114TH CONGRESS
2D SESSION
H. R. 5166

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

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2016

Mr. YOHO (for himself, Mr. MURPHY of Florida, Mr. RODNEY DAVIS of Illi-
nois, Mr. WEBER of Texas, Ms. SINEMA, Mr. COLLINS of Georgia, Mr.
NUGENT, Mr. DESANTIS, Mr. MEEHAN, Mr. POE of Texas, Mr.
ROTHFUS, Mrs. KIRKPATRICK, Ms. KAPTUR, Mr. BABIN, Mr. HECK of
Nevada, Mr. SABLAN, Mr. THOMPSON of California, Mr. ROUZER, Mr.
LAMALFA, Mr. HARPER, Mr. CURBELO of Florida, Mrs. WAGNER, Mr.
WILLIAMS, Mr. JODY B. HICE of Georgia, Mr. PEARCE, Mr. RUPPERS-
BERGER, Mr. DESAULNIER, Mr. COSTA, Mr. BRAT, Mr. ROONEY of Flor-
ida, and Mr. RANGEL) introduced the following bill; which was referred
to the Committee on Veterans' Affairs

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.

1   *Be it enacted by the Senate and House of Representa-*

2 *tives 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 INFOR-MATION.

(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.

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

7 "(2) The certification process described in this para-
8 graph is the certification process that the Secretary re-
9 quires an agent or attorney under this chapter to complete
10 before the agent or attorney may access the case-tracking
11 system.

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

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

22   "(1) a covered disclosure under section 552a(b)
23   of title 5; and

24   "(2) a permitted disclosure under regulations
25   promulgated under section 264(c) of the Health In-

1 surance Portability and Accountability Act of 1996

2 (42 U.S.C. 1320d–2 note).

3 "(d) NONRECOGNITION.—The Secretary may not rec-

4 ognize an accredited, permanent Congressional employee

5 for the preparation, presentation, and prosecution of

6 claims under laws administered by the Secretary by reason

7 of the Secretary providing the accredited, permanent Con-

8 gressional employee with access to the electronic VBA

9 claims records system pursuant to subsection (a). An ac-

10 credited, permanent Congressional employee who is pro-

11 vided such access may not use such access to act as such

12 a recognized individual.

13 "(e) DEFINITIONS.—In this section:

14 "(1) The term 'electronic VBA claims records

15 system' means the system of the Department of Vet-

16 erans Affairs that provides information regarding

17 the status of a claim submitted by a veteran, includ-

18 ing information regarding medical records, com-

19 pensation and pension exams records, rating deci-

20 sions, statement of the case (SOC), supplementary

21 statement of the case (SSOC), notice of disagree-

22 ment (NOD), and Form–9.

23 "(2) The term 'accredited, permanent Congres-

24 sional employee' means an employee of a Member of

25 Congress who assists the constituents of the Member

1 with issues regarding departments or agencies of the

2 Federal Government.

3 "(3) The term 'Member of Congress' means a

4 Representative, a Senator, a Delegate to Congress,

5 or the Resident Commissioner of Puerto Rico.".

6 (b) CLERICAL AMENDMENT.—The table of sections

7 at the beginning of such chapter is amended by adding

8 at the end the following new item:

"5906. Provision of access to case-tracking information.".

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