AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MR. STANTON OF ARIZONA

At the end of subtitle C of title XVIII, insert the following:

SEC. 18. RECOGNITION OF INDIVIDUALS AS AGENTS, ATTORNEYS, AND REPRESENTATIVES FOR PURPOSES OF ASSISTING VETERANS IN PREPARATION, PRESENTATION, AND PROSECUTION OF CLAIMS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) Annual Report.—

(1) In general.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 5907. Annual report on agents, attorneys, and representatives

“(a) Reports Required.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, and annually thereafter, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Rep-
resentatives a report on agents, attorneys, and representa-
tives recognized under this chapter.

“(b) CONTENTS.—Each report required under sub-
section (a) shall include each of the following:

“(1) A description of the type and frequency of
training that is required for the recognition and re-
application of attorneys, agents, and representatives
under this chapter.

“(2) A description of the type of information
the Secretary collects from individuals seeking and
reapplying for recognition as attorneys, agents, and
representatives under this chapter to determine
whether to recognize such individuals.

“(3) A description of the method the Secretary
uses to gather personal and qualifying information
from individuals recognized or seeking recognition as
attorneys, agents, and representatives under this
chapter.

“(4) An identification of the frequency with
which the Secretary receives updated personal and
qualifying information from attorneys, agents, and
representatives recognized under this chapter.

“(5) A description of the method the Secretary
uses to verify personal and qualifying information
received from individuals recognized or seeking rec-
ognition as attorneys, agents, and representatives under this chapter.

“(6) An identification of the frequency with which individuals who are recognized as attorneys, agents, and representatives under this chapter are required to reapply for such recognition.

“(7) An identification of the number of Department employees are responsible for updating the VA Accreditation Search database, or any successor to such database.

“(8) An identification of the frequency with which such database, is—

“(A) updated; and

“(B) checked for accuracy, including with respect to accuracy of contact information and removal of agents, attorneys, and representatives who are no longer assisting veterans in the preparation, presentation, or prosecution of claims under laws administered by the Secretary.

“(9) A description of the steps the Secretary is taking to ensure such database is updated.

“(10) An identification of any additional resources the Department may need to ensure that—
“(A) any published information regarding agents, attorneys, and representatives recognized under this chapter is accurate and up-to-date; and

“(B) individuals who are recognized as agents, attorneys, and representatives under this chapter are capable of providing assistance to veterans in the preparation, presentation, and prosecution of claims under laws administered by the Secretary.

“(11) An identification of the costs of processing applications for recognition for agents, attorneys, and representatives.

“(12) A description of the timeline for processing applications for recognition for agents, attorneys, and representatives.

“(13) An identification of how frequently recognition is denied or removed from agents, attorneys, and representatives and for what reasons.”.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5906 the following new item:

“5907. Annual report on agents, attorneys, and representatives.”.

(b) Biannual Database Accuracy.—Not later than 180 days after the publication of the initial report
required under section 5907 of title 38, United States
Code, as added by subsection (a), and every 180 days
thereafter, the Secretary of Veterans Affairs shall ensure
the accuracy of the VA Accreditation Search Database,
or any successor to such database, including with respect
to accuracy of contact information and removal of agents,
attorneys, and representatives who are no longer assisting
veterans in the preparation, presentation, or prosecution
of claims under laws administered by the Secretary.

(c) TRADMARKED INSIGNIA.—Not later than one
year after the date of the enactment of this Act, the Sec-
retary of Veterans Affairs shall—

(1) create an insignia for use in identifying in-
dividuals recognized as agents, attorneys, and rep-
resentatives under chapter 59 of title 38, United
States Code;

(2) register such insignia with the Patent and
Trademark Office; and

(3) establish a civil penalty for the use of such
insignia to advertise, promote, or otherwise commu-
nicate services by an individual who is not recog-
nized as an agent, attorney, or representative under
chapter 59 of title 38, United States Code.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated such sums as may be nec-
necessary to hire four additional full-time employees of the Department of Veterans Affairs to carry out this section and the amendments made by this section.