

118TH CONGRESS
1ST SESSION

S. 3325

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2023

Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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 vacy Technologies Act”.

6 **SEC. 2. PROMOTING PRIVACY ENHANCING TECHNOLOGIES.**

7 (a) DEFINITION OF PRIVACY ENHANCING TECH-
8 NOLOGY.—In this section the term “privacy enhancing
9 technology” means any software or hardware solution,
10 technical processes, or other technological means of pro-

1 tecting an individual’s privacy and the confidentiality of
2 data, which may include—

3 (1) de-identification, anonymization and
4 pseudonymization technologies or techniques, fil-
5 tering tools, anti-tracking technology, differential
6 privacy tools, synthetic data generation tools, cryp-
7 tographic techniques (such as secure multi-party
8 computation and homomorphic encryption), and sys-
9 tems for federated learning; and

10 (2) any other software or hardware solution,
11 technical processes, or other technological means
12 that the Director of the National Science Founda-
13 tion, in consultation with the Director of the Na-
14 tional Institute of Standards and Technology, deter-
15 mines to be a technology that enhances privacy.

16 (b) NATIONAL SCIENCE FOUNDATION SUPPORT OF
17 RESEARCH ON PRIVACY ENHANCING TECHNOLOGY.—The
18 Director of the National Science Foundation, in consulta-
19 tion with other relevant Federal agencies (as determined
20 by the Director), shall support merit-reviewed and com-
21 petitively awarded research on privacy enhancing tech-
22 nologies, which may include—

23 (1) fundamental research on technologies for
24 de-identification, pseudonymization, anonymization,

1 or obfuscation to protect individuals' privacy in data
2 sets;

3 (2) fundamental research on algorithms, ma-
4 chine learning, and other computational processes or
5 tools used to protect individual privacy when col-
6 lecting, storing, sharing, aggregating, or analyzing
7 data;

8 (3) fundamental research on technologies that
9 promote data minimization principles in data collec-
10 tion, sharing, transfers, retention, and analytics;

11 (4) research awards on privacy enhancing tech-
12 nologies coordinated with other relevant Federal
13 agencies and programs;

14 (5) research on barriers to, and opportunities
15 for, the adoption of privacy enhancing technologies,
16 including studies on effective business models for
17 privacy enhancing technologies; and

18 (6) international cooperative research, awards,
19 challenges, and pilot projects on privacy enhancing
20 technologies with key United States allies and part-
21 ners.

22 (c) INTEGRATION INTO THE COMPUTER AND NET-
23 WORK SECURITY PROGRAM.—Subparagraph (D) of sec-
24 tion 4(a)(1) of the Cyber Security Research and Develop-

1 ment Act (15 U.S.C. 7403(a)(1)(D)) is amended to read
2 as follows:

3 “(D) privacy enhancing technologies and
4 confidentiality;”.

5 (d) COORDINATION WITH THE NATIONAL INSTITUTE
6 OF STANDARDS AND TECHNOLOGY AND OTHER STAKE-
7 HOLDERS.—

8 (1) IN GENERAL.—The Director of the Office of
9 Science and Technology Policy, acting through the
10 Networking and Information Technology Research
11 and Development Program, shall coordinate with the
12 Director of the National Science Foundation, the Di-
13 rector of the National Institute of Standards and
14 Technology, and the Federal Trade Commission to
15 accelerate the development and use of privacy en-
16 hancing technologies.

17 (2) OUTREACH.—The Director of the National
18 Institute of Standards and Technology shall conduct
19 outreach to—

20 (A) receive input from private, public, and
21 academic stakeholders on the development and
22 potential uses of privacy enhancing tech-
23 nologies; and

24 (B) develop ongoing public and private sec-
25 tor engagement to create and disseminate vol-

1 untary, consensus-based resources to increase
2 the integration of privacy enhancing tech-
3 nologies in data collection, sharing, transfers,
4 retention, and analytics by the public and pri-
5 vate sectors.

6 (e) REPORT ON PRIVACY ENHANCING TECHNOLOGY
7 RESEARCH.—Not later than 3 years after the date of en-
8 actment of this Act, the Director of the Office of Science
9 and Technology Policy, acting through the Networking
10 and Information Technology Research and Development
11 Program, shall, in coordination with the Director of the
12 National Science Foundation, the Director of the National
13 Institute of Standards and Technology, and the Chair of
14 the Federal Trade Commission, submit to the Committee
15 on Commerce, Science, and Transportation of the Senate,
16 the Committee on Science, Space, and Technology of the
17 House of Representatives, and the Committee on Energy
18 and Commerce of the House of Representatives, a report
19 containing—

20 (1) the progress of research on privacy enhance-
21 ing technologies;

22 (2) the progress of the development of vol-
23 untary resources described under subsection
24 (d)(2)(B); and

1 (3) any policy recommendations that could fa-
2 cilitate and improve communication and coordination
3 among the private sector, the National Science
4 Foundation, and relevant Federal agencies through
5 the implementation of privacy enhancing tech-
6 nologies.

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