Requirements for Recognition as a VA Accredited Organization
Comments on Information Collection
October 2026

OMB Control No. 2900-0850

Commenter 1: On July 31, 2026, an individual stated:
As a Marine Corps veteran and CEO of a nonprofit who is dedicated to providing easy to understand guidance for veteran benefits, I think this is wonderful. Will it potentially harm us two years down the line when we attempt accreditation? Possibly. Will it stop malicious actors from skirting laws to take advantage of veterans in their time of need? Also possibly. This is a step in the right direction.

OGC Response: VA appreciates the commenter's support but makes no changes based on this comment.

Commenter 2: On August 3, 2026, another individual stated:
I oppose any efforts by the Department of Veterans Affairs (VA) to remove the Veterans of Foreign Wars (VFW) from the organizations able to represent Veterans due to their choice to exercise free speech or criticize the VA or politicians who promote positions or policies which are contrary to the best interests of Veterans. For more than a century the VFW has served and supported Veterans and their ability to continue to serve and support Veterans should not be infringed.

OGC Response: This comment does not pertain to information collected under OMB Control No. 2900-0850 and is thus beyond the scope of the Department's request for comments.

Commenter 3: On August 17, 2026, another individual stated:
I oppose any efforts by the Department of Veterans Affairs (VA) to remove the Veterans of Foreign Wars (VFW) from the organizations able to represent Veterans due to their choice to exercise free speech or criticize the VA or politicians who promote positions or policies which are contrary to the best interests of Veterans. For more than a century the VFW has served and supported Veterans and their ability to continue to serve and support Veterans should not be infringed.

OGC Response: This comment does not pertain to information collected under OMB Control No. 2900-0850 and is thus beyond the scope of the Department's request for comments.

Commenter 4: On August 18, 2026, another individual stated:

I submit the following comments regarding the Department of Veterans Affairs (VA), Office of General Counsel (OGC), proposed extension of OMB Control No. 2900-0850.

1. Necessity and Practical Utility

The collection serves a legitimate and necessary governmental function. VA must have sufficient information to determine whether an organization satisfies the requirements for recognition under 38 U.S.C. § 5902 and 38 CFR § 14.628 and is capable of providing competent, responsible, and sustained representation to VA claimants. However, consistent with the Paperwork Reduction Act, OGC should periodically verify that every requested data element has a defined adjudicative or oversight purpose and eliminate information that is duplicative, obsolete, or obtainable from authoritative government sources.

2. Accuracy of the Burden Estimate
OGC estimates 10 respondents annually at five hours each, for a total annual burden of 50 hours. A five-hour average is significant and should be supported by empirical data or a documented methodology identifying the activities included in that estimate, such as reviewing regulatory requirements, assembling organizational records, obtaining certifications, preparing supporting documentation, and submitting the application. Burden estimates should also account for variation among nonprofit organizations and state, local, and tribal governmental entities. OGC should consider validating the estimate through applicant completion-time data or structured feedback from recent applicants.

3. Quality, Utility, and Clarity
OGC should ensure that application instructions clearly distinguish mandatory information from optional or supplemental material and explain the regulatory purpose of each significant information requirement. Providing standardized definitions, document checklists, examples of acceptable supporting evidence, and clear criteria for determining whether an application is complete would reduce ambiguity and improve consistency. Applicants should also receive specific deficiency notices identifying missing or inadequate information rather than generalized requests for supplementation.

4. Minimization of Respondent Burden and Use of Information Technology
VA should maximize electronic submission and structured data collection. An electronic system should permit applicants to save partially completed applications, upload supporting documents, validate required fields before submission, receive confirmation of receipt, and track application status. Where legally and technically permissible, information already maintained by VA or another authoritative government source should be prepopulated, reused, or independently verified rather than repeatedly requested from applicants.

OGC should also evaluate whether information requirements can be risk-based or tailored so that applicants are not required to submit documentation unnecessary to determining compliance with 38 CFR § 14.628. Electronic records should be collected according to data-minimization principles and protected through appropriate access controls, retention schedules, and cybersecurity safeguards.

I support continuation of this collection because competent representation is important to the integrity of the VA benefits system. However, OGC should use this extension as an opportunity to validate its burden assumptions, improve transparency and standardization, expand electronic processing, and ensure that the collection obtains only information demonstrably necessary to determine eligibility for VA recognition.

OGC Response: VA appreciates the commenter's support for the information collection and observations about the Paperwork Reduction Act process and agrees with the described goals, but VA is making no change based on this comment.

Commenter 5: On September 28, 2026, a recently recognized veterans service organization (VSO) stated:

Q1: [*VA insertion based on extrapolation from the 60-day FRN: whether the proposed collection of information is necessary for the proper performance of OGC's functions, including whether the information will have practical utility*]
Yes, but VA should limit collection to information reasonably necessary to establish an organization's capability to provide competent, sustainable representation.
VA needs information about organizational structure, qualified personnel, training and oversight, financial resources, and operational capacity. However, current requirements appear to combine necessary information with granular information that may assume an organization already has a fully developed claims-representation operation.
This creates a potential circularity: an organization cannot perform regulated preparation, presentation, and prosecution of VA claims until recognized, yet some requirements appear to contemplate infrastructure already in operation. VA should distinguish between information demonstrating that an organization can provide competent representation, information demonstrating a credible plan and infrastructure to do so, and information that can only reasonably exist after recognition.
For example, a sustainable five-year organizational and funding plan may provide more meaningful evidence of long-term capability than requiring a new organization to produce historical operational information it could not reasonably possess.

Q2: [*VA insertion based on extrapolation from the 60-day FRN: the accuracy of OGC's estimate of the burden of the proposed collection of information*]
No. The estimated five hours per respondent substantially understates the likely burden. Organizations must determine what VA is requesting, identify where information exists, determine whether it is available in usable form, identify responsible personnel, develop information that does not yet exist, and coordinate, validate, reconcile, and compile the response.
Some requested information must be developed rather than retrieved. It may require organizations to develop plans, establish processes, convene stakeholders, make decisions, and document them.
For an established organization with multiple stakeholders, a more realistic estimate could be 20–30 hours, depending on complexity.

Q3: [*VA insertion based on extrapolation from the 60-day FRN: ways to enhance the quality, utility, and clarity of the information to be collected*]

VA should show organizations what successful compliance looks like.

VA could establish a clear progression:

- **Build:** Identify the information, policies, processes, training, staffing, oversight, and financial information an organization should develop and collect.
- **Demonstrate:** Provide a defined period or benchmarks to demonstrate those systems function.
- **Apply:** Submit standardized information demonstrating applicable requirements have been met.

Examples, standardized definitions, sample documentation, and meaningful benchmarks would improve consistency and usefulness. Standards need not be lowered; they should be understandable. New organizations should not be expected to produce historical information that could not reasonably exist before recognition.

Q4: [*VA insertion based on extrapolation from the 60-day FRN: ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology*] VA should expand its existing Accredited Representative Portal into a comprehensive accredited-representative workflow and compliance system.

The system should show accreditation status, outstanding requirements, training, expiration/renewal dates, submitted documents, required actions, review status, and deadlines.

It should provide secure submission of sensitive information rather than fragmented email communications. If VA expects representatives to protect Veterans' PII, the accreditation and compliance process should likewise provide secure transmission of representatives' sensitive information.

The system should include automated reminders and a compliance calendar for required training and certifications, with secure verification and permanent records.

The principle should be: Collect information once, securely, and reuse it wherever legally and operationally appropriate.

The system should ultimately support accredited representation itself, including establishment of representation, claims and evidence submission, confirmation of receipt, status tracking, appropriate claimant-record access, and VA correspondence.

Technology should not merely turn paperwork into electronic paperwork. It should eliminate duplicate data entry, reduce fragmented communication, and provide a clear workflow.

Conclusion:

VA has a legitimate responsibility to ensure organizations providing representation can do so competently and sustainably. That objective can be better served by collecting only necessary information, accurately measuring burden, clearly demonstrating successful compliance, and using technology to create a secure, transparent, representative-centered workflow.

The goal should be to maintain a meaningful standard for competent representation while making the path to meeting that standard clear, reasonable, secure, and administratively sustainable.

OGC Response Q1: VA appreciates the commenter's suggestion. VA acknowledges that the information collected differs between information demonstrating present organizational capability and information demonstrating a credible plan and infrastructure not yet in operation and believes the current regulatory structure already substantially reflects that distinction. VA will take the commenter's suggestion under advisement for future guidance materials. VA believes the existing requirements under 38 CFR 14.628 are the minimum necessary for VA to determine that an organization is capable of providing competent and sustained representation to VA claimants. No change to the collection is being made in response to this comment.

OGC Response Q2: VA appreciates the commenter's suggestion. VA notes that the commenter is a recently recognized veterans service organization with direct experience preparing a recognition application. In response to the commenter's suggestion that responding to the information collection may take 20 to 30 hours, VA has revised the burden estimate from 5 hours to 25 hours, which is the midpoint of the commenter's suggestion.

OGC Response Q3: VA appreciates the commenter's suggestion. VA notes that the regulation at 38 CFR 14.628 already permits applicants to satisfy certain requirements through stated plans or proposed policies, rather than requiring evidence of existing operational capacity. VA will take the commenter's suggestion under advisement. No change to the collection is being made in response to this comment.

OGC Response Q4: VA appreciates the commenter's suggestion. This suggestion regarding accredited representatives does not pertain to information collected under OMB Control No. 2900-0850 and is thus beyond the scope of the Department's request for comments.