

GAO Highlights

Highlights of [GAO-13-643](#), a report to congressional requesters

Why GAO Did This Study

Representatives accredited by VA serve a critical role in helping veterans or their family members file claims for VA benefits. By law, accredited individuals must demonstrate good moral character and program knowledge and VA's OGC is tasked to ensure they do so by reviewing initial applications and monitoring ongoing requirements, such as training.

GAO examined (1) the extent to which VA's procedures adequately ensure representatives meet program requirements, and (2) any obstacles that may impede VA's efforts to adequately implement its accreditation process. GAO reviewed relevant federal laws, regulations and procedures, and interviewed VA officials and organizations of accredited representatives. GAO also reviewed a representative sample of accreditation decisions made in 2012 as well as complaints received by VA in 2012. GAO also conducted additional checks on a random but small and non-representative sample of accredited individuals.

What GAO Recommends

To improve the integrity of accreditation, GAO recommends that VA explore options for strengthening knowledge requirements and addressing emerging threats, improve its outreach, and determine the resources needed to adequately carry out accreditation. VA concurred or concurred in principle with GAO's recommendations and cautioned that imposing additional requirements to address concerns with representative knowledge or address emerging threats could have a chilling effect on representation.

View [GAO-13-643](#). For more information, contact Daniel Bertoni at (202) 512-7215 or bertonid@gao.gov.

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VA BENEFITS

Improvements Needed to Ensure Claimants Receive Appropriate Representation

What GAO Found

The Department of Veterans Affairs' (VA) Office of General Counsel (OGC) procedures do not sufficiently ensure that accredited representatives have good character and knowledge. While GAO's analysis shows that VA follows its procedures for reviewing initial accreditation applications, VA relies on limited self-reported information to determine whether applicants have a criminal history or their character could be called into question, which in turn leaves VA vulnerable to accrediting individuals who may not provide responsible assistance. For example, when GAO conducted additional checks on a non-representative sample of accredited individuals, GAO found that some individuals had histories of bankruptcies or liens, information which could help develop a more complete picture of applicants' character and prompt further inquiry by VA into their background. VA's procedures also do not ensure that representatives have adequate program knowledge. For example, VA's initial training requirements are minimal and VA does not consistently monitor whether representatives meet additional continuing education requirements. As a result, some accredited representatives may not have adequate program knowledge to effectively assist clients with their claims. After being briefed on GAO's findings in May 2013, VA's OGC announced plans to take additional steps toward conducting background checks on applicants and auditing ongoing character and training requirements.

VA efforts to administer accreditation are hindered by an inadequate allocation of resources and unclear communication with claimants. For example, OGC has only four staff dedicated to overseeing thousands of accreditation applications each year, in addition to monitoring approximately 20,000 accredited representatives. As a result, OGC has not kept pace with pending accreditation applications, and has not consistently monitored continuing requirements. OGC's reliance on manual data entry results in resource-intensive program administration. For instance, OGC lacks information technology systems and tools that would help it proactively and efficiently identify representatives who are not meeting ongoing training requirements. Moreover, VA does not clearly solicit feedback from claimants about accredited representatives. For example, neither VA's accreditation web page nor information VA sends to claimants clearly communicates their rights or how to report abuses. Absent such outreach, claimants may not be aware that some representatives may be engaging in prohibited practices. Lastly, VA's current accreditation program does not address some emerging threats to claimants. For instance, VA has received complaints regarding unaccredited individuals inappropriately charging claimants to apply for benefits. By law, only accredited individuals can assist claimants. However, VA is not aware of the extent these unaccredited individuals operate, and is limited in the actions it can take to prevent them from assisting claimants.