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2^D SESSION

H. R. 847

[Report No. 117-]

To support research on privacy enhancing technologies and promote responsible data use, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2021

Ms. STEVENS (for herself and Mr. GONZALEZ of Ohio) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

FEBRUARY --, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on February 4, 2021]

A BILL

To support research on privacy enhancing technologies and promote responsible data use, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Promoting Digital Pri-*
5 *vacv Technologies Act”.*

6 **SEC. 2. DEFINITION OF PRIVACY ENHANCING TECH-**
7 **NOLOGY.**

8 *In this Act, the term “privacy enhancing tech-*
9 *nology”—*

10 (1) *means any software or hardware solution,*
11 *technical process, or other technological means of*
12 *mitigating individuals’ privacy risks arising from*
13 *data processing by enhancing predictability, manage-*
14 *ability, disassociability, and confidentiality; and*

15 (2) *may include—*

16 (A) *cryptographic techniques for facilitating*
17 *computation or analysis on data while miti-*
18 *gating privacy risks;*

19 (B) *techniques for publicly sharing data*
20 *without enabling inferences to be made about*
21 *specific individuals;*

22 (C) *techniques for giving individuals’ con-*
23 *trol over the dissemination, sharing, and use of*
24 *their data;*

1 (D) techniques for generating synthetic
2 data; and

3 (E) any other technology or approach that
4 reduces the risk of re-identification, including
5 when combined with other information.

6 **SEC. 3. NATIONAL SCIENCE FOUNDATION SUPPORT OF RE-**
7 **SEARCH ON PRIVACY ENHANCING TECH-**
8 **NOLOGY.**

9 *The Director of the National Science Foundation, in*
10 *consultation with other relevant Federal agencies (as deter-*
11 *mined by the Director), shall support merit-reviewed and*
12 *competitively awarded research on privacy enhancing tech-*
13 *nologies, which may include—*

14 (1) *fundamental research on technologies for de-*
15 *identification, pseudonymization, anonymization, or*
16 *obfuscation to mitigate individuals' privacy risks in*
17 *data sets while maintaining fairness, accuracy, and*
18 *efficiency;*

19 (2) *fundamental research on algorithms and*
20 *other similar mathematical tools used to protect indi-*
21 *vidual privacy when collecting, storing, sharing, ana-*
22 *lyzing, or aggregating data;*

23 (3) *fundamental research on technologies that*
24 *promote data minimization in data collection, shar-*
25 *ing, and analytics that takes into account the trade-*

1 *offs between the data minimization goals and the in-*
2 *formational goals of data collection;*

3 *(4) research awards on privacy enhancing tech-*
4 *nologies coordinated with other relevant Federal agen-*
5 *cies and programs;*

6 *(5) supporting education and workforce training*
7 *research and development activities, including re-*
8 *training and upskilling of the existing workforce, to*
9 *grow the number of privacy enhancing technology re-*
10 *searchers and practitioners;*

11 *(6) multidisciplinary socio-technical research*
12 *that fosters broader understanding of privacy pref-*
13 *erences, requirements, and human behavior to inform*
14 *the design and adoption of effective privacy solutions;*

15 *(7) development of freely available privacy en-*
16 *hancing technology software libraries, platforms, and*
17 *applications; and*

18 *(8) fundamental research on techniques that may*
19 *undermine the protections provided by privacy en-*
20 *hancing technologies, the limitations of the protections*
21 *provided by privacy enhancing technologies, and the*
22 *trade-offs between privacy and utility required for*
23 *their deployment.*

1 **SEC. 4. INTEGRATION INTO THE COMPUTER AND NETWORK**
2 **SECURITY PROGRAM.**

3 *Subparagraph (D) of section 4(a)(1) of the Cyber Secu-*
4 *rity Research and Development Act (15 U.S.C.*
5 *7403(a)(1)(D)) is amended to read as follows:*

6 *“(D) privacy and confidentiality, including*
7 *privacy enhancing technologies;”.*

8 **SEC. 5. COORDINATION WITH THE NATIONAL INSTITUTE OF**
9 **STANDARDS AND TECHNOLOGY AND OTHER**
10 **STAKEHOLDERS.**

11 *(a) IN GENERAL.—The Director of the Office of Science*
12 *and Technology Policy, acting through the Networking and*
13 *Information Technology Research and Development Pro-*
14 *gram, shall coordinate with the Director of the National*
15 *Science Foundation, the Director of the National Institute*
16 *of Standards and Technology, the Federal Trade Commis-*
17 *sion, and the heads of other Federal agencies, as appro-*
18 *priate, to accelerate the development, deployment, and*
19 *adoption of privacy enhancing technologies.*

20 *(b) OUTREACH.—The Director of the National Insti-*
21 *tute of Standards and Technology shall conduct outreach*
22 *to—*

23 *(1) receive input from private, public, and aca-*
24 *demie stakeholders on the development of privacy en-*
25 *hancing technologies; and*

1 (2) *facilitate and support ongoing public and*
2 *private sector engagement to inform the development*
3 *and dissemination of voluntary, consensus-based tech-*
4 *nical standards, guidelines, methodologies, procedures,*
5 *and processes to cost-effectively increase the integra-*
6 *tion of privacy enhancing technologies in data collec-*
7 *tion, sharing, and analytics performed by the public*
8 *and private sectors.*

9 **SEC. 6. REPORT ON PRIVACY ENHANCING TECHNOLOGY RE-**
10 **SEARCH.**

11 *Not later than 3 years after the date of enactment of*
12 *this Act, the Director of the Office of Science and Tech-*
13 *nology Policy, acting through the Networking and Informa-*
14 *tion Technology Research and Development Program, shall,*
15 *in coordination with the Director of the National Science*
16 *Foundation, the Director of the National Institute of Stand-*
17 *ards and Technology, and the heads of other Federal agen-*
18 *cies, as appropriate, submit to the Committee on Commerce,*
19 *Science, and Transportation of the Senate, the Sub-*
20 *committee on Commerce, Justice, Science, and Related*
21 *Agencies of the Committee on Appropriations of the Senate,*
22 *the Committee on Science, Space, and Technology of the*
23 *House of Representatives, and the Subcommittee on Com-*
24 *merce, Justice, Science, and Related Agencies of the Com-*

1 *mittee on Appropriations of the House of Representatives,*
2 *a report containing—*

3 *(1) the progress of research on privacy enhancing*
4 *technologies;*

5 *(2) the progress of the development of voluntary*
6 *resources described under section 5(b)(2); and*

7 *(3) any policy recommendations that could fa-*
8 *cilitate and improve communication and coordina-*
9 *tion between the private sector and relevant Federal*
10 *agencies for the implementation and adoption of pri-*
11 *vacv enhancing technologies.*

12 **SEC. 7. PROTECTING PERSONAL IDENTIFYING INFORMA-**
13 **TION.**

14 *Any personal identifying information collected or*
15 *stored through the activities authorized in this Act shall be*
16 *done in accordance with section 690 of title 45, Code of*
17 *Federal Regulations (relating to the protection of human*
18 *subjects), or any successor regulation.*