

SEC. 18. RECOGNITION TO PRACTICE BEFORE THE DEPARTMENT OF VETERANS AFFAIRS

A) SHORT TITLE:

- a. This Act may be cited as the “Accurate VA Accreditation Information Act”

B) 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 regarding the recognition to practice before the Department of Veterans Affairs

“The Secretary shall include in the annual report to the Congress required by section 529 of this title a report on the agents, attorneys, organizations and their representatives, and any other individuals recognized under this chapter. Each such report shall include:

“(1) A description of the type and frequency of training that is required to achieve and maintain recognition under this chapter and any review or audit thereof by the Department of Veterans Affairs.

“(2) A description of the type of information the Secretary collects from individuals to request and maintain recognition under this chapter.

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

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

“(5) A description of the method the Secretary uses to verify personal and qualifying information received from individuals and organizations recognized or seeking recognition under this chapter.

“(6) An identification of the frequency with which individuals and organizations recognized under this chapter are required to comply with ongoing reporting requirements.

“(7) An identification of the number of Department employees responsible for the administration of the laws set forth in chapter 59 of title 38 of the United States Code.

“(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 individuals and organizations who are no longer recognized to assist 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 individuals and organizations recognized under this chapter is accurate and up-to date; and

“(B) individuals who are recognized under this chapter are of good moral character and in good repute, are qualified to render claimants valuable service, and are otherwise competent to assist claimants in presenting claims under laws administered by the Secretary.

“(11) An identification of the costs of processing applications for recognition under this chapter.

“(12) A description of the timeline for processing applications for recognition under this chapter.

“(13) An identification of how frequently recognition is denied from individuals seeking recognition under this chapter and for what reasons.

(14) An identification of how frequently recognition is rescinded from individuals recognized under this chapter 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 regarding the recognition to practice before the Department of Veterans Affairs

C) BIENNIAL 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 annually thereafter, the Secretary of Veterans Affairs shall notify all recognized individuals to update their contact information, shall publish instructions on how to do so, and shall ensure the VA Accreditation Search Database is updated accordingly.

D) TRADEMARKED CERTIFICATION MARK.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) create a certification mark for use in identifying individuals recognized for the purposes of assisting in the preparation, presentation, and prosecution of VA benefit claims;

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

(3) establish a civil penalty for the use of such certification mark to advertise, promote, or otherwise communicate services by an individual who is not recognized. The civil penalty may not exceed _____. The proceeds of such civil penalty may be used by the Department to offset enforcement costs.

E) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be 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.