

117TH CONGRESS
2D SESSION

S. 4975

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2022

Mr. BLUMENTHAL (for himself and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

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

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 2022”.

1 **SEC. 2. PROMOTION OF ASSISTANCE FROM ENTITIES 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 ENTITIES.—Section 5103A of
 8 title 38, United States Code, is amended—

9 (1) by redesignating subsections (g) through (i)
 10 as subsections (h) through (j), respectively; and

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

13 “(g)(1) Upon receipt of an initial claim by a claimant
 14 not represented in such claim by an accredited entity, the
 15 Secretary shall provide notice to the claimant that—

16 “(A) such an accredited entity may assist the
 17 claimant;

18 “(B) provides the web address of an online
 19 search tool that lists entities that assist in the filing
 20 of such claims; and

21 “(C) provides the web address of an appro-
 22 priate and publicly accessible website of the Depart-
 23 ment through which a claimant may report—

24 “(i) an entity, which is not an accredited
 25 entity, that filed a claim on the behalf of such

1 claimant or assisted a claimant in such filing;
2 and

3 “(ii) any fee charged by such entity to
4 such claimant.

5 “(2) In this subsection:

6 “(A) The term ‘accredited entity’ means—

7 “(i) a veterans service organization recog-
8 nized under section 5902 of this title; or

9 “(ii) an attorney, agent, or other entity
10 recognized under section 5904 of this title.

11 “(B) The term ‘represent’ means to prepare,
12 present, or prosecute a claim under a law adminis-
13 tered by the Secretary.”.

14 (b) ONLINE INFORMATION REGARDING ENTITIES
15 THAT ASSIST CLAIMANTS.—The Secretary of Veterans
16 Affairs shall include, in each web portal of the Department
17 of Veterans Affairs, through which an individual may file
18 a claim for a benefit administered by the Under Secretary
19 for Benefits or the Under Secretary for Health, a warning
20 regarding fees an agent or attorney may charge such indi-
21 vidual for assistance in filing such claim. Such warning
22 shall include the following:

23 (1) A link to the search tool described in sub-
24 paragraph (B) of section 5103A(g)(1) of such title,
25 as amended by subsection (a).

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

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