

AMENDMENT

OFFERED BY MR. SCHNEIDER OF ILLINOIS

At the end of the bill, add the following:

1 **SEC. ____.** **RESTRICTED ACCESS TO CONFIDENTIAL HEALTH**
2 **INFORMATION.**

3 (a) **IN GENERAL.**—Notwithstanding any other provi-
4 sion of this Act, no provision of this Act shall take effect
5 before the date on which the Secretary of the Treasury
6 (or the Secretary’s designee) certifies to Congress that a
7 plan is in effect providing that only trusted governmental
8 employees have access to taxpayer health information held
9 by the Department of the Treasury.

10 (b) **DEFINITIONS.**—For purposes of this section—

11 (1) **TAXPAYER HEALTH INFORMATION.**—The
12 term “taxpayer health information” means informa-
13 tion relating to the health insurance, medical ex-
14 penditures, or health savings accounts of a taxpayer.

15 (2) **TRUSTED GOVERNMENTAL EMPLOYEE.**—
16 The term “trusted governmental employee” means—

17 (A) an individual who is an officer, em-
18 ployee, or contractor of the Department of the
19 Treasury—

1 (i) who is otherwise eligible to access
2 the taxpayer health information described
3 in subsection (a),

4 (ii) whose most recent performance
5 rating was at the fully successful level or
6 higher (or the equivalent thereof), and

7 (iii) who, as of the date of such ac-
8 cess, with respect to such an officer or em-
9 ployee has occupied a position in the civil
10 service (as that term is defined in section
11 2101 of title 5), or with respect to such a
12 contractor has been performing under a
13 contract with the Department, for a period
14 of at least one year, or

15 (B) in the case of an individual not de-
16 scribed in subparagraph (A)—

17 (i) such individual holds a security
18 clearance at the appropriate level with re-
19 spect to the taxpayer health information
20 described in subsection (a) and such clear-
21 ance was granted pursuant to the proce-
22 dures established under section 801 of the
23 National Security Act of 1947 (50 U.S.C.
24 3161)),

1 (ii) such individual's access to such
2 taxpayer health information, or use there-
3 of, does not constitute a violation of sec-
4 tion 208 of title 18,

5 (iii) such individual is not a special
6 Government employee (as defined in sec-
7 tion 202 of title 18),

8 (iv) such individual's current contin-
9 uous service in the civil service (as that
10 term is defined in section 2101 of title 5)
11 as of the date of such access is for a period
12 of at least 1 year,

13 (v) such individual has completed any
14 required training or compliance procedures
15 with respect to privacy laws and cybersecu-
16 rity and national security regulations and
17 best practices, and

18 (vi) such individual has signed a writ-
19 ten ethics agreement with either the De-
20 partment of the Treasury or the Office of
21 Government Ethics.

