

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**22**

**OFFERED BY MS. OMAR OF MINNESOTA**

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

1 **SEC. 7\_\_\_ . ACCESS TO MEDICAL RECORDS OF DETAINEES**  
2 **AT UNITED STATES NAVAL STATION, GUAN-**  
3 **TANAMO BAY, CUBA.**

4 (a) ACCESS.—Upon the request of an individual de-  
5 tained at Guantanamo, the counsel of such an individual,  
6 a health care provider of such an individual, or another  
7 representative designated by the individual for purposes  
8 of this section, the Secretary of Defense shall provide to  
9 such individual, counsel, health care provider, or rep-  
10 resentative, as the case may be, timely and meaningful ac-  
11 cess to the medical records of the individual created or  
12 maintained by the Department of Defense.

13 (b) CLASSIFIED INFORMATION.—

14 (1) ACCESS BY PERSONS WITHOUT CLEAR-  
15 ANCE.—If the Secretary provides access to the med-  
16 ical records of an individual detained at Guanta-  
17 namo under subsection (a) to a person who does not

1 hold the security clearance required to access the en-  
2 tire medical records, the Secretary shall—

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

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

12 (2) ACCESS BY CLEARED PERSONS.—If the Sec-  
13 retary provides access to the medical records of an  
14 individual detained at Guantanamo under subsection  
15 (a) to a person who holds the security clearance re-  
16 quired to access the entire medical records, the Sec-  
17 retary shall provide such records in the full, classi-  
18 fied form, without redaction.

19 (c) DEFINITIONS.—In this section:

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

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

1 Year 2016 (Public Law 114– 92; 129 Stat. 971; 10  
2 U.S.C. 801 note).

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

