

Predatory Claim Sharks



**Briefing by Paul Sullivan
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**Veterans of Foreign Wars
Virginia Department Winter Council
Harrisonburg, Virginia
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Briefing for Veteran Advocates

Learn about non-VA-accredited companies that ***illegally assist*** Veterans and then ***illegally charge fees*** to Veterans for filing VA disability claims:

- Learn about **claim representation & VA accreditation.**
- Learn about **unaccredited people & companies.**
- Learn about **stopping claim sharks.**

Predatory Claim Sharks

Let's begin with a Question: How much money have non-VA-accredited claim companies, called "claim sharks," stolen from disabled Veterans in recent years?

- A. Tens of thousands of dollars of their VA benefits.**
- B. Hundreds of thousands of dollars of their benefits.**
- C. Millions of dollars of their benefits.**
- D. Tens of millions of dollars of their benefits.**
- E. Hundreds of millions of dollars of their benefits.**
- F. Billions of dollars of their VA benefits.**

Answer: Billions of Dollars

Billions of dollars of their VA disability benefits.

- In 2023, a non-VA-accredited claim company boasted before Congress how it charged an average of \$5,000 in illegal fees per Veteran victim, based on \$1,000 per month increase and a fee of 5 times the monthly increase.

Stolen from hundreds of thousands of Veterans.

- The amount stolen per victim, \$5,000, times the number of Veteran victims, 640,000+, means the **estimated amount of VA benefits stolen is in the billions of dollars.**

Claim Representation & VA Accreditation

Current VA Representation Law

- Representation, 38 U.S.C. § 5901, is “preparation, presentation, or prosecution of any claim.”
- Coaching, assisting, or advising a Veteran is the same as representation, according to VA.
- **Only VA-accredited representatives** can assist a Veteran with the VA claim process.
- **Warning Flag:** Beware of anyone who offers to help a Veteran without asking the Veteran to sign an official VA form called a Power of Attorney (POA).

Three Types of VA Accreditation

Each advocate applies to VA's Office of the General Counsel (OGC) for accreditation. Upon VA's approval, VA sends each advocate a VA accreditation number.

- 1. VA-recognized** and trained VSOs, ***who are free***.
- 2. Attorney** in good standing with a state bar, may only charge fees after an initial VA rating decision.
- 3. Claims Agent** (non-attorney) passes an OGC character review and VA's written exam. Then an agent may charge fees after an initial VA decision.

VA's Power of Attorney Forms

- Anyone assisting a Veteran must have the Veteran sign a POA and submit the POA to VA. One VA form is for VSOs, and the other VA form is for VA-accredited agents and attorneys.
- VA restricts access to VA computer records (VBMS) for only the VA-accredited.
- Anyone offering VA claims assistance ***without*** using one of VA's POA forms is most likely ***not*** VA-accredited.

OMB Control No. 2900-0321
Regulation Basis: VA Rule
Expiration Date: 7/31/2025

VA DATE STAMP
(DO NOT WRITE IN THIS SPACE)

Department of Veterans Affairs
APPOINTMENT OF VETERANS SERVICE ORGANIZATION AS CLAIMANT'S REPRESENTATIVE

INSTRUCTIONS: Before completing the form, read the Privacy Act and Respondent Burden on Page 3. The VA Office of General Counsel maintains a list of all attorneys, claims agents, and Veterans Service Organization (VSO) representatives accredited by VA to assist in preparing, presenting, and prosecuting VA benefits at www.vso.vagov.org. You can search this list by name, state, or zip code. We recommend you use the VA's list of accredited VSOs to represent you. You can also use VA Form 21-22a, Appointment of Individual or Claimant's Representative, to represent you on your VA benefits claim. If you prefer to have an individual assist you with your claim instead of a VSO, complete VA Form 21-22a, Appointment of Individual or Claimant's Representative. For more information, you can contact us through Ask VA: <http://ask.vagov>, or call us toll-free at 1-800-827-1000 (TTY:111). VA forms are available at www.vagov/vaforms. After completing the form, use the mailing addresses provided on Page 4.

SECTION I: VETERAN'S INFORMATION

NOTE: You can either complete the form online or by hand. If completed by hand, print the information requested in ink, neatly, and legibly to expedite processing of the form.

1. VETERAN'S NAME (First, Middle Initial, Last) _____

2. SOCIAL SECURITY NUMBER (SSN) _____ 3. VA FILE NUMBER (if applicable) _____ 4. VETERAN'S DATE OF BIRTH (MM/DD/YYYY) Month _____ Day _____ Year _____

5. VETERAN'S SERVICE NUMBER (if applicable) _____ 6. INSURANCE NUMBER(S) (if applicable) (Include letter prefix) _____

7. MAILING ADDRESS (Number and street or rural route, P.O. Box, City, State, ZIP Code and Country)
No. & Street _____ Apt./Unit Number _____ City _____ State/Province _____ Country _____ ZIP Code/Postal Code _____

8. TELEPHONE NUMBER (Include Area Code) _____ 9. EMAIL ADDRESS (Optional) _____

SECTION II: CLAIMANT'S INFORMATION (If other than veteran)

10. CLAIMANT'S NAME (First, Middle Initial, Last) _____

11A. CLAIMANT'S DATE OF BIRTH Month _____ Day _____ Year _____ 11B. RELATIONSHIP TO VETERAN _____

12. MAILING ADDRESS (Number and street or rural route, P.O. Box, City, State, ZIP Code and Country)
No. & Street _____ Apt./Unit Number _____ City _____ State/Province _____ Country _____ ZIP Code/Postal Code _____

13. TELEPHONE NUMBER (Include Area Code) _____ 14. EMAIL ADDRESS (Optional) _____

SECTION III: SERVICE ORGANIZATION INFORMATION

15. NAME OF SERVICE ORGANIZATION RECOGNIZED BY THE DEPARTMENT OF VETERANS AFFAIRS (See list on Page 3 before selecting organization)

16A. NAME OF OFFICIAL REPRESENTATIVE ACTING ON BEHALF OF THE ORGANIZATION NAMED IN ITEM 15 (This is an appointment of the entire organization and does not indicate the designation of only this specific individual to act on behalf of the organization) _____ 16B. JOB TITLE OF PERSON NAMED IN ITEM 16A _____

17. EMAIL ADDRESS OF THE ORGANIZATION NAMED IN ITEM 15 _____ 18. DATE OF THIS APPOINTMENT (MM/DD/YYYY) _____

VA FORM 21-22
JUL 2023
SUPERSEDES VA FORM 21-22, FEB 2019
Page 1

VA Form 21-22, used by VA-accredited claims agents and VA-accredited attorneys.

OMB Control No. 2900-0321
Regulation Basis: VA Rule
Expiration Date: 7/31/2025

VA DATE STAMP
(DO NOT WRITE IN THIS SPACE)

Department of Veterans Affairs
APPOINTMENT OF INDIVIDUAL AS CLAIMANT'S REPRESENTATIVE

INSTRUCTIONS: Before completing the form, read the Privacy Act and Respondent Burden on Page 3. The VA Office of General Counsel maintains a list of all attorneys, claims agents, and Veterans Service Organization (VSO) representatives accredited by VA to assist in preparing, presenting, and prosecuting VA benefits at www.vso.vagov.org. You can search this list by name, state, or zip code. We recommend you use the VA's list of accredited VSOs to represent you. You can also use VA Form 21-22a, Appointment of Individual or Claimant's Representative, to represent you on your VA benefits claim. If you prefer to have a VSO assist you with your claim instead of an individual, complete VA Form 21-22a, Appointment of Individual or Claimant's Representative. For more information, you can contact us through Ask VA: <http://ask.vagov>, or call us toll-free at 1-800-827-1000 (TTY:111). VA forms are available at www.vagov/vaforms. After completing the form, use the mailing addresses provided on Page 3.

SECTION I: VETERAN'S IDENTIFICATION INFORMATION

NOTE: You may complete the form online or by hand. If completed by hand, print the information requested in ink, neatly and legibly. Insert one letter per box, and completely fill in each applicable check box to help expedite processing of the form.

1. VETERAN'S NAME (First, Middle Initial, Last) _____

2. SOCIAL SECURITY NUMBER (SSN) _____ 3. VA FILE NUMBER (if applicable) _____ 4. DATE OF BIRTH (MM/DD/YYYY) _____

5. MARITAL NUMBER (if applicable) _____ 6. BRANCH OF SERVICE (ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD SPACE FORCE NOAA USPHS) _____

7. MAILING ADDRESS (Number and street or rural route, city or P.O. Box, State and ZIP Code)
No. & Street _____ Apt./Unit Number _____ City _____ State/Province _____ County _____ ZIP Code/Postal Code _____

8. TELEPHONE NUMBER (Include Area Code) _____ 9. E-MAIL ADDRESS (Optional) _____

Enter International Phone Number (if applicable) _____

SECTION II: CLAIMANT'S INFORMATION (If other than veteran)

10. CLAIMANT'S NAME (First, Middle Initial, Last) _____

11. CLAIMANT'S DATE OF BIRTH (MM/DD/YYYY) _____ 12. RELATIONSHIP TO VETERAN _____

13. CLAIMANT'S MAILING ADDRESS (Number and street or rural route, city or P.O. Box, State and ZIP Code)
No. & Street _____ Apt./Unit Number _____ City _____ State/Province _____ County _____ ZIP Code/Postal Code _____

14. TELEPHONE NUMBER (Include Area Code) _____ 15. EMAIL ADDRESS (Optional) _____

Enter International Phone Number (if applicable) _____

SECTION III: APPOINTED REPRESENTATIVE'S INFORMATION

16A. NAME OF INDIVIDUAL APPOINTED AS REPRESENTATIVE (First, Middle Initial, Last) _____

16B. INDIVIDUAL IS (check appropriate box)
 ATTORNEY AGENT INDIVIDUAL PROVIDING REPRESENTATION UNDER SECTION 14.600 (*See required statement below)
 SERVICE ORGANIZATION REPRESENTATIVE(Specify organization) _____

VA FORM 21-22a
JUL 2023
SUPERSEDES VA FORM 21-22, FEB 2019
Page 1

VA Form 21-22a, used by VA-accredited claims agents and VA-accredited attorneys.

History of the Unaccredited

- After the Civil War, Congress protected Veterans and our disability benefits from predators. **However ...**
- In 2006, Congress removed penalties for the unaccredited.
- In 2020, COVID struck, VSO posts & VA offices closed, and then sharks flooded social media with misleading ads.
- In 2022, the PACT Act prompted millions of new claims.
- By 2025, predatory claim sharks filled the gap as Veterans went online to find help to obtain VA benefits.
- Sharks have now stolen billions in benefits from Veterans.

Unaccredited People & Companies

Define “Unaccredited”

“Unaccredited” means not approved by VA:

- **Filing** any type of VA claim without prior VA accreditation is a ***crime*** ([38 USC § 5901](#)).
- **Charging** a fee to file an ***initial*** VA claim, regardless of VA accreditation, is also a ***crime*** ([38 USC § 5904](#)).
- They remain crimes even though Congress removed penalties. VA sent “cease and desist” letters to many predators.
- Claim companies intentionally ***do not***:
 - Apply for VA-accreditation, even after VA warning letters.
 - Submit a POA form signed by the Veteran with VA.
 - Have VA approval to access a Veteran’s VA records.

How Many Sharks Are There?

As of January 2025, there were nearly 200 “unaccredited” companies:

- Approximately 40 are active. Many companies operate dozens of subsidiaries or frequently change names.
- Some companies charge up-front fees; other companies charge fees based on the increase in the Veteran’s monthly VA disability payment.
- One company has more than 1,000 employees.
- One company has overseas call centers and data centers.
- Spot claim sharks when you see language on their web site such as, “Not accredited by VA.”

VA's Warnings to Veterans

- September 2023: VA issued a “fraud alert” warning about criminal schemes targeting Veteran benefits.
- November 2023: VA Secretary McDonough released a fraud alert video about unaccredited claim companies.
- December 2023: VA “fraud alert” covers non-accredited claim companies as well as Disability Benefits Questionnaires (DBQ) prepared by associated companies.
- January 2025: VA no longer issues cease and desist letters.
- December 2025: VA wants Veterans to have a “choice,” so now **VA supports sharks** who charge illegal fees.

How Veterans, VSOs, and Our Government Can Stop Predatory Claim Sharks

What Can VSOs Do About Sharks?

If a Veteran suspects they are a victim:

- **Explain and confirm** you are VA-accredited at [VA's web site](#) and how your assistance to file an original claim is **free**.
- **Complete** a POA for the Veteran, [VA Form 21-22](#).
- **Explain** non-VA-accredited to the Veteran.
- **Review the** [VA accreditation](#) status of suspected predator.
- **Suggest** the Veteran **change** passwords for VBA benefits, VHA healthcare, and banking to prevent theft.
- **Encourage** Veterans to report suspected claim sharks.

Report Predatory Activity

1. Complain to VA's OGC.

2. Complain to VA's Office of the Inspector General, 800-488-8244.

3. Complain to your State Attorney General.



WHAT A CLAIMANT SHOULD KNOW ABOUT FILING A COMPLAINT AGAINST AN INDIVIDUAL OR ORGANIZATION THAT HAS ASSISTED ON A VA BENEFITS CLAIM



If you believe that an attorney, claims agent, veterans service organization (VSO) representative, or other individual or organization has acted in an illegal or unethical manner, you can file a complaint regarding their conduct. The Office of General Counsel (OGC) of the Department of Veterans Affairs (VA) is authorized to investigate complaints regarding VA-accredited individuals, when appropriate. In addition, OGC may also refer matters to other State and Federal law enforcement authorities for possible inquiry.

"I'm ready to file my complaint. Where do I file?"

- If your complaint is about someone assisting with VA pension benefits, you should file your complaint through the Federal Trade Commission's complaint assistant link on the OGC accreditation and discipline webpage at <https://www.va.gov/ogc/accreditation.asp>. VA OGC will be immediately notified of every complaint filed through this link. However, in addition to possible action by VA, by submitting your complaint through the Federal Trade Commission, it will also be accessible to other Federal and State law enforcement authorities for their possible investigation and prosecution.
- If your complaint involves representation or claims assistance provided on a VA compensation claim (or another non-pension benefit) and you believe that other State and Federal laws and regulations apart from those involving VA accreditation may have been violated, you may also submit your complaint through the Federal Trade Commission's complaint assistant link on the OGC accreditation and discipline webpage at <https://www.va.gov/ogc/accreditation.asp>.
- If your complaint is against a VA-accredited attorney, claims agent, or VSO representative (please confirm VA-accreditation status on the accreditation search page at <https://www.va.gov/ogc/apps/accreditation/index.asp>) and you believe that your complaint only involves a violation of the standards of conduct for VA-accredited individuals or if you do not wish for other law enforcement entities to immediately be notified of your complaint, then you may file your complaint directly with the VA accreditation and discipline program by submitting your written complaint, and a completed VA Form 3288 (this form will allow us to disclose your name and the information contained in the complaint to the VA-accredited practitioner) to:

Federal Legislation – H.R. 1656

Stop the “PLUS Act,” H.R. 1656,
because the **12-page bill** legalizes
sharks. Sharks want to crush VSOs.

The bill is nicknamed “**Please Let Us Steal**” because it opens the door for thousands of unfit predators to steal billions more dollars in VA benefits from our disabled Veterans.

119TH CONGRESS
1ST SESSION

H. R. 1656

To amend title 38, United States Code, to permit certain fee agreements between claimants and agents or attorneys for the preparations, presentation, or prosecution of initial claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2025

Mr. BERGMAN (for himself, Mr. CORREA, Mrs. MILLER-MEEKS, Mr. ROUZER, Mr. WEBSTER of Florida, Mr. McDOWELL, Mr. HARRIGAN, and Mr. ALFORD) introduced the following bill; which was referred to the Committee on Veterans’ Affairs

A BILL

To amend title 38, United States Code, to permit certain fee agreements between claimants and agents or attorneys for the preparations, presentation, or prosecution of initial claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

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

Federal Legislation – H.R. 1732

Pass the “GUARD VA Benefits Act,” H.R. 1732. The 3-page bill would allow VA, FBI, and others to investigate and prosecute claim sharks. Then the government can resume imposing fines for illegal activities.

119TH CONGRESS
1ST SESSION

H.R. 1732

To amend title 38, United States Code, to reinstate penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2025

Mr. PAPPAS (for himself, Mr. FITZPATRICK, Mr. VAN DREW, Mr. THOMPSON of Mississippi, Mrs. RAMIREZ, Mr. GOLDEN of Maine, Mr. CONNOLLY, Mr. BACON, Mr. McGARVEY, Ms. PINGREE, Ms. KELLY of Illinois, Mrs. SYKES, Ms. STRICKLAND, Mr. CASAR, Mr. KEATING, Mrs. CHERIFILUS-McCORMICK, Mr. PETERS, Mr. NEWHOUSE, Mr. KRISHNAMOORTHI, Ms. SCHAKOWSKY, Ms. HOYLE of Oregon, Ms. TOKUDA, Ms. NORTON, Ms. McCLELLAN, Mr. DAVIS of North Carolina, Ms. DEGETTE, Mr. SORENSEN, Mr. MAGAZINER, Ms. SHERRILL, Ms. SALINAS, Mr. KUSTOFF, Ms. OMAR, Ms. DELBENE, Mr. CARTER of Louisiana, Mr. MOULTON, Mr. DELUZIO, Ms. SCANLON, Mr. AMO, Ms. STEVENS, Mr. QUIGLEY, Ms. ROSS, Mr. GARCIA of California, Mr. AUCHINCLOSS, Mrs. HAYES, Mr. COHEN, Mr. LEVIN, Mr. STANTON, Mr. CLEAVER, Mr. STRONG, Mr. GOTTHEIMER, Mr. SCHNEIDER, Ms. TITUS, Ms. TENNEY, and Mr. GRILALVA) introduced the following bill; which was referred to the Committee on Veterans’ Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to reinstate penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by

the Secretary of Veterans Affairs, 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 “Governing

5 Unaccredited Representatives Defrauding VA Benefits

6 Act” or the “GUARD VA Benefits Act”.

7 **SEC. 2. REINSTATEMENT OF PENALTIES FOR CHARGING**

8 **VETERANS UNAUTHORIZED FEES RELATING**

9 **TO CLAIMS FOR BENEFITS UNDER LAWS AD-**

10 **MINISTERED BY THE SECRETARY OF VET-**

11 **ERANS AFFAIRS.**

12 Section 5905 of title 38, United States Code, is

13 amended—

14 (1) in the section heading, by striking “Pen-

15 alty” and inserting “Penalties” (and conforming

16 the table of sections at the beginning of chapter 59

17 of such title accordingly);

18 (2) by inserting “(a) WITHHOLDING OF BENE-

19 FITS.—” before “Whoever”; and

20 (3) by adding at the end the following new sub-

21 section:

22 “(b) CHARGING OF UNAUTHORIZED FEES.—Except

23 as provided in sections 5904 or 1984 of this title, whoever

24 solicits, contracts for, charges, or receives, or attempts to

solicit, contract for, charge, or receive, any fee or compensation with respect to the preparation, presentation, or prosecution of any claim for benefits under the laws administered by the Secretary shall be fined as provided in title 18.”.

○



After H.R. 1732 Becomes Law

Additional Pro-Veteran Actions, after the GUARD VA Benefits bill becomes law. Congress should promptly:

- **Impose** steep fines because crime should never pay.
- **Add jail penalties** because no one should steal from our disabled Veterans when VA accreditation exists.
- **Close** every shark and seize all shark assets and records.
- **Return records** and passwords to Veterans.
- **Refund fees** illegally charged to Veterans.
- **Ban** all claim shark employees from VA accreditation.
- **Fund** consumer education about claim sharks, and
- **Create and maintain** list of claim sharks.

Veterans Sue Claim Sharks

Lawsuits filed by Veterans:

1. *Grant Gallager v. Just4Veterans LLC* (Montgomery County, MD)
2. *Jennifer Ford v. Veterans Guardian VA Claim Consulting, LLC* (Greensboro, NC)
3. *David Young, et. al. v. Veterans Guardian VA Claims Consulting, LLC* (Billings, MT)
4. *Abigayle Patterson, et. al. v. Veterans Guardian VA Claims Consulting, LLC* (Moore County, NC)
5. *Eric Beard v. Veterans Guardian VA Claims Consulting, LLC* (Greensboro, NC)
6. *Warriors and Family Assistance Center LLC, et. al. v. VA Claims Insider* (Austin, TX)
7. *Warriors and Family Assistance Center LLC, et. al. v. Trajector Inc., Vet Comp & Pen Medical Consulting* (Gainesville, FL)

States Target Claim Sharks

- In addition to the federal government, 23 states have laws and regulations describing who can assist Veterans and family members with filing VA benefit claims.
- Among the 23 states, there are 5 that also prohibit compensation for unaccredited assistance:
 1. New Jersey
 2. North Carolina
 3. Oklahoma
 4. Oregon
 5. Utah

Summary: 10 Points to Remember About Claim Sharks

Summary: Claim Sharks ...

1. **Operate** illegally when they are unaccredited and then represent and/or charge fees to Veterans to file VA disability claims.
2. **Focus** primarily on making money, usually for easy increased ratings Veterans would have likely won.
3. **Lie** with false and misleading ads to lure Veterans.
4. **Don't have training**, transparency, or oversight similar to professional, non-profit VSOs.
5. **Steal** passwords to VA benefits, VA healthcare, and personal banking from Veterans.

Summary: Claim Sharks (2)

- 6. Neglect** to file or appeal for key benefits such as TDIU, SMC, DIC, or earlier effective dates.
- 7. Fail** to tell Veterans about enrolling for VHA healthcare, Vet Centers, or suicide prevention.
- 8. Ignore** earned state benefits, such as property tax waivers and driver's licenses.
- 9. Contribute** money stolen from Veterans to candidates to legalize their criminal activities.
- 10. Steal billions of dollars** in VA benefits from hundreds of thousands of disabled Veterans.

Thank you !

Questions & Answers