

115TH CONGRESS
1ST SESSION

S. 242

To amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2017

Mr. CASSIDY (for himself, Mr. JOHNSON, Ms. KLOBUCHAR, Mr. COTTON, Mr. ROUNDS, Mr. SULLIVAN, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, 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 “Working to Integrate
5 Networks Guaranteeing Member Access Now Act” or the
6 “WINGMAN Act”.

1 **SEC. 2. PROVISION OF ACCESS TO CASE-TRACKING INFOR-**
2 **MATION.**

3 (a) IN GENERAL.—Chapter 59 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 5906. Access of certain congressional employees to**
7 **veteran records**

8 “(a) IN GENERAL.—(1) The Secretary shall provide
9 to each veteran who submits a claim for benefits under
10 the laws administered by the Secretary an opportunity to
11 permit a covered congressional employee employed in the
12 office of the Member of Congress representing the district
13 where the veteran resides to have access to all of the
14 records of the veteran in the databases of the Veterans
15 Benefits Administration.

16 “(2) Notwithstanding any other provision of law,
17 upon receipt of the permission from the veteran under
18 paragraph (1), the Secretary shall provide read-only ac-
19 cess to such records to such a covered congressional em-
20 ployee in a manner that does not allow such employee to
21 modify the data contained in such records or in any part
22 of a database of the Veterans Benefits Administration.

23 “(3) A Member of Congress may designate not more
24 than two employees of the Member as covered congress-
25 sional employees.

1 “(b) REQUIREMENTS.—The Secretary may not im-
 2 pose any requirement other than the requirements speci-
 3 fied under subsection (e)(1) before treating an employee
 4 as a covered congressional employee for purposes of this
 5 section.

6 “(c) NONRECOGNITION.—A covered congressional
 7 employee may not be recognized as an agent or attorney
 8 under this chapter.

9 “(d) LIMITATION ON USE OF FUNDS.—None of the
 10 amounts made available to carry out this section may be
 11 used to design, develop, or administer any training for
 12 purposes of providing training to covered congressional
 13 employees.

14 “(e) DEFINITIONS.—In this section:

15 “(1) The term ‘covered congressional employee’
 16 means a permanent, full-time employee of a Member
 17 of Congress—

18 “(A) whose responsibilities include assist-
 19 ing the constituents of the Member with issues
 20 regarding departments or agencies of the Fed-
 21 eral Government;

22 “(B) who satisfies the criteria required by
 23 the Secretary for recognition as an agent or at-
 24 torney under this chapter; and

1 “(C) who is designated by the Member of
2 Congress as a covered congressional employee
3 for purposes of this section.

4 “(2) The term ‘database of the Veterans Bene-
5 fits Administration’ means any database of the Vet-
6 erans Benefits Administration in which the records
7 of veterans relating to claims for benefits under the
8 laws administered by the Secretary are retained, in-
9 cluding information regarding medical records, com-
10 pensation and pension exams records, rating deci-
11 sions, statements of the case, supplementary state-
12 ments of the case, notices of disagreement, Form-
13 9, and any successor form.

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

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

“5906. Access of certain congressional employees to veteran records.”.

20 (c) NO AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—No additional funds are au-
22 thorized to be appropriated to carry out this section
23 or the amendments made by this section. This sec-
24 tion and such amendments may only be carried out

1 using amounts otherwise authorized to be appro-
2 priated.

3 (2) AMOUNTS OTHERWISE AVAILABLE.—For
4 the period of fiscal years 2018 through 2021, not
5 more than \$10,000,000 may be made available to
6 carry out section 5906 of title 38, United States
7 Code, as added by subsection (a).

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