AMENDMENT TO RULES COMMITTEE PRINT 116-22
OFFERED BY MS. OMAR OF MINNESOTA

At the end of title VII, add the following new section:

SEC. 7. ACCESS TO MEDICAL RECORDS OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) Access.—Upon the request of an individual detained at Guantanamo, the counsel of such an individual, a health care provider of such an individual, or another representative designated by the individual for purposes of this section, the Secretary of Defense shall provide to such individual, counsel, health care provider, or representative, as the case may be, timely and meaningful access to the medical records of the individual created or maintained by the Department of Defense.

(b) Classified Information.—

(1) Access by persons without clearance.—If the Secretary provides access to the medical records of an individual detained at Guantanamo under subsection (a) to a person who does not
hold the security clearance required to access the entire medical records, the Secretary shall—

(A) declassify such records in a manner that is expeditious and ensures that health care provided to the individual meets the standard of care; or

(B) provide an unclassified version (with redactions, if necessary) that discloses all of the information necessary for a health care provider to review, diagnose, and treat the individual, and meet the standard of care.

(2) ACCESS BY CLEARED PERSONS.—If the Secretary provides access to the medical records of an individual detained at Guantanamo under subsection (a) to a person who holds the security clearance required to access the entire medical records, the Secretary shall provide such records in the full, classified form, without redaction.

(c) DEFINITIONS.—In this section:

(1) HEALTH CARE.—The term “health care” includes mental health care.

(2) INDIVIDUAL DETAINED AT GUANTANAMO.—The term “individual detained at Guantanamo” has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal

(3) STANDARD OF CARE.—The term "standard of care", with respect to the provision of health care, means evaluation and treatment that is accepted by medical experts and reflected in peer-reviewed medical literature as the appropriate medical approach for a condition, symptoms, illness, or disease, and that is widely used by health care professionals.