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Original Signature of Member

118TH CONGRESS
1ST SESSION

H. R.

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to maintain demographic information regarding veterans and publish such information on a website of the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

Ms. BROWNLEY introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to maintain demographic information regarding veterans and publish such information on a website of the Department of Veterans Affairs.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Every Veteran Counts
5 Act of 2023”.

1 SEC. 2. FINDINGS.

2 Congress finds the following:

3 (1) The Department of Veterans Affairs is re-
4 sponsible for providing a variety of benefits and
5 services to more than 19,000,000 living veterans.

6 (2) Pursuant to section 527 of title 38, United
7 States Code, the Secretary of Veterans Affairs has
8 conducted the National Survey of Veterans to assess
9 the needs and sentiments of a statistically valid sam-
10 ple of all veterans.

11 (3) The Secretary has conducted this National
12 Survey of Veterans in the late 1970s, 1987, 1993,
13 2001, and 2010.

14 (4) The last survey conducted in 2010 included
15 veterans and other beneficiary groups, such as mem-
16 bers of the Armed Forces serving on active duty,
17 members of the reserve components of the Armed
18 Forces, military spouses, and surviving spouses of
19 such veterans and members.

20 (5) The 2010 survey included information on
21 demographics, awareness and utilization of benefits,
22 health status, military service, and employment.

23 (6) These surveys provide valuable information
24 on the veteran population to the Secretary, Con-
25 gress, Federal, State, and local governments, aca-

1 demic institutions, and various non-governmental or-
2 ganizations that serve veterans.

3 (7) This information is used to inform policy-
4 making efforts and to ensure the needs of the ever-
5 changing veteran population are met.

6 (8) However, since 2010, the statutory frame-
7 work for data collection has substantially evolved,
8 notably with the Foundations for Evidence-Based
9 Policymaking Act (Public Law 115–435), the Data
10 Act (Public Law 113–139), and the Geospatial Data
11 Act (subtitle F of title VII of Public Law 115–254),
12 known collectively as the “Evidence Act”, building
13 on previously enacted laws.

14 (9) Further, the Department, through the Na-
15 tional Center for Veterans Analysis and Statistics,
16 has leveraged the vast amount of data generated
17 within the Department and collected by other Fed-
18 eral partners to improve population-based descrip-
19 tive, statistical, and predictive analytic products to
20 support the Secretary and in evidence-based policy-
21 making, facilitate innovative and collaborative re-
22 search, and empower modern business intelligence
23 applications.

24 (10) The Department has been a consistent
25 leader in the Federal Open Data program and offers

1 a platform for scaling access to useful data and in-
2 sight to external stakeholders.

3 (11) Notwithstanding these recent advances,
4 opportunities exist to strengthen the capability of
5 the Department to develop and disseminate action-
6 able insights into the veteran population through—

7 (A) developing enterprise-focused manage-
8 ment and improvements in the quality of ad-
9 ministrative data collected by the Department
10 through its delivery of benefits and services;

11 (B) increased access to data collected by
12 other Federal entities through more flexible and
13 efficient information sharing policies;

14 (C) increased use of publicly available and
15 commercially generated data; and

16 (D) maturing data management of the De-
17 partment.

18 (12) In line with the Evidence Act, it is incum-
19 bent upon the Secretary to regularly engage with
20 key stakeholders, including Congress, veterans serv-
21 ice organizations, advocacy groups, and open govern-
22 ment groups to—

23 (A) enhance the open data program of the
24 Department; and

1 (B) improve development and dissemina-
2 tion of relevant data assets and analytic prod-
3 ucts to provide more current, accurate, and use-
4 ful insights on veterans and their families.

12 SEC. 3. DEMOGRAPHIC DATA OF VETERANS: COLLECTION;
13 RETENTION; PUBLICATION.

14 (a) IN GENERAL.—Subchapter II of chapter 5 of title
15 38, United States Code, is amended by inserting after sec-
16 tion 527, the following new section:

19 “(a) DATABASE.—(1) The Secretary shall collect de-
20 mographic data of veterans (from any source of such data
21 available to the Secretary, including the National Center
22 for Veterans Analysis and Statistics of the Department,
23 the Bureau of the Census, and the Social Security Admin-
24 istration) and maintain a database of such data.

1 “(2) Data collected and maintained under paragraph

2 (1) shall include the following:

3 “(A) Sex.

4 “(B) Gender identity, disaggregated by—

5 “(i) male;

6 “(ii) female;

7 “(iii) cisgender;

8 “(iv) transgender;

9 “(v) gender diverse;

10 “(vi) nonbinary; and

11 “(vii) combinations of clauses (i) through

12 (vi).

13 “(C) Age.

14 “(D) Educational level.

15 “(E) Race and ethnicity, disaggregated by—

16 “(i) membership in an Indian tribe (as de-
17 fined in section 4 of the Indian Self-Determina-
18 tion and Education Assistance Act (25 U.S.C.
19 5304)); and

20 “(ii) the same major race groups as the de-
21 cennial censuses.

22 “(F) Sexual orientation, disaggregated by—

23 “(i) heterosexual;

24 “(ii) lesbian;

25 “(iii) gay;

1 “(iv) bisexual; and

2 “(v) queer.

3 “(G) Household makeup, including marital sta-
4 tus and number of dependents.

5 “(H) Gross income and sources of income.

6 “(I) Housing status, disaggregated by—

7 “(i) renter;

8 “(ii) homeowner; or

9 “(iii) residing in a home owned or rented
10 by another person.

11 “(J) Employment status, disaggregated by—

12 “(i) employed;

13 “(ii) seeking employment; and

14 “(iii) self-employed.

15 “(K) History of service in the Armed Forces,
16 disaggregated by—

17 “(i) Armed Force;

18 “(ii) regular or reserve component;

19 “(iii) service in a combat theater of oper-
20 ations or war zone;

21 “(iv) service during a period of war;

22 “(v) whether a veteran is a former prisoner
23 of war;

1 “(vi) whether the veteran was exposed to
2 dead, dying, or wounded people during active
3 military, naval, air, or space service;

4 “(vii) whether the veteran was exposed to
5 environmental hazards during active military,
6 naval, air, or space service; and

7 “(viii) whether the veteran experienced
8 military sexual trauma (as that term is defined
9 in section 1166 of this title).

10 “(L) Whether the veteran is enrolled in the pa-
11 tient enrollment system under section 1705 of this
12 title.

13 “(M) Whether the veteran has received a dis-
14 ability rating from under section 1155 of this title.

15 “(N) Location of the veteran’s residence,
16 disaggregated by—

17 “(i) rural or urban setting;

18 “(ii) distance to a facility of the Depart-
19 ment; and

20 “(iii) whether the veteran has access to
21 broadband service.

22 “(O) Any other information the Secretary de-
23 termines appropriate.

24 “(b) DATA RETENTION STANDARDS.—Demographic
25 data in the database under subsection (a) shall be—

1 “(1) anonymized to prevent the release of sen-
2 sitive personal information (as that term is defined
3 in section 5727 of this title); and

4 "(2) machine readable.

5 “(c) WEBSITE.—The Secretary shall maintain a pub-
6 licly accessible website of the Department that provides
7 access to the database under subsection (a). The Secretary
8 shall update such website not less frequently than once
9 each year.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by inserting,
12 after the item relating to section 527, the following new
13 item:

“528. Demographic data of veterans; collection; retention; publication.”

14 (c) IMPLEMENTATION DATE.—The Secretary of Vet-
15 erans Affairs shall carry out section 528 of such title, as
16 added by this section, not later than 180 days after the
17 date of the enactment of this Act.

18 SEC. 4. REPORT ON DATA STRATEGY OF THE DEPARTMENT
19 OF VETERANS AFFAIRS.

20 (a) REPORT REQUIRED.—Not later than one year
21 after the date of the enactment of this Act, the Secretary
22 of Veterans Affairs shall submit to Congress a report de-
23 scribing the progress, challenges, performance, and oppor-
24 tunities of implementing the data strategy of the Depart-
25 ment of Veterans Affairs.

1 (b) ELEMENTS.—The report under this section shall
2 include the following:

3 (1) Qualitative and quantitative progress to-
4 wards strengthening data management of the De-
5 partment, including business and mission impact en-
6 abled by management of data as a strategic asset.

7 (2) Recommendations of the Secretary regard-
8 ing legislation that may accelerate data management
9 maturity of the Department.

10 (3) Progress and results in cataloging and
11 inventorying data assets of the Department and
12 using such assets to support—

13 (A) internal evidence-based policymaking;
14 and

15 (B) ethical and appropriate dissemination
16 of statistical aggregates, data-driven analysis,
17 and open data.

18 (4) Progress in implementing requirements
19 under chapter 35 of title 44, United States Code
20 (commonly known as the “Paperwork Reduction
21 Act”), and related data quality efforts to support
22 strategic management of data collected by the De-
23 partment.

24 (5) Efforts to move towards a rules-based,
25 transparent, Department-wide approach to manage-

1 ment, integration, and sharing of, and access to,
2 data.

3 (6) Recommendations of the Secretary regard-
4 ing adjustments to data requirements of the Depart-
5 ment.

6 (7) Information sharing agreements and out-
7 standing requirements with other Federal entities,
8 including gaps best addressed by the addition of sur-
9 vey questions to an existing Federal survey instru-
10 ment.

11 (8) Progress on recently enacted public laws,
12 Executive orders, Presidential memoranda, and out-
13 standing recommendations of the Comptroller Gen-
14 eral of the United States or an inspector general as
15 it pertains to veteran population-based data collec-
16 tion, quality, integration, sharing, interoperability,
17 and analytics within the scope of improving and en-
18 suring equity in services to veterans, their families,
19 and other beneficiaries.

20 (9) A discussion of current risk assessments re-
21 garding data breaches and information security (as
22 those terms are defined in section 5727 of title 38,
23 United States Code) of the Department.

1 (10) Priority data requirements of the Depart-
2 ment, identified through consultation with the fol-
3 lowing entities:

4 (A) The Committee on Veterans' Affairs of
5 the Senate and the Committee on Veterans' Af-
6 fairs of the House of Representatives.

7 (B) The Congressional Budget Office.

8 (C) Veterans service organizations.

11 (E) The Advisory Committee on Women
12 Veterans of the Department.

13 (F) The Advisory Committee on Homeless
14 Veterans of the Department.

15 (c) PUBLICATION.—Not later than 30 days after sub-
16 mitting the report under this section, the Secretary shall
17 publish such report on the open data website of the De-
18 partment, with all metrics and data included in a machine
19 readable format.