

114TH CONGRESS
2D SESSION

S. 3081

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

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2016

Mr. CASSIDY (for himself, Mr. KIRK, Ms. KLOBUCHAR, and Mr. JOHNSON) 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 provide certain employees of Members of Congress with access to case-tracking information of the Department of Veterans Affairs.

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 BY EMPLOYEES OF MEM-**
2 **BERS OF CONGRESS TO CASE-TRACKING IN-**
3 **FORMATION TO CASE-TRACKING INFORMA-**
4 **TION OF DEPARTMENT OF VETERANS AF-**
5 **FAIRS.**

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

9 **“§ 5906. Provision of access by employees of Members**
10 **of Congress to case-tracking information**

11 “(a) IN GENERAL.—(1) Beginning not later than the
12 date that is 180 days after the date of the enactment of
13 this section, the Secretary shall provide to accredited, per-
14 manent Congressional employees who have successfully
15 completed the certification process described in subsection
16 (b)(1), upon election by the Member of Congress for which
17 the employee works, read-only remote access to the elec-
18 tronic VBA claims records system of veterans who reside
19 in the area represented by the Member, regardless of
20 whether such employee is acting under a power of attorney
21 executed by such veteran.

22 “(2) The Secretary shall ensure that access provided
23 to an accredited, permanent Congressional employee
24 under paragraph (1) is provided in a manner that does
25 not allow the employee to modify the data contained in
26 the electronic VBA claims records system.

1 “(b) CERTIFICATION REQUIRED.—(1) The certifi-
2 cation process described in this paragraph is the certifi-
3 cation process that the Secretary requires an agent or at-
4 torney under this chapter to complete before the agent or
5 attorney may access the electronic VBA claims records
6 system.

7 “(2) Each Member of Congress who elects to have
8 an accredited, permanent Congressional employee of the
9 Member have access under subsection (a)(1) shall bear the
10 cost of the certification process described in paragraph
11 (1), to be paid from the Member’s Representational Allow-
12 ance.

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

17 “(1) a disclosure permitted under section
18 552a(b) of title 5; and

19 “(2) a disclosure permitted under regulations
20 promulgated under section 264(c) of the Health In-
21 surance Portability and Accountability Act of 1996
22 (Public Law 104–191; 42 U.S.C. 1320d–2 note).

23 “(d) NONRECOGNITION.—The Secretary may not rec-
24 ognize an accredited, permanent Congressional employee
25 for the preparation, presentation, and prosecution of

1 claims under laws administered by the Secretary by reason
2 of the Secretary providing the employee with access to the
3 electronic VBA claims records system under subsection
4 (a). An accredited, permanent Congressional employee
5 who is provided such access may not use such access to
6 act as such a recognized individual.

7 “(e) DEFINITIONS.—In this section:

8 “(1) The term ‘electronic VBA claims records
9 system’ means the system of the Department of Vet-
10 erans Affairs that provides information regarding
11 the status of a claim submitted by a veteran, includ-
12 ing information regarding medical records, com-
13 pensation and pension exams records, rating deci-
14 sions, statement of the case (SOC), supplementary
15 statement of the case (SSOC), notice of disagree-
16 ment (NOD), and Form–9.

17 “(2) The term ‘accredited, permanent Congres-
18 sional employee’ means an employee of a Member of
19 Congress who assists the constituents of the Member
20 with issues regarding departments or agencies of the
21 Federal Government.

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

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 59 of such title is amended
3 by adding at the end the following new item:

“5906. Provision of access by employees of Members of Congress to case-track-
ing information.”.

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