

119TH CONGRESS
2D SESSION

S. _____

To amend the Homeland Security Act of 2002 to require the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security to protect genetic and other sensitive biometric data, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. YOUNG (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Homeland Security Act of 2002 to require the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security to protect genetic and other sensitive biometric data, 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 “Protecting Biological
5 Data as Critical Infrastructure Act”.

1 **SEC. 2. CISA PROTECTION OF GENETIC AND OTHER SEN-**
2 **SITIVE BIOMETRIC DATA.**

3 The Homeland Security Act of 2002 is amended—

4 (1) in section 2202 (6 U.S.C. 652)—

5 (A) in subsection (c)—

6 (i) in paragraph (13), by striking

7 “and” after the semicolon;

8 (ii) by redesignating paragraph (14)

9 as paragraph (17); and

10 (iii) by inserting after paragraph (13)

11 the following new paragraphs:

12 “(14) oversee the planning, management, and

13 coordination of duties related to security manage-

14 ment of, and responsibilities associated with, genetic

15 data systems that involve genomic sequences and

16 other sensitive biometric data, including by ensuring

17 sufficient staff of the Agency to carry out such du-

18 ties;

19 “(15) provide training for relevant Federal per-

20 sonnel regarding protecting genetic data systems

21 that involve genomic sequences and other sensitive

22 biometric data, including addressing unique security

23 challenges and ethical considerations;

24 “(16) take such actions as may be necessary to

25 ensure the protection of biological data and critical

26 biotechnology infrastructure, including genetic data

1 systems that involve genomic sequences and other
2 sensitive biometric data; and”; and

3 (B) in subsection (e)(1), by adding at the
4 end the following new subparagraphs:

5 “(S) To treat as critical infrastructure ge-
6 netic data systems that involve genomic se-
7 quences and other sensitive biometric data.

8 “(T) To consult with United States bio-
9 technology sector stakeholders to gain input for
10 the development of security protocols relating to
11 the genetic data systems referred to in subpara-
12 graph (S), as well as relevant Federal agencies
13 responsible for collecting and protecting such
14 systems, such as the Office of Biometric Iden-
15 tity Management of the Department.

16 “(U) To collaborate with the United States
17 biotechnology sector stakeholders referred to in
18 subparagraph (T), as well as any additional
19 United States stakeholders engaged in biosecu-
20 rity policy development and enforcement, in-
21 cluding by carrying out the following:

22 “(i) Facilitating engagements between
23 the Agency and such biotechnology stake-
24 holders and additional stakeholders to co-
25 ordinate and synchronize regarding emerg-

1 ing security concerns, such as the digital-
2 physical boundary between genetic se-
3 quence data and physical samples.

4 “(ii) Providing a secure line of com-
5 munication to the Agency for such bio-
6 technology stakeholders and additional
7 stakeholders to raise concerns, report inci-
8 dents, and request technical assistance.”;
9 and

10 (2) in section 2211(b)(2) (6 U.S.C. 661(b)(2)),
11 by adding at the end the following new subpara-
12 graph:

13 “(E) Genetic and biometric data secu-
14 rity.”.