



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 1960**

**OFFERED BY MRS. KIRKPATRICK OF ARIZONA**

Page 273, after line 10, insert the following:

1 **SEC. 595. PROVISION OF SERVICE RECORDS.**

2 (a) IN GENERAL.—In accordance with subsection (b),  
3 the Secretary of Defense, in consultation with the Sec-  
4 retary of Veterans Affairs, shall make the covered records  
5 of each member of the Armed Forces available to the Sec-  
6 retary of Veterans Affairs in an electronic format.

7 (b) TIMELINE.—The Secretary of Defense shall en-  
8 sure that the covered records of members are made avail-  
9 able to the Secretary of Veterans Affairs as follows:

10 (1) With respect to a member of the Armed  
11 Forces who was discharged or released from the  
12 Armed Forces during the period beginning on Sep-  
13 tember 11, 2001, and ending on the day before the  
14 date of the enactment of this Act, not later than 120  
15 days after the date of such discharge or release.

16 (2) With respect to a member of the Armed  
17 Forces who is discharged or released from the  
18 Armed Forces on or after the date of the enactment

1 of this Act, not later than 90 days after the date of  
2 such discharge or release.

3 (c) CERTIFICATION.—For each member of the Armed  
4 Forces whose covered records are made available under  
5 subsection (a), the Secretary of Defense shall transmit to  
6 the Secretary of Veterans Affairs a letter certifying that—

7 (1) the Secretary of Defense thoroughly re-  
8 viewed the records of the member;

9 (2) the information provided in the covered  
10 records of such member is complete as of the date  
11 of the letter;

12 (3) no other information that should be in-  
13 cluded in such covered records exist as of such date;  
14 and

15 (4) if other information is later discovered—

16 (A) such other information will be added to  
17 such covered records; and

18 (B) the Secretary of Defense will notify  
19 the Secretary of Veterans Affairs of such addi-  
20 tion.

21 (d) SHARING OF PROTECTED HEALTH INFORMA-  
22 TION.—For purposes of the regulations promulgated  
23 under section 264(e) of the Health Insurance Portability  
24 and Accountability Act of 1996 (42 U.S.C. 1320d–2 note),  
25 making medical records available to the Secretary of Vet-

1 erans Affairs under subsection (a) shall be treated as a  
2 permitted disclosure.

3 (e) CURRENTLY AVAILABLE RECORDS.—The Sec-  
4 retary of Veterans Affairs, in consultation with the Sec-  
5 retary of Defense, shall ensure that the covered records  
6 of members of the Armed Forces that are available to the  
7 Secretary as of the date of the enactment of this Act are  
8 made electronically accessible and available in real-time to  
9 the Veterans Benefits Administration.

10 (f) COVERED RECORDS DEFINED.—In this section,  
11 the term “covered records” means, with respect to a mem-  
12 ber of the Armed Forces—

- 13 (1) service treatment records;
- 14 (2) accompanying personal records;
- 15 (3) relevant unit records; and
- 16 (4) medical records created by reason of treat-  
17 ment or services received pursuant to chapter 55 of  
18 title 10, United States Code.

