

119TH CONGRESS
1ST SESSION

H. R. 2363

To prohibit the authorization of certain individuals to access certain systems containing individually identifiable health information.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2025

Ms. DEGETTE (for herself, Mr. GOLDMAN of New York, Mr. CARTER of Louisiana, Ms. PRESSLEY, and Ms. SÁNCHEZ) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the authorization of certain individuals to access certain systems containing individually identifiable health information.

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 “Data Of Government
5 health Entities must be Protected from Overreach by
6 Unelected Nonsecure Disruption Act of 2025” or the
7 “DOGE POUND Act of 2025”.

1 **SEC. 2. PROHIBITING THE AUTHORIZATION OF CERTAIN IN-**
2 **DIVIDUALS TO ACCESS CERTAIN SYSTEMS**
3 **CONTAINING INDIVIDUALLY IDENTIFIABLE**
4 **HEALTH INFORMATION.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, no individual may be authorized to use, exer-
7 cise administrative control over, or otherwise access any
8 specified system (as defined in subsection (d)), or any data
9 from any such system, unless—

10 (1) such individual is an officer, employee, or
11 contractor of the Department of Health and Human
12 Services who—

13 (A) was otherwise eligible to access such
14 system or data prior to January 20, 2025; and

15 (B) continued to be otherwise eligible to
16 access such system or data between January
17 20, 2025, and the date of access to such system
18 or data; or

19 (2) in the case of an individual not described in
20 paragraph (1)—

21 (A) such individual holds a security clear-
22 ance at the appropriate level with respect to
23 such system or data and such clearance was
24 granted pursuant to the procedures established
25 under section 801 of the National Security Act
26 of 1947 (50 U.S.C. 3161);

1 (B) such individual's access to such system
2 or data, or use thereof, does not constitute a
3 violation of section 208 of title 18, United
4 States Code (determined after the application of
5 subsection (b));

6 (C) such individual is not a special Govern-
7 ment employee (as defined in section 202 of
8 title 18, United States Code);

9 (D) such individual's current continuous
10 service in the civil service (as that term is de-
11 fined in section 2101 of title 5, United States
12 Code) as of the date of such access is for a pe-
13 riod of at least 1 year;

14 (E) such individual has completed any re-
15 quired training or compliance procedures with
16 respect to privacy laws and cybersecurity and
17 national security regulations and best practices;
18 and

19 (F) such individual has signed a written
20 ethics agreement with either the Department of
21 Health and Human Services or the Office of
22 Government Ethics.

23 (b) APPLICATION OF PENALTIES.—

24 (1) IN GENERAL.—Whoever knowingly—

1 (A) uses, exercises administrative control
2 over, or otherwise accesses any system or data
3 described in subsection (a) in violation of such
4 subsection, or

5 (B) authorizes the use, exercise of adminis-
6 trative control over, or other access to any sys-
7 tem or data described in subsection (a) in viola-
8 tion of such subsection,

9 shall be imprisoned not more than 5 years or fined
10 under title 18, United States Code, or both.

11 (2) STATUTE OF LIMITATIONS.—Notwith-
12 standing section 3282 of title 18, United States
13 Code, no person shall be prosecuted, tried, or pun-
14 ished for any offense under this subsection unless
15 the indictment is found or the information is insti-
16 tuted not later than 10 years after the date on
17 which the offense was committed.

18 (c) REPORTS ON UNAUTHORIZED USE.—The Inspec-
19 tor General of the Department of Health and Human
20 Services shall investigate, and submit a report to Congress
21 on such investigation, each instance of unauthorized use
22 or other access of any specified system. Any such report
23 shall be submitted not later than 30 days after any such
24 instance and shall include—

1 (1) a detailed description of the unauthorized
2 use or access, including any actions the individual
3 carried out;

4 (2) a risk assessment of any threat to privacy,
5 national security, cybersecurity, or the integrity of
6 the applicable system as a result of such unauthor-
7 ized use or access; and

8 (3) a detailed description of any stopped pay-
9 ments during the unauthorized use or access.

10 (d) SPECIFIED SYSTEM.—For purposes of this sec-
11 tion, the term “specified system” means any system main-
12 tained by the Department of Health and Human Services
13 that contains individually identifiable health information
14 (as defined in section 1171(6) of the Social Security Act
15 (42 U.S.C. 1320d(6))).

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