

Union Calendar No. 170

118TH CONGRESS
1ST SESSION

H. R. 4755

[Report No. 118–210]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2023

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

SEPTEMBER 21, 2023

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 *italic*]

[For text of introduced bill, see copy of bill as introduced on July 19, 2023]

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 “Privacy Enhancing*
5 *Technology Research Act”.*

6 **SEC. 2. PRIVACY ENHANCING TECHNOLOGY.**

7 *(a) NATIONAL SCIENCE FOUNDATION SUPPORT OF RE-*
8 *SEARCH ON PRIVACY ENHANCING TECHNOLOGY.—The Di-*
9 *rector of the National Science Foundation, in consultation*
10 *with the heads of 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 the following:*

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 *increase the number of privacy enhancing technology*
10 *researchers 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.*

18 *(8) Fundamental research on techniques that*
19 *may undermine the protections provided by privacy*
20 *enhancing technologies, the limitations of such protec-*
21 *tions, and the trade-offs between privacy and utility*
22 *required for the deployment of such technologies.*

23 *(9) Fundamental research on technologies and*
24 *techniques to preserve the privacy and confidentiality*

1 *of individuals from unconsented, unwanted, or unau-*
2 *thorized location tracking, including through GPS.*

3 **(b) INTEGRATION INTO THE COMPUTER AND NETWORK**
4 **SECURITY PROGRAM.**—*Subparagraph (D) of section*
5 *4(a)(1) of the Cyber Security Research and Development*
6 *Act (15 U.S.C. 7403(a)(1)(D)) is amended by inserting “,*
7 *including privacy enhancing technologies” before the semi-*
8 *colon.*

9 **(c) COORDINATION WITH THE NATIONAL INSTITUTE**
10 **OF STANDARDS AND TECHNOLOGY AND OTHER STAKE-**
11 **HOLDERS.**—

12 **(1) IN GENERAL.**—*The Director of the Office of*
13 *Science and Technology Policy, acting through the*
14 *Networking and Information Technology Research*
15 *and Development Program, shall coordinate with the*
16 *Director of the National Science Foundation, the Di-*
17 *rector of the National Institute of Standards and*
18 *Technology, the Federal Trade Commission, and the*
19 *heads of other Federal agencies, as appropriate, to ac-*
20 *celerate the development, deployment, and adoption of*
21 *privacy enhancing technologies.*

22 **(2) OUTREACH.**—*The Director of the National*
23 *Institute of Standards and Technology shall conduct*
24 *outreach to—*

1 (A) receive input from private, public, and
2 academic stakeholders on the development of pri-
3 vacy enhancing technologies; and

4 (B) facilitate and support ongoing public
5 and private sector engagement to inform the de-
6 velopment and dissemination of voluntary, con-
7 sensus-based technical standards, guidelines,
8 methodologies, procedures, and processes to cost-
9 effectively increase the integration of privacy en-
10 hancing technologies in data collection, sharing,
11 and analytics performed by the public and pri-
12 vate sectors.

13 (d) *REPORT ON PRIVACY ENHANCING TECHNOLOGY*
14 *RESEARCH.*—Not later than three years after the date of
15 the enactment of this Act, the Director of the Office of
16 Science and Technology Policy, acting through the Net-
17 working and Information Technology Research and Devel-
18 opment Program, shall, in coordination with the Director
19 of the National Science Foundation, the Director of the Na-
20 tional Institute of Standards and Technology, and the heads
21 of other Federal agencies, as appropriate, submit to the
22 Committee on Commerce, Science, and Transportation of
23 the Senate, the Subcommittee on Commerce, Justice,
24 Science, and Related Agencies of the Committee on Appro-
25 priations of the Senate, the Committee on Science, Space,

1 *and Technology of the House of Representatives, and the*
2 *Subcommittee on Commerce, Justice, Science, and Related*
3 *Agencies of the Committee on Appropriations of the House*
4 *of Representatives, a report containing information relat-*
5 *ing to the following:*

6 (1) *The progress of research on privacy enhanc-*
7 *ing technologies.*

8 (2) *The progress of the development of voluntary*
9 *resources described under subsection (c)(2)(B).*

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

15 (e) *PROTECTING PERSONAL IDENTIFYING INFORMA-*
16 *TION.—Any personal identifying information collected or*
17 *stored through the activities authorized under this section*
18 *shall be done in accordance with part 690 of title 45, Code*
19 *of Federal Regulations (relating to the protection of human*
20 *subjects), or any successor regulation.*

21 (f) *DEFINITION.—In this section, the term “privacy*
22 *enhancing technology”—*

23 (1) *means any software or hardware solution,*
24 *technical process, or other technological means of*
25 *mitigating individuals’ privacy risks arising from*

1 *data processing by enhancing predictability, manage-*
2 *ability, disassociability, and confidentiality; and*

3 *(2) may include—*

4 *(A) cryptographic techniques for facilitating*
5 *computation or analysis on data while miti-*
6 *gating privacy risks;*

7 *(B) techniques for—*

8 *(i) publicly sharing data without ena-*
9 *bling inferences to be made about specific*
10 *individuals;*

11 *(ii) giving individuals' control over the*
12 *dissemination, sharing, and use of their*
13 *data; and*

14 *(iii) generating synthetic data; and*

15 *(C) any other technology or approach that*
16 *reduces the risk of re-identification, including*
17 *when combined with other information.*

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