 1984 of this
3 title, whoever commits any of the following acts shall be
4 fined as provided in title 18, or imprisoned for not more
5 than one year, or both:

6 “(1) In connection with a proceeding before the
7 Department, the act of soliciting, contracting for,
8 charging, or receiving, or attempting to solicit, con-
9 tract for, charge, or receive, any fee or compensation
10 in connection for—

11 “(A) the provision of advice on how to file
12 a claim for benefits under the laws adminis-
13 tered by the Secretary; or

14 “(B) the preparation, presentation, or
15 prosecution of such a claim before the date on
16 which a notice of disagreement is filed in a pro-
17 ceeding on the claim.

18 “(2) The act of unlawfully withholding from
19 any claimant or beneficiary any part of a benefit or
20 claim under the laws administered by the Secretary
21 that is allowed and due to the claimant or bene-
22 ficiary.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall apply with respect to acts committed
25 after the date of the enactment of this Act.