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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.**

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To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from entering into a contract pursuant to which the contractor may sell sensitive personal information maintained by the Secretary and to ensure the protection of personal information in certain contracts of the Department.

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IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_\_. introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from entering into a contract pursuant to which the contractor may sell sensitive personal information maintained by the Secretary and to ensure the protection of personal information in certain contracts of the Department.

1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veteran Data Account-  
3 ability for Third-party Actors Act” or the “Veteran DATA  
4 Act”.

5 **SEC. 2. PROHIBITION OF THE SALE OF SENSITIVE PER-**

6 **SONAL INFORMATION MAINTAINED BY THE  
7 SECRETARY OF VETERANS AFFAIRS.**

8 Section 5725 of title 38, United States Code, is  
9 amended by adding at the end the following new sub-  
10 section:

11 “(d) PROHIBITION OF SALE OF SENSITIVE PER-  
12 SONAL INFORMATION.—The Secretary may not enter into  
13 a contract that permits the contractor to sell (or otherwise  
14 disclose for consideration) sensitive personal information  
15 to another entity.”.

16 **SEC. 3. PROTECTION OF PERSONAL INFORMATION IN CON-**

17 **TRACTS OF THE DEPARTMENT OF VETERANS  
18 AFFAIRS.**

19 (a) IN GENERAL.—Not later than one year after the  
20 date of the enactment of this Act, the Secretary of Vet-  
21 erans Affairs shall—

22 (1) ensure that each covered contract includes,  
23 or is modified to include, a clause prohibiting cov-  
24 ered information from being monetized, sold, or oth-  
25 erwise misused by any contractor, including any sub-

1 contractor or affiliate thereof, or other non-Department  
2 of Veterans Affairs entity; and

3 (2) issue a directive or other policy providing  
4 guidance to employees and contractors of the Department  
5 on how to identify the monetization, sale,  
6 or misuse of covered information in order to ensure  
7 contractors are in compliance with clauses in covered  
8 contracts included pursuant to paragraph (1).

9 (b) REPORT.—Not later than one year after the date  
10 of the enactment of this Act, the Secretary shall submit  
11 to the appropriate congressional committees a report that  
12 includes—

13 (1) a copy of the contract clause required by  
14 subsection (a)(1);

15 (2) the guidance required by subsection (a)(2);  
16 and

17 (3) a summary of any other actions taken to  
18 comply with subsection (a).

19 (c) DEFINITIONS.—In this section:

20 (1) The term “appropriate congressional committees” means the Committees on Veterans’ Affairs  
21 of the House of Representatives and the Senate.

23 (2) The term “covered contract” means a contract of the Department of Veterans Affairs that

1 provides for the handling of covered information and  
2 is entered into—

5 (B) before the date of the enactment of  
6 this Act and does not expire before the date of  
7 the enactment of this Act.

8 (3) The term “covered information”—

9 (A) means protected health information or  
10 personally identifiable information, including  
11 such information that has been anonymized;  
12 and

13 (B) includes information protected  
14 under—

15 (i) section 552a of title 5, United  
16 States Code;

17 (ii) section 5701 or 7332 of title 38  
18 United States Code:

19 (iii) parts 160, 161, and 164 of title  
20 45 Code of Federal Regulations; and

21 (iv) any other provision of law, as de-  
22  
tained under the Statute.