

Support for Testimony on AB145 Regarding Suggested Language Revision to § 1

U.S.C. language

Except as provided by section 500 of title 5, no individual *may act as an agent or attorney in the* preparation, presentation, or prosecution of any claim under laws administered by the Secretary unless such individual has been recognized for such purposes by the Secretary. **38 USC 5901** (emphasis mine)

C.F.R. language

No person *may assist claimants in the* preparation, presentation, and prosecution of claims for VA benefits as an agent or attorney unless he or she has first been accredited by the VA for such purpose. **38 CFR § 14.629** (emphasis mine)

AB145 language

§ 1 A person *shall not prepare, present, prosecute, advise, consult or assist* any other person with a claim before the United States Department of Veterans Affairs, the United States Department of Defense or the Department in violation of 38 U.S.C. § 5901 or 38 6 C.F.R. § 14.629 unless the person has been recognized or accredited by the United States Department of Veterans Affairs to perform such activities. **AB145 § 1** (emphasis mine)

Suggested language for AB145

§ 1 A person shall not ***advise, consult or assist another person in the preparation, presentation, or prosecution of*** a claim before the United States Department of Veterans Affairs, the United States Department of Defense or the Department in violation of 38 U.S.C. § 5901 or 38 6 C.F.R. § 14.629 unless the person has been recognized or accredited by the United States Department of Veterans Affairs to perform such activities.

Respectfully,
Norman Allen