

Public Law 94-321
94th Congress

An Act

To amend title 38 of the United States Code in order to clarify the purposes for which the Administrator of Veterans' Affairs may release the names and/or addresses of present and former members of the Armed Forces and their dependents.

June 29, 1976

[H.R. 10268]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3301 of title 38, United States Code, is amended by—

(1) inserting "(a)" before "All";

(2) striking out "follows:" and inserting in lieu thereof "provided in this section.", and inserting thereafter the following new subsection:

"(b) The Administrator shall make disclosure of such files, records, reports, and other papers and documents as are described in subsection (a) of this section as follows:"

(3) redesignating paragraphs (6), (7), (8), and (9) as subsections (c), (d), (e), and (f), respectively;

(4) striking out "The" at the beginning of subsection (e) (as redesignated by clause (3) of this subsection) and inserting in lieu thereof "Except as otherwise specifically provided in this section with respect to certain information, the"; and

(5) striking out subsection (f) (as redesignated by clause (3) of this subsection) and inserting in lieu thereof the following new subsections:

"(f) The Administrator may, pursuant to regulations the Administrator shall prescribe, release the names or addresses, or both, of any present or former members of the Armed Forces, and/or their dependents, (1) to any nonprofit organization if the release is directly connected with the conduct of programs and the utilization of benefits under this title, or (2) to any criminal or civil law enforcement governmental agency or instrumentality charged under applicable law with the protection of the public health or safety if a qualified representative of such agency or instrumentality has made a written request that such names or addresses be provided for a purpose authorized by law. Any organization or member thereof or other person who, knowing that the use of any name or address released by the Administrator pursuant to the preceding sentence is limited to the purpose specified in such sentence, willfully uses such name or address for a purpose other than those so specified, shall be guilty of a misdemeanor and be fined not more than \$5,000 in the case of a first offense and not more than \$20,000 in the case of any subsequent offense.

"(g) Any disclosure made pursuant to this section shall be made in accordance with the provisions of section 552a of title 5."

Armed Forces.
Members and
dependents,
release of
information.

Organizations
and agencies
authorized to
receive
information.

Unauthorized
use, penalty.

Effective date.
38 USC 3301
note.

(b) The amendments made by subsection (a) of this section with respect to subsection (f) (as redesignated by subsection (a) (3) of this section) of section 3301 of title 38, United States Code (except for the increase in criminal penalties for a violation of the second sentence of such subsection (f)), shall be effective with respect to names or addresses released on and after October 24, 1972.

Approved June 29, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-704 (Comm. on Veterans' Affairs).
SENATE REPORT No. 94-892 (Comm. on Veterans' Affairs).
CONGRESSIONAL RECORD:

Vol. 121 (1975): Dec. 15, considered and passed House.

Vol. 122 (1976): June 2, considered and passed Senate, amended.

June 16, House agreed to Senate amendments.