

118TH CONGRESS
1ST SESSION

S. 2803

To amend title 38, United States Code, to allow for the electronic request of certain records, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2023

Mr. PADILLA (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to allow for the electronic request of certain records, 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 “Wounded Warrior Ac-
5 cess Act of 2023”.

6 **SEC. 2. ELECTRONIC REQUEST OF CERTAIN RECORDS**

7 **MAINTAINED BY THE SECRETARY OF VET-**
8 **ERANS AFFAIRS.**

9 (a) ELECTRONIC RECORD REQUESTS.—Section 5702
10 of title 38, United States Code, is amended—

1 (1) by redesignating subsection (b) as sub-
2 section (c); and

3 (2) by inserting after subsection (a) the fol-
4 lowing:

5 “(b)(1) The Secretary shall establish and maintain
6 a secure website or online tool for a claimant or a duly
7 recognized agent or representative of that claimant to sub-
8 mit an electronic request for such records.

9 “(2) The Secretary, upon receipt of a valid request
10 made through the website or online tool established under
11 paragraph (1), shall provide to the requestor—

12 “(A) not later than 10 days after receipt, con-
13 firmation of such receipt; and

14 “(B) not later than 120 days after receipt, such
15 records requested in the form selected by the re-
16 questor.”.

17 (b) CONFORMING AMENDMENTS.—Section 5702(a)
18 of title 38, United States Code, is amended—

19 (1) in the matter preceding paragraph (1), in
20 the first sentence, by striking “in writing” and in-
21 serting “in writing, including an electronic request
22 submitted through the website or online tool estab-
23 lished under subsection (b),”;

24 (2) in paragraph (1), by striking “and” at the
25 end;

1 (3) in paragraph (2), by striking the period at
2 the end and inserting “; and”; and

3 (4) by adding at the end the following:

4 “(3) the format in which such copy is desired,
5 including whether in printed form or by
6 downloadable file.”.

7 (c) **DEADLINE; ESTABLISHMENT OF WEBSITE OR**
8 **ONLINE TOOL.**—Not later than one year after the date
9 of the enactment of this Act, the Secretary of Veterans
10 Affairs shall establish the website or online tool required
11 under section 5702(b)(1) of title 38, United States Code,
12 as added by this Act, and, to the extent practicable, the
13 Secretary shall utilize existing online resources of the De-
14 partment of Veterans Affairs for the purposes of such es-
15 tablishment.

16 **SEC. 3. WARNINGS TO CLAIMANTS UNDER LAWS ADMINIS-**
17 **TERED BY THE SECRETARY OF VETERANS AF-**
18 **FAIRS REGARDING UNRECOGNIZED REP-**
19 **RESENTATIVES.**

20 (a) **IN GENERAL.**—Section 5901 of title 38, United
21 States Code, is amended—

22 (1) by inserting “(a) **IN GENERAL.**—” before
23 “Except”;

24 (2) by adding at the end the following new sub-
25 section:

1 “(b) WARNINGS ABOUT POTENTIAL PREDATORY
2 PRACTICES.—(1) The Secretary shall ensure that, each
3 time a claimant under a law administered by the Secretary
4 logs in to a website or online tool of the Department, such
5 website or online tool issues to the claimant, in plain lan-
6 guage—

7 “(A) a warning about individuals who seek to
8 act in violation of this chapter;

9 “(B) a link to an online tool of the Department
10 through which the claimant may report such an indi-
11 vidual;

12 “(C) a link to an online tool of the Department
13 through which the claimant may search for a recog-
14 nized agent, attorney, or other entity recognized by
15 the Secretary for the preparation, presentation, or
16 prosecution of any claim under laws administered by
17 the Secretary; and

18 “(D) a link to a website or an online tool of the
19 Department providing final decisions on discipline of
20 agents, attorneys, and entities, described in subpara-
21 graph (C), by the Secretary for violations of this
22 chapter.

23 “(2) The Secretary shall provide all information
24 under paragraph (1) in the following languages:

25 “(A) English.

1 “(B) Spanish.

2 “(C) Tagalog.

3 “(D) The seven other languages most com-
4 monly spoken in the United States.”.

5 (b) IMPLEMENTATION.—The Secretary of Veterans
6 Affairs shall carry out subsection (b) of such section, as
7 added by subsection (a) of this section—

8 (1) after consulting with stakeholders (including
9 veterans service organizations recognized under sec-
10 tion 5902 of such title) regarding the wording of the
11 warning under such subsection; and

12 (2) not later than one year after the date of the
13 enactment of this Act.

14 **SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.**

15 No additional funds are authorized to be appro-
16 priated to carry out the requirements of this Act.

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