

Public Law 118–21
118th Congress

An Act

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

Nov. 13, 2023
[H.R. 1226]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wounded Warrior Access Act”.

Wounded
Warrior Access
Act.
38 USC 101 note.

SEC. 2. ELECTRONIC REQUEST OF CERTAIN RECORDS MAINTAINED BY THE SECRETARY OF VETERANS AFFAIRS.

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

- (1) by redesignating subsection (b) as subsection (c); and
(2) by inserting after subsection (a) the following:

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

Website.

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

Deadlines.

“(A) not later than 10 days after receipt, confirmation of such receipt; and

“(B) not later than 120 days after receipt, such records requested in the form selected by the requestor.”.

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

(1) in the matter preceding paragraph (1), by striking “in writing” and inserting “in writing, including an electronic request submitted through the website or online tool established under subsection (b).”;

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

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

(4) by adding at the end the following:

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

(c) DEADLINE; ESTABLISHMENT OF WEBSITE OR ONLINE TOOL.— Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish the website or online tool required under section 5702(b)(1) of title 38, United States Code, as added by this Act, and, to the extent practicable, the Secretary shall utilize existing online resources of the Department of Veterans Affairs for the purposes of such establishment.

38 USC 5702
note.

SEC. 3. WARNINGS TO CLAIMANTS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS REGARDING UNRECOGNIZED REPRESENTATIVES.

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

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

(2) by adding at the end the following new subsection:

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

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

“(B) a link to an online tool of the Department through which the claimant may report such an individual;

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

“(D) a link to a website or an online tool of the Department providing final decisions on discipline of agents, attorneys, and entities, described in subparagraph (C), by the Secretary for violations of this chapter.

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

“(A) English.

“(B) Spanish.

“(C) Tagalog.

“(D) The seven other languages most commonly spoken in the United States.”.

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

(1) after consulting with stakeholders (including veterans service organizations recognized under section 5902 of such title) regarding the wording of the warning under such subsection; and

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

38 USC 5901
note.

Deadline.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this Act.

Approved November 13, 2023.

LEGISLATIVE HISTORY—H.R. 1226:

CONGRESSIONAL RECORD, Vol. 169 (2023):

Mar. 7, considered and passed House.

Nov. 2, considered and passed Senate.

