117TH CONGRESS
2D SESSION

H. R. ______

To amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PAPPAS introduced the following bill; which was referred to the Committee on ______________________

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A BILL

To amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Governing Unaccredited Representatives Defrauding VA Benefits Act” or the “GUARD VA Benefits Act”.

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(Original Signature of Member)
SEC. 2. REINSTATEMENT OF PENALTIES FOR CHARGING VETERANS UNAUTHORIZED FEES RELATING TO CLAIMS FOR BENEFITS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

Section 5905 of title 38, United States Code, is amended—

(1) in the section heading, by striking “Penalty” and inserting “Penalties” (and conforming the table of sections at the beginning of chapter 59 of such title accordingly);

(2) by inserting “(a) WITHHOLDING OF BENEFITS.—” before “Whoever”; and

(3) by adding at the end the following new subsection:

“(b) CHARGING OF UNAUTHORIZED FEES.—Except as provided in sections 5904 or 1984 of this title, whoever directly or indirectly solicits, contracts for, charges, or receives, or attempts to solicit, contract for, charge, or receive, any fee or compensation with respect to the preparation, presentation, or prosecution of any claim for benefits under the laws administered by the Secretary shall be fined as provided in title 18, or imprisoned not more than one year, or both.”.