

114TH CONGRESS
2D SESSION

H. R. ____

To amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

Mr. YOHO introduced the following bill; which was referred to the Committee on

A BILL

To amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Working to Integrate Networks Guaranteeing Member Access Now Act” or the “WINGMAN Act”.

SEC. 2. PROVISION OF ACCESS TO CASE-TRACKING INFORMATION.

(a) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following:

“§ 5906. Provision of access to case-tracking information

“(a) IN GENERAL.—(1) Beginning not later than 180 days after the date of the enactment of this Act, and in accordance with subsection (b), the Secretary shall provide an accredited, permanent Congressional employee with read-only remote access to the electronic Veterans Benefits Administration (VBA) claims records of the veteran they represent, regardless of whether such employee is acting under a power of attorney executed by such veteran.

“(2) In providing an accredited, permanent Congressional employee with access to the electronic VBA claims records system under paragraph (1), the Secretary shall ensure that such access is provided in a manner that does not allow such employee to modify the data contained in such system; and

“(b) CERTIFICATION REQUIRED.—(1) The Secretary may not provide a permanent Congressional employee with access to the case-tracking system under subsection (a)(1) unless the accredited, permanent Congressional employee has successfully completed the certification process described in paragraph (2).

“(2) The certification process described in this paragraph is the certification process that the Secretary requires an agent or attorney under this chapter to complete before the agent or attorney may access the case-tracking system.

“(3) Each Member of Congress who elects to have an accredited, permanent Congressional employee of the Member participate in the case-tracking system under subsection (a)(1) shall bear the cost of the certification process described in paragraph (2), to be paid from the Member's Representational Allowance.

“(c) TREATMENT OF DISCLOSURE.—The access to information by an accredited, permanent Congressional employee pursuant to subsection (a)(1) shall be deemed to be—

“(1) a covered disclosure under section 552a(b) of title 5; and

“(2) a permitted disclosure under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

“(d) NONRECOGNITION.—The Secretary may not recognize an accredited, permanent Congressional employee for the preparation, presentation, and prosecution of claims under laws administered by the Secretary by reason of the

Secretary providing the accredited, permanent Congressional employee with access to the electronic VBA claims records system pursuant to subsection (a). An accredited, permanent Congressional employee who is provided such access may not use such access to act as such a recognized individual.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘electronic VBA claims records system’ means the system of the Department of Veterans Affairs that provides information regarding the status of a claim submitted by a veteran, including information regarding medical records, compensation and pension exams records, rating decisions, statement of the case (SOC), supplementary statement of the case (SSOC), notice of disagreement (NOD), and Form–9.

“(2) The term ‘accredited, permanent Congressional employee’ means an employee of a Member of Congress who assists the constituents of the Member with issues regarding departments or agencies of the Federal Government.

“(3) The term ‘Member of Congress’ means a Representative, a Senator, a Delegate to Congress, or the Resident Commissioner of Puerto Rico.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“5906. Provision of access to case-tracking information.”.