THE AMERICAN LEGION

DEPARTMENT OF MICHIGAN

Resolution Number: **# 26-04**

Submitted by: Legislative Committee

Subject: Claims filed by Accredited Service Officers for Veterans in the State of Michigan

WHEREAS, The American Legion Department of Michigan supports existing Title 38 CFR § 14.629(b)(1) that prohibits any party from assisting a veteran in the preparation, presentation, or prosecution of a Department of Veterans Affairs (VA) claim unless they are accredited through VA for such purposes; and

WHEREAS, Fee's charged by some non-accredited agencies have been known to be as high as thirty percent (30%) of the claim award; and

WHEREAS, The American Legion and other Veteran Service Organizations, the Michigan Veteran Service Officers,-do not charge a fee to assist veterans in the preparation, presentation, or legal representation of claims to the VA; and

WHEREAS, The American Legion Department of Michigan has deep concerns regarding the protection and security of sensitive personal data and medical information of military veterans; and

WHEREAS, Granting unaccredited parties, particularly those with foreign ownership, access to such data poses a potential risk of unauthorized access, misuse, or exploitation, thereby compromising the privacy and well-being of veterans; and

WHEREAS, The review of claims for benefits under laws administered by the VA secretary should remain within the purview and oversight of accredited entities accountable to the American people, and

WHEREAS, Retaining these processes within accredited agencies Service Organization's ensures the highest level of expertise, transparency, and adaptability to meet the evolving needs of veterans' care, and

WHEREAS; *The American Legion recognizes that during both the 118 and the 119 congress two competing bills have been introduced however neither has passed the full process to become law and*

WHEREAS; *One of the bills will let unaccredited lawyers file claims with restrictions HR 3132 the Choice Act and*

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WHEREAS; One of the bills will let only accredited Lawyers and Service Officers file claims HR 1732 and OThe State of Michigan has no law at this time no restrictions on who can file VA Claims and;

WHEREAS; The Michigan American Legion supports restrictions on those who file claims for Veterans and;

WHEREAS; There for the Michigan American Legion at this time supports restrictions that will place some guardrails on unaccredited Lawyers and;

WHEREAS; If the Guard Act passes Congress the Michigan American Legion will work with Michigan Legislators to add those restrictions to Michigan Law and;

WHEREAS, The American Legion recognizes the potential national security risks associated with outsourcing the process and filing of veteran disability claims to unaccredited parties, particularly those with foreign ownership; now, therefore, be it

RESOLVED, At a meeting of the Department Executive Committee held on _____ at _____the DEC does support the Michigan Legislature attempt to place some guardrails in place for non-accreted Lawyers and sets aside for now that the law must only let accredited service officers and accredited Lawyers file claims for veterans' benefits ; now, therefore be it

FURTHER RESOLVED, that the Legislative Chair will work with the Legislators to get the Guard act into Michigan law should it or any like legislation pass in Congress and is signed by the President of the United States into law and the final Resolved in this Resolution dated February 9-2024 is here by stricken, and Finally

RESOLVED, By The American Legion, Department of Michigan at its Winter Department Conference assembled in Flint, Michigan, February 9-11, 2024, That the State of Michigan pass legislation that prohibits anyone other than accredited Veteran Service Officers the right to file Claims for Veterans, and those laws be passed for the prosecution of anyone else filing claims for Veterans living in the State of Michigan other than those accredited Veteran Service Officers.

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