

119TH CONGRESS
2D SESSION

H. R. 9914

To establish the applicability of antitrust laws to the sharing of artificial intelligence frontier model risks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2026

Mr. LATTA (for himself, Mr. WHITESIDES, Mr. OBERNOLTE, Mr. LIEU, Mr. ISSA, Mr. MORAN, Mr. HARRIGAN, Mrs. MILLER-MEEKS, and Mrs. TRAHAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish the applicability of antitrust laws to the sharing of artificial intelligence frontier model risks, 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 “Collaboration on Ad-
5 versarial Threats and Security Risks Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ANTITRUST LAWS.—

1 (A) IN GENERAL.—The term “antitrust
2 laws” has the meaning given that term in sec-
3 tion 102 of the Cybersecurity Information Shar-
4 ing Act of 2015 (6 U.S.C. 1501).

5 (B) RULE OF CONSTRUCTION.—For the
6 purposes of this Act, the laws described in sec-
7 tion 102(2) of the Cybersecurity Information
8 Sharing Act of 2015 (6 U.S.C. 1501(2)) are
9 consistent to the extent they do not conflict.

10 (2) ARTIFICIAL INTELLIGENCE.—The term “ar-
11 tificial intelligence” has the meaning given that term
12 in section 238(g) of the John S. McCain National
13 Defense Authorization Act for Fiscal Year 2019 (10
14 U.S.C. 4001 note).

15 (3) ASSISTANCE.—The term “assistance” in-
16 cludes the provision of software, hardware, data,
17 personnel, and other resources.

18 (4) ASSISTANT ATTORNEY GENERAL.—The
19 term “Assistant Attorney General” means the As-
20 sistant Attorney General in charge of the Antitrust
21 Division of the Department of Justice.

22 (5) COVERED ARTIFICIAL INTELLIGENCE SECU-
23 RITY PURPOSE.—The term “covered artificial intel-
24 ligence security purpose” means the purpose of pro-
25 tecting against, identifying, evaluating, testing, ana-

1 lyzing, preventing, investigating, or mitigating a cov-
2 ered artificial intelligence security risk.

3 (6) COVERED ARTIFICIAL INTELLIGENCE SECUR-
4 ITY RISK.—The term “covered artificial intelligence
5 security risk” means the potential for artificial intel-
6 ligence, including during development, training, test-
7 ing, evaluation, deployment, use, or release, to do 1
8 or more of the following:

9 (A) Be stolen, distilled, weaponized,
10 trained, developed, or deployed by a covered na-
11 tion (as defined in section 4872(f)(2) of title
12 10, United States Code) or an entity owned,
13 controlled, or directed by a covered nation in a
14 manner that poses a significant threat to the
15 national security, including through covert,
16 clandestine, undisclosed, or otherwise concealed
17 development activities that attempt to evade de-
18 tection or verification.

19 (B) Substantially facilitate the develop-
20 ment or deployment of a chemical, biological,
21 radiological, nuclear, or offensive cyber weapon.

22 (C) Cause a disruption to, degradation of,
23 impairment of, or loss of operational control
24 over critical infrastructure that is reasonably
25 likely to result in a significant impact on secu-

1 rity, national public health or safety, or any
2 combination thereof.

3 (D) Substantially reduce the ability of a
4 developer, deployer, owner, operator, user, eval-
5 uator, auditor, Federal department or agency,
6 or other governmental authority to oversee,
7 evaluate, monitor, control, contain, restrict ac-
8 cess to, disable, or terminate such artificial in-
9 telligence, if the applicable person or govern-
10 mental authority has authority or responsibility
11 to do so, including through unauthorized, de-
12 ceptive, evasive, or malicious activity involving
13 such artificial intelligence.

14 (E) Autonomously improve, or substan-
15 tially facilitate the autonomous improvement of
16 the capabilities of artificial intelligence in a
17 manner that creates a substantial risk of a con-
18 sequence described in subparagraph (A), (B),
19 (C), or (D).

20 (F) Be vulnerable to unauthorized access
21 that—

22 (i) creates a substantial risk of a con-
23 sequence described in subparagraphs (A)
24 through (E); or

1 (ii) is for the benefit of, at the direc-
2 tion of, or under the control of—

3 (I) a covered nation (as defined
4 in section 4872(f)(2) of title 10,
5 United States Code); or

6 (II) an entity owned, controlled,
7 or directed by a covered nation.

8 (7) EXCLUSIVE PURPOSE.—The term “exclusive
9 purpose”, with respect to an action, means for the
10 purpose of, with not more than an insubstantial part
11 of the relevant action being for other purposes.

12 (8) NON-FEDERAL ENTITY.—The term “non-
13 Federal entity” has the meaning given that term in
14 section 102 of the Cybersecurity Information Shar-
15 ing Act of 2015 (6 U.S.C. 1501).

16 (9) UNAUTHORIZED ACCESS.—The term “unau-
17 thorized access” with respect to artificial intel-
18 ligence—

19 (A) means unauthorized access or use of
20 artificial intelligence; and

21 (B) includes—

22 (i) extraction or copying of model
23 weights, parameters, or other nonpublic
24 model information;

- 1 (ii) systematic querying or automated
2 extraction designed to distill, replicate, or
3 reconstruct model capabilities; and
4 (iii) compromise affecting the integ-
5 rity, reliability, or security of artificial in-
6 telligence, including through malicious
7 code, a backdoor, manipulated data, or
8 compromise of an artificial intelligence
9 model, training dataset, or artificial intel-
10 ligence component.

11 **SEC. 3. ANTITRUST EXEMPTION.**

12 (a) IN GENERAL.—It shall not be considered a viola-
13 tion of any provision of the antitrust laws for—

14 (1) 2 or more non-Federal entities to provide or
15 exchange information or assistance relating to a cov-
16 ered artificial intelligence security risk in good faith
17 for the exclusive purpose of a covered artificial intel-
18 ligence security purpose; or

19 (2) 2 or more non-Federal entities to coordinate
20 or enter into agreements for the exclusive purpose of
21 reducing covered artificial intelligence security risks
22 via delaying or otherwise limiting the release, deploy-
23 ment, use, development, training, testing, or evalua-
24 tion of artificial intelligence, provided that the non-
25 Federal entities submit to the Assistant Attorney

1 General, before undertaking the proposed coordi-
2 nated delay or limitation, written notice detailing the
3 specific covered artificial intelligence security risk
4 and the scope of the proposed restriction.

5 (b) LIMITATION.—Subsection (a) shall not apply to
6 a non-Federal entity receiving information or assistance
7 unless the non-Federal entity uses such information or as-
8 sistance for a covered artificial intelligence security pur-
9 pose and has implemented reasonable internal controls to
10 limit the extent to which such information or assistance
11 can be used for other purposes.

12 (c) AFFIRMATIVE DEFENSE.—In any action or pro-
13 ceeding brought under the antitrust laws, the exemption
14 provided under subsection (a) shall constitute an affirma-
15 tive defense, and any non-Federal entity claiming the ex-
16 emption shall bear the burden of proving by a preponder-
17 ance of the evidence that the entity's actions were taken
18 in good faith and for the exclusive purpose described in
19 subsection (a).

20 (d) RULE OF CONSTRUCTION.—

21 (1) IN GENERAL.—Subsection (a)(1) shall not
22 be construed to permit price-fixing, allocating a mar-
23 ket between competitors, monopolizing or attempting
24 to monopolize a market, boycotting, or exchanges of
25 price or cost information.

1 (2) PRIVATE RIGHT OF ACTION.—Nothing in
2 this Act shall be construed as limiting any private
3 right of action with respect to any violation of the
4 antitrust laws that is not exempt under this section.

5 (e) EXEMPTION FROM DISCLOSURE.—Any informa-
6 tion submitted to the Assistant Attorney General pursuant
7 to subsection (a)(2), including any written notice sub-
8 mitted under that subsection and any information derived
9 from such submission that would reveal the substance of
10 such submission, shall be—

11 (1) used solely for the purpose of section 4;

12 (2) deemed voluntarily shared information and
13 exempt from disclosure under section 552 of title 5,
14 United States Code; and

15 (3) withheld, without discretion, from the public
16 under section 552(b)(3) of title 5, United States
17 Code.

18 **SEC. 4. INJUNCTIVE RELIEF.**

19 (a) IN GENERAL.—The Attorney General may seek,
20 in a court of competent jurisdiction, an injunction against
21 the non-Federal entities described in section 3 to prohibit
22 an action that violates the antitrust laws.

23 (b) NO IMMUNITY OR EXEMPTION.—In any action
24 described in subsection (a), this Act shall not be construed

1 to create any immunity or exemption from injunctive relief
2 if—

3 (1) the non-Federal entities do not satisfy the
4 burden of proof under section 3(c); or

5 (2) the Attorney General demonstrates that,
6 notwithstanding the covered artificial intelligence se-
7 curity purpose, the actions are reasonably likely to
8 result in an overall increase in covered artificial in-
9 telligence security risks.

○