

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1826
OFFERED BY MR. BILIRAKIS OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. REINSTATEMENT OF PENALTIES FOR CHARG-**
2 **ING VETERANS UNAUTHORIZED FEES.**

3 (a) IN GENERAL.—Section 5905 of title 38, United
4 States Code, is amended to read as follows:

5 **“§ 5905. Penalty for certain acts**

6 “Except as provided in section 5904 or 1984 of this
7 title, whoever—

8 “(1) in connection with a proceeding before the
9 Department, knowingly solicits, contracts for,
10 charges, or receives any fee or compensation in con-
11 nection for—

12 “(A) the provision of advice on how to file
13 a claim for benefits under the laws adminis-
14 tered by the Secretary; or

15 “(B) the preparation, presentation, or
16 prosecution of such a claim before the date on
17 which a notice of disagreement is filed in a pro-
18 ceeding on the claim,

1 or attempts to do so;

2 “(2) unlawfully withholds from any claimant or
3 beneficiary any part of a benefit or claim under the
4 laws administered by the Secretary that is allowed
5 and due to the claimant or beneficiary, or attempts
6 to do so;

7 “(3) commits an offense punishable by this
8 chapter, or aids, abets, counsels, commands, or pro-
9 cures the commission of such an act; or

10 “(4) causes an act to be done, which if directly
11 performed would be punishable by this chapter,
12 shall be fined as provided in title 18, or imprisoned for
13 not more than one year, or both.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall apply with respect to acts committed
16 after the date of the enactment of this Act.

