

118TH CONGRESS
2D SESSION

S. 5325

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, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2024

Mr. BLUMENTHAL 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 persons 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 2024”.

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) NOTICE REGARDING AVAILABILITY OF REP-
14 RESENTATION BY ACCREDITED PERSONS.—Upon receipt
15 of an initial claim by a claimant not represented by an
16 accredited person, the Secretary shall provide notice to the
17 claimant that—

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

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

23 “(3) provides the website address of the online
24 tool maintained under subsection (h); and

1 “(4) provides the website address of an appro-
 2 priate and publicly accessible website of the Depart-
 3 ment through which a claimant may report—

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

6 “(B) any fee charged by such person for
 7 such representation.

8 “(h) ONLINE LISTING OF ACCREDITED PERSONS.—

9 (1) The Secretary shall maintain an online tool that allows
 10 a claimant to search a list of accredited persons who rep-
 11 resent claimants.

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

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

16 (3) by adding at the end the following new sub-
 17 section:

18 “(l) DEFINITIONS.—In this section:

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

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

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

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

4 (b) ONLINE INFORMATION REGARDING PERSONS
5 THAT ASSIST CLAIMANTS.—The Secretary of Veterans
6 Affairs shall include, in each website portal of the Depart-
7 ment of Veterans Affairs, through which an individual
8 may file a claim for a benefit administered by the Under
9 Secretary for Benefits or the Under Secretary for Health,
10 a warning regarding fees an agent or attorney may charge
11 such individual for assistance in filing such claim. Such
12 warning shall include the following:

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

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

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

21 (1) complete a review the regulations, processes,
22 and procedures of the Department of Veterans Af-
23 fairs that pertain to recognition under section 5904
24 of title 38, United States Code;

1 (2) develop recommendations for legislative or
2 administrative action to improve such regulations,
3 processes, and procedures; and

4 (3) submit to the Committee on Veterans' Af-
5 fairs of the Senate and the Committee on Veterans'
6 Affairs of the House of Representatives a report
7 containing the findings of the Secretary with respect
8 to the review completed under paragraph (1) and
9 the recommendations developed under paragraph
10 (2).

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