

1 RESOLUTION NO. 2024-039

First Reading Passage Requested
(B. McKenney)

2
3 SPONSORS Ms. McKenney, Council as a Whole

4
5 DATE February 12, 2024 COMMITTEE Committee of the Whole

6
7 **A Resolution supporting the bipartisan federal legislation House Resolution 1139 and**
8 **Senate Bill 740 – together referred to as the “Governing Unaccredited Representatives**
9 **Defrauding (GUARD) VA Benefits Act” – which aim to protect veterans from financial**
10 **exploitation by reinstating criminal penalties for unaccredited claims representatives who**
11 **charge unauthorized fees for purporting to assist veterans with filing a claim for**
12 **Department of Veterans Affairs (VA) disability compensation benefits, for County Council,**
13 **and declaring an emergency.**

14
15 WHEREAS, our nation has long recognized its obligation to provide support and care for
16 veterans and their families as compensation for their many sacrifices; and

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18 WHEREAS, to ensure veterans received responsible, qualified representation and
19 assistance when applying for benefits, federal laws were created requiring anyone who assists
20 them in preparing, presenting or prosecuting those claims to be properly accredited through the
21 VA Office of General Counsel; and

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23 WHEREAS, in 2006, the criminal penalties for violating those laws were removed,
24 leaving the VA Office of General Counsel virtually powerless to enforce the law against anyone
25 except those who voluntarily followed those laws and became accredited; and

26
27 WHEREAS, removing these legal obstacles led to unaccredited, often unscrupulous
28 actors to swoop in and turn what had been created as a benefit for veterans into profitable
29 businesses that targeted veterans and their benefits; and

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31 WHEREAS, over the past several years, those unaccredited actors have proliferated
32 throughout the VA benefits claims system at all levels and advertise their services as superior to
33 the free services offered by accredited actors; and

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35 WHEREAS, the passage of the bipartisan federal legislation House Resolution 1139 and
36 Senate Bill 740, would remove the ability of unaccredited, unregulated actors to target and prey
37 upon veterans with impunity.

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39 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
40 of Ohio, that:

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42 SECTION 1

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44 This Council supports the bipartisan federal legislation House Resolution 1139 and
45 Senate Bill 740 – together referred to as the “Governing Unaccredited Representatives
46 Defrauding (GUARD) VA Benefits Act,” which will reinstate criminal penalties and protect
47 veterans from financial exploitation by unaccredited claims representatives who charge
48 unauthorized fees for purporting to assist veterans with filing a claim for Department of Veterans
49 Affairs (VA) disability compensation benefits.

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1 RESOLUTION NO. 2024-039

2 PAGE TWO

3

4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the residents and employees of the County of Summit.

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9 SECTION 3

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11 Provided this Resolution receives the affirmative vote of eight (8) members, it shall take
12 effect immediately upon its adoption and approval by the County Executive; otherwise it shall
13 take effect and be in force at the earliest time provided by law.

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15 SECTION 4

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17 It is found and determined that all formal actions of this Council concerning and relating
18 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
19 deliberations of this Council and of any of its committees that resulted in such formal action,
20 were in meetings open to the public, in compliance with all legal requirements, including Section
21 121.22 of the Ohio Revised Code.

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23

24 INTRODUCED February 12, 2024

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26 ADOPTED February 12, 2024

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28 DocuSigned by:
29 *Monique Willis*
30 5500BEF400F5451...

31 CLERK OF COUNCIL

32

33 APPROVED February 12, 2024

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35 DocuSigned by:
36 *Gene Shapiro*
37 CBD33E40D287473...

38 EXECUTIVE

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40 ENACTED EFFECTIVE February 13, 2024

DocuSigned by:
Rita S. Darrow

132AA5B69D28443...
PRESIDENT OF COUNCIL

Voice Vote – YES: 9 – 0: Darrow,
Dickinson, Donofrio, McKenney,
Rodgers, Schmidt, Walters, Wiedie
Higham, Wilhite
Absent: DeVitis