

114TH CONGRESS
2D SESSION

H. R. 5068

To amend the Public Health Service Act to establish the Office of the Chief Information Security Officer within the Department of Health and Human Services.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2016

Mr. LONG (for himself and Ms. MATSUI) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish the Office of the Chief Information Security Officer within the Department of Health and Human Services.

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 “HHS Data Protection
5 Act”.

6 **SEC. 2. CHIEF INFORMATION SECURITY OFFICER.**

7 (a) IN GENERAL.—Title II of the Public Health Serv-
8 ice Act is amended by inserting after section 229 of such
9 Act (42 U.S.C. 237a) the following:

1 **“SEC. 229A. CHIEF INFORMATION SECURITY OFFICER.**

2 “(a) IN GENERAL.—Effective on October 1, 2016,
3 there shall be a Chief Information Security Officer of the
4 Department of Health and Human Services. The Office
5 of the Chief Information Security Officer shall be within
6 the Office of the Assistant Secretary for Administration
7 of the Department of Health and Human Services. The
8 Chief Information Security Officer shall be appointed by
9 the President.

10 “(b) PRIMARY RESPONSIBILITY.—The Chief Infor-
11 mation Security Officer, in consultation with the Chief In-
12 formation Officer and the General Counsel of the Depart-
13 ment of Health and Human Services, shall have primary
14 responsibility for the information security (including cy-
15 bersecurity) programs of the Department.

16 “(c) FUNCTIONS TRANSFERRED.—The Secretary
17 shall transfer the functions, personnel, assets, and liabil-
18 ities of the Chief Information Security Officer in the Of-
19 fice of the Chief Information Officer of the Department
20 of Health and Human Services, as such position exists on
21 September 30, 2016, to the Chief Information Security
22 Officer.”.

23 (b) EXECUTIVE SCHEDULE.—Section 5316 of title 5,
24 United States Code, is amended by inserting after “Direc-
25 tor, United States Fish and Wildlife Service, Department

1 of the Interior.” the following: “Chief Information Secu-
2 rity Officer, Department of Health and Human Services.”.

3 (c) REPORT.—Not later than 1 year after the date
4 of enactment of this Act, the Secretary of Health and
5 Human Services shall submit a report to the Committee
6 on Energy and Commerce of the House of Representatives
7 and the Committee on Health, Education, Labor and Pen-
8 sions of the Senate that details—

9 (1) the plan of the Chief Information Security
10 Officer of the Department of Health and Human
11 Services to oversee and coordinate the information
12 security programs of the Department; and

13 (2) the steps being taken within each operating
14 division of the Department, including the steps being
15 taken by the chief information security officer of
16 each such division—

17 (A) to implement such plan; and

18 (B) to report to the Chief Information Se-
19 curity Officer on the status of such implementa-
20 tion.

21 (d) NO ADDITIONAL APPROPRIATIONS AUTHOR-
22 IZED.—No additional funds are authorized to be appro-
23 priated to carry out this Act, or the amendments made
24 by this Act. This Act, and the amendments made by this

- 1 Act, shall be carried out using amounts otherwise author-
- 2 ized or appropriated.

