

117TH CONGRESS
2D SESSION

H. R. 847

IN THE SENATE OF THE UNITED STATES

MAY 12, 2022

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting Digital Pri-
3 vacy Technologies Act”.

4 **SEC. 2. DEFINITION OF PRIVACY ENHANCING TECH-**
5 **NOLOGY.**

6 In this Act, the term “privacy enhancing tech-
7 nology”—

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

13 (2) may include—

14 (A) cryptographic techniques for facili-
15 tating computation or analysis on data while
16 mitigating privacy risks;

17 (B) techniques for publicly sharing data
18 without enabling inferences to be made about
19 specific individuals;

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

23 (D) techniques for generating synthetic
24 data; and

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

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

7 The Director of the National Science Foundation, in
8 consultation with other relevant Federal agencies (as de-
9 termined by the Director), shall support merit-reviewed
10 and competitively awarded research on privacy enhancing
11 technologies, which may include—

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

17 (2) fundamental research on algorithms and
18 other similar mathematical tools used to protect in-
19 dividual privacy when collecting, storing, sharing,
20 analyzing, or aggregating data;

21 (3) fundamental research on technologies that
22 promote data minimization in data collection, shar-
23 ing, and analytics that takes into account the trade-
24 offs between the data minimization goals and the in-
25 formational goals of data collection;

1 (4) research awards on privacy enhancing tech-
2 nologies coordinated with other relevant Federal
3 agencies and programs;

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

9 (6) multidisciplinary socio-technical research
10 that fosters broader understanding of privacy pref-
11 erences, requirements, and human behavior to in-
12 form the design and adoption of effective privacy so-
13 lutions;

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

17 (8) fundamental research on techniques that
18 may undermine the protections provided by privacy
19 enhancing technologies, the limitations of the protec-
20 tions provided by privacy enhancing technologies,
21 and the trade-offs between privacy and utility re-
22 quired for 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 Se-
4 curity 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
12 Science and Technology Policy, acting through the Net-
13 working and Information Technology Research and Devel-
14 opment Program, shall coordinate with the Director of the
15 National Science Foundation, the Director of the National
16 Institute of Standards and Technology, the Federal Trade
17 Commission, and the heads of other Federal agencies, as
18 appropriate, to accelerate the development, deployment,
19 and 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 demic stakeholders on the development of privacy
25 enhancing 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
4 technical standards, guidelines, methodologies, pro-
5 cedures, and processes to cost-effectively increase the
6 integration of privacy enhancing technologies in data
7 collection, sharing, and analytics performed by the
8 public and private sectors.

9 **SEC. 6. REPORT ON PRIVACY ENHANCING TECHNOLOGY**
10 **RESEARCH.**

11 Not later than 3 years after the date of enactment
12 of this Act, the Director of the Office of Science and Tech-
13 nology Policy, acting through the Networking and Infor-
14 mation Technology Research and Development Program,
15 shall, in coordination with the Director of the National
16 Science Foundation, the Director of the National Institute
17 of Standards and Technology, and the heads of other Fed-
18 eral agencies, as appropriate, submit to the Committee on
19 Commerce, Science, and Transportation of the Senate, the
20 Subcommittee on Commerce, Justice, Science, and Re-
21 lated Agencies of the Committee on Appropriations of the
22 Senate, the Committee on Science, Space, and Technology
23 of the House of Representatives, and the Subcommittee
24 on Commerce, Justice, Science, and Related Agencies of

1 the Committee on Appropriations of the House of Rep-
2 resentatives, a report containing—

3 (1) the progress of research on privacy enhanc-
4 ing technologies;

5 (2) the progress of the development of vol-
6 untary resources described under section 5(b)(2);
7 and

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

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

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

Passed the House of Representatives May 11, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.