

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 847
OFFERED BY MS. STEVENS OF MICHIGAN**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. DEFINITIONS.

5 In this Act:

6 (1) **PERSONAL DATA.**—The term “personal
7 data” means information that identifies, is linked to,
8 or is reasonably linkable to, an individual or a con-
9 sumer device, including derived data that can be
10 used to identify an individual or consumer device.

11 (2) **PRIVACY ENHANCING TECHNOLOGY.**—The
12 term “privacy enhancing technology”—

13 (A) means any software solution, technical
14 processes, or other technological means of en-
15 hancing the privacy and confidentiality of an in-
16 dividual’s personal data in data or sets of data;
17 and

18 (B) may include—

1 (i) techniques for facilitating com-
2 putation or analysis on personal data while
3 maintaining the confidentiality of that
4 data;

5 (ii) techniques for safeguarding per-
6 sonal data contained within large datasets;

7 (iii) techniques for giving individuals'
8 control over the dissemination and use of
9 personal data;

10 (iv) techniques for generating syn-
11 thetic data; and

12 (v) any other technology or approach
13 that reduces the risk of re-identification,
14 including when combined with other infor-
15 mation, to provide for reasonable privacy
16 and confidentiality protections.

17 **SEC. 3. NATIONAL SCIENCE FOUNDATION SUPPORT OF RE-**
18 **SEARCH ON PRIVACY ENHANCING TECH-**
19 **NOLOGY.**

20 The Director of the National Science Foundation, in
21 consultation with other relevant Federal agencies (as de-
22 termined by the Director), shall support merit-reviewed
23 and competitively awarded research on privacy enhancing
24 technologies, which may include—

1 (1) fundamental research on technologies for
2 de-identification, pseudonymization, anonymization,
3 or obfuscation of personal data in data sets while
4 maintaining fairness, accuracy, and efficiency;

5 (2) fundamental research on algorithms and
6 other similar mathematical tools used to protect in-
7 dividual privacy when collecting, storing, sharing, or
8 aggregating data;

9 (3) fundamental research on technologies that
10 promote data minimization in data collection, shar-
11 ing, and analytics that takes into account the trade-
12 offs between the data minimization goals and the in-
13 formational goals of data collection;

14 (4) research awards on privacy enhancing tech-
15 nologies coordinated with other relevant Federal
16 agencies and programs;

17 (5) supporting education and workforce training
18 research and development activities, including re-
19 training and upskilling of the existing workforce, to
20 grow the number of privacy enhancing technology
21 researchers and practitioners;

22 (6) development of freely available privacy en-
23 hancing technology software libraries, platforms, and
24 applications; and

1 (7) fundamental research on techniques that
2 may undermine the protections provided by privacy
3 enhancing technologies, the limitations of the protec-
4 tions provided by privacy enhancing technologies,
5 and the trade-offs between privacy and utility re-
6 quired for their deployment.

7 **SEC. 4. INTEGRATION INTO THE COMPUTER AND NETWORK**
8 **SECURITY PROGRAM.**

9 Subparagraph (D) of section 4(a)(1) of the Cyber Se-
10 curity Research and Development Act (15 U.S.C.
11 7403(a)(1)(D)) is amended to read as follows:

12 “(D) privacy and confidentiality, including
13 privacy enhancing technologies;”.

14 **SEC. 5. COORDINATION WITH THE NATIONAL INSTITUTE OF**
15 **STANDARDS AND TECHNOLOGY AND OTHER**
16 **STAKEHOLDERS.**

17 (a) IN GENERAL.—The Director of the Office of
18 Science and Technology Policy, acting through the Net-
19 working and Information Technology Research and Devel-
20 opment Program, shall coordinate with the Director of the
21 National Science Foundation, the Director of the National
22 Institute of Standards and Technology, the Federal Trade
23 Commission, and the heads of other Federal agencies, as
24 appropriate, to accelerate the development, deployment,
25 and adoption of privacy enhancing technologies.

1 (b) OUTREACH.—The Director of the National Insti-
2 tute of Standards and Technology shall conduct outreach
3 to—

4 (1) receive input from private, public, and aca-
5 demic stakeholders on the development of privacy
6 enhancing technologies; and

7 (2) facilitate and support ongoing public and
8 private sector engagement to create and disseminate
9 voluntary, consensus-based technical standards, best
10 practices, guidelines, methodologies, procedures, and
11 processes to cost-effectively ensure the integration of
12 privacy enhancing technologies in data collection,
13 sharing, and analytics performed by the public and
14 private sectors.

15 **SEC. 6. REPORT ON PRIVACY ENHANCING TECHNOLOGY**
16 **RESEARCH.**

17 Not later than 3 years after the date of enactment
18 of this Act, the Director of the Office of Science and Tech-
19 nology Policy, acting through the Networking and Infor-
20 mation Technology Research and Development Program,
21 shall, in coordination with the Director of the National
22 Science Foundation, the Director of the National Institute
23 of Standards and Technology, and the heads of other Fed-
24 eral agencies, as appropriate, submit to the Committee on
25 Commerce, Science, and Transportation of the Senate, the

1 Subcommittee on Commerce, Justice, Science, and Re-
2 lated Agencies of the Committee on Appropriations of the
3 Senate, the Committee on Science, Space, and Technology
4 of the House of Representatives, and the Subcommittee
5 on Commerce, Justice, Science, and Related Agencies of
6 the Committee on Appropriations of the House of Rep-
7 resentatives, a report containing—

8 (1) the progress of research on privacy enhance-
9 ing technologies;

10 (2) the progress of the development of vol-
11 untary resources described under section 5(b)(2);
12 and

13 (3) any policy recommendations that could fa-
14 cilitate and improve communication and coordination
15 between the private sector and relevant Federal
16 agencies for the implementation of privacy enhance-
17 ing technologies.

