

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3132
OFFERED BY MR. PAPPAS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

5 SEC. 2. REINSTATEMENT OF PENALTIES FOR CHARGING
6 VETERANS UNAUTHORIZED FEES RELATING
7 TO CLAIMS FOR BENEFITS UNDER LAWS AD-
8 MINISTERED BY THE SECRETARY OF VET-
9 ERANS AFFAIRS.

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

12 (1) in the section heading, by striking “**Pen-**
13 **alty**” and inserting “**Penalties**” (and conforming
14 the table of sections at the beginning of chapter 59
15 of such title accordingly);

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

1 (3) by adding at the end the following new sub-
2 section:

3 “(b) CHARGING OF UNAUTHORIZED FEES.—Except
4 as provided in sections 5904 or 1984 of this title, whoever
5 solicits, contracts for, charges, or receives, or attempts to
6 solicit, contract for, charge, or receive, any fee or com-
7 pensation with respect to the preparation, presentation, or
8 prosecution of any claim for benefits under the laws ad-
9 ministered by the Secretary shall be fined as provided in
10 title 18.”.

