

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**31**

**OFFERED BY MR. DUNN OF FLORIDA**

Add at the end of subtitle A of title IV of division  
C the following new section:

**1 SEC. 20405. SECURING IDENTIFIABLE, SENSITIVE INFORMA-**  
**2 TION.**

**3 (a) CONSIDERATION OF NATIONAL SECURITY**  
**4 RISKS.—**

**5 (1) IN GENERAL.—**The Secretary of Health and  
**6 Human Services (referred to in this section as the**  
**7 “Secretary”), in consultation with the Director of**  
**8 National Intelligence, the Secretary of State, the**  
**9 Secretary of Defense, and other national security ex-**  
**10 perts, as appropriate, shall ensure that biomedical**  
**11 research described in paragraph (2) is conducted in**  
**12 a manner that appropriately considers national secu-**  
**13 rity risks, including national security implications re-**  
**14 lated to potential misuse of such data.**

**15 (2) BIOMEDICAL RESEARCH DESCRIBED.—**For  
**16 purposes of paragraph (1), biomedical research is**  
**17 described in this paragraph if it—**

1 (A) is conducted or supported, directly or  
2 indirectly, including through subgrants, by the  
3 National Institutes of Health or other relevant  
4 agencies and offices within the Department of  
5 Health and Human Services; and

6 (B) involves the sequencing of human  
7 genomic information, and collection, analysis, or  
8 storage of identifiable, sensitive information, as  
9 defined in section 301(d)(4) of the Public  
10 Health Service Act (42 U.S.C. 241(d)(4)).

11 (b) RISK FRAMEWORK.—Not later than 2 years after  
12 the date of enactment of this Act, the Secretary shall en-  
13 sure that the National Institutes of Health and other rel-  
14 evant agencies and offices within the Department of  
15 Health and Human Services, working with the heads of  
16 agencies and national security experts, including the Of-  
17 fice of the National Security within the Department of  
18 Health and Human Services—

19 (1) develop a comprehensive framework for as-  
20 sessing and managing national security risks re-  
21 ferred to in subsection (a) that includes—

22 (A) criteria for how and when to conduct  
23 risk assessments for projects that may have na-  
24 tional security implications;

1 (B) security controls and training for re-  
2 searchers or entities, including peer reviewers,  
3 that manage or have access to such data; and

4 (C) methods to incorporate risk-reduction  
5 in the process for funding such projects that  
6 may have national security implications;

7 (2) not later than 1 year after the risk frame-  
8 work is developed under paragraph (1), develop and  
9 implement controls to—

10 (A) ensure that researchers or entities that  
11 manage or have access to such data have com-  
12 plied with the requirements of paragraph (1)  
13 and ongoing requirements with such paragraph;  
14 and

15 (B) ensure that data access committees re-  
16 viewing data access requests for projects that  
17 may have national security risks, as appro-  
18 priate, include members with expertise in cur-  
19 rent and emerging national security threats, in  
20 order to make appropriate decisions related to  
21 access to such identifiable, sensitive informa-  
22 tion; and

23 (3) not later than 2 years after the risk frame-  
24 work is developed under paragraph (1), update data  
25 access and sharing policies related to human

1 genomic data, as appropriate, based on current and  
2 emerging national security threats.

3 (c) CONGRESSIONAL BRIEFING.—Not later than 2  
4 years after the date of enactment of this Act, the Sec-  
5 retary shall provide a briefing to the Committee on  
6 Health, Education, Labor, and Pensions and the Select  
7 Committee on Intelligence of the Senate and the Com-  
8 mittee on Energy and Commerce and the Permanent Se-  
9 lect Committee on Intelligence of the House of Represent-  
10 atives on the activities required under subsections (a) and  
11 (b).

