

117TH CONGRESS
2D SESSION

H. R. 8736

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

AUGUST 19, 2022

Mr. PAPPAS (for himself and Mr. ELLZEY) 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 relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, 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 “Governing
5 Unaccredited Representatives Defrauding VA Benefits
6 Act” or the “GUARD VA Benefits Act”.

1 **SEC. 2. REINSTATEMENT OF PENALTIES FOR CHARGING**
2 **VETERANS UNAUTHORIZED FEES RELATING**
3 **TO CLAIMS FOR BENEFITS UNDER LAWS AD-**
4 **MINISTERED BY THE SECRETARY OF VET-**
5 **ERANS AFFAIRS.**

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

8 (1) in the section heading, by striking “**Pen-**
9 **alty**” and inserting “**Penalties**” (and conforming
10 the table of sections at the beginning of chapter 59
11 of such title accordingly);

12 (2) by inserting “(a) WITHHOLDING OF BENE-
13 FITS.—” before “Whoever”; and

14 (3) by adding at the end the following new sub-
15 section:

16 “(b) CHARGING OF UNAUTHORIZED FEES.—Except
17 as provided in sections 5904 or 1984 of this title, whoever
18 directly or indirectly solicits, contracts for, charges, or re-
19 ceives, or attempts to solicit, contract for, charge, or re-
20 ceive, any fee or compensation with respect to the prepara-
21 tion, presentation, or prosecution of any claim for benefits
22 under the laws administered by the Secretary shall be
23 fined as provided in title 18, or imprisoned not more than
24 one year, or both.”.

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