

on Appropriations of the Senate a report that includes a summarized budget in support of the Initiative for such fiscal year and the preceding fiscal year, including a disaggregation of spending and a description of any Institutes established under section 9431 of this title for the Department of Commerce, the Department of Defense, the Department of Energy, the Department of Agriculture, the Department of Health and Human Services, and the National Science Foundation.

(Pub. L. 116–283, div. E, title LI, § 5103, Jan. 1, 2021, 134 Stat. 4526.)

#### **§ 9414. National Artificial Intelligence Advisory Committee**

##### **(a) In general**

The Secretary of Commerce shall, in consultation with the Director of the Office of Science and Technology Policy, the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Attorney General, and the Director of National Intelligence establish an advisory committee to be known as the “National Artificial Intelligence Advisory Committee”.

##### **(b) Qualifications**

The Advisory Committee shall consist of members, appointed by the Secretary of Commerce, who are representing broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities, including civil rights and disability rights organizations, and Federal laboratories, who are representing geographic diversity, and who are qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, and economic competitiveness related to artificial intelligence.

##### **(c) Membership consideration**

In selecting the members of the Advisory Committee, the Secretary of Commerce shall seek and give consideration to recommendations from Congress, industry, nonprofit organizations, the scientific community (including the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, and academic institutions), the defense and law enforcement communities, and other appropriate organizations.

##### **(d) Duties**

The Advisory Committee shall advise the President and the Initiative Office on matters related to the Initiative, including recommendations related to—

(1) the current state of United States competitiveness and leadership in artificial intelligence, including the scope and scale of United States investments in artificial intelligence research and development in the international context;

(2) the progress made in implementing the Initiative, including a review of the degree to which the Initiative has achieved the goals according to the metrics established by the Interagency Committee under section 9413(d)(2) of this title;

(3) the state of the science around artificial intelligence, including progress toward artificial general intelligence;

(4) issues related to artificial intelligence and the United States workforce, including matters relating to the potential for using artificial intelligence for workforce training, the possible consequences of technological displacement, and supporting workforce training opportunities for occupations that lead to economic self-sufficiency for individuals with barriers to employment and historically underrepresented populations, including minorities, Indians (as defined in 25 U.S.C. 5304<sup>1</sup>), low-income populations, and persons with disabilities.

(5) how to leverage the resources of the initiative to streamline and enhance operations in various areas of government operations, including health care, cybersecurity, infrastructure, and disaster recovery;

(6) the need to update the Initiative;

(7) the balance of activities and funding across the Initiative;

(8) whether the strategic plan developed or updated by the Interagency Committee established under section 9413(d)(2) of this title is helping to maintain United States leadership in artificial intelligence;

(9) the management, coordination, and activities of the Initiative;

(10) whether ethical, legal, safety, security, and other appropriate societal issues are adequately addressed by the Initiative;

(11) opportunities for international cooperation with strategic allies on artificial intelligence research activities, standards development, and the compatibility of international regulations;

(12) accountability and legal rights, including matters relating to oversight of artificial intelligence systems using regulatory and nonregulatory approaches, the responsibility for any violations of existing laws by an artificial intelligence system, and ways to balance advancing innovation while protecting individual rights; and

(13) how artificial intelligence can enhance opportunities for diverse geographic regions of the United States, including urban, Tribal, and rural communities.

##### **(e) Subcommittee on artificial intelligence and law enforcement**

###### **(1) Establishment**

The chairperson of the Advisory Committee shall establish a subcommittee on matters relating to the development of artificial intelligence relating to law enforcement matters.

###### **(2) Advice**

The subcommittee shall provide advice to the President on matters relating to the development of artificial intelligence relating to law enforcement, including advice on the following:

(A) Bias, including whether the use of facial recognition by government authorities, including law enforcement agencies, is tak-

<sup>1</sup> See References in Text note below.

ing into account ethical considerations and addressing whether such use should be subject to additional oversight, controls, and limitations.

(B) Security of data, including law enforcement's access to data and the security parameters for that data.

(C) Adoptability, including methods to allow the United States Government and industry to take advantage of artificial intelligence systems for security or law enforcement purposes while at the same time ensuring the potential abuse of such technologies is sufficiently mitigated.

(D) Legal standards, including those designed to ensure the use of artificial intelligence systems are consistent with the privacy rights, civil rights and civil liberties, and disability rights issues raised by the use of these technologies.

**(f) Reports**

Not later than 1 year after January 1, 2021, and not less frequently than once every 3 years thereafter, the Advisory Committee shall submit to the President, the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, the House Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Armed Services of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Senate Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Armed Services of the Senate, a report on the Advisory Committee's findings and recommendations under subsection (d) and subsection (e).

**(g) Travel expenses of non-Federal members**

Non-Federal members of the Advisory Committee, while attending meetings of the Advisory Committee or while otherwise serving at the request of the head of the Advisory Committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for individuals in the Government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Advisory Committee who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with existing law.

**(h) FACA exemption**

The Secretary of Commerce shall charter the Advisory Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.),<sup>1</sup> except that the Advisory Committee shall be exempt from section 14 of such Act.

(Pub. L. 116-283, div. E, title LI, §5104, Jan. 1, 2021, 134 Stat. 4528.)

**Editorial Notes**

REFERENCES IN TEXT

<sup>1</sup> 25 U.S.C. 5304, referred to in subsec. (d)(4), was so in the original, but probably should have been a reference

to section 4 of the Indian Self-Determination and Education Assistance Act, Pub. L. 93-638, which is classified to section 5304 of Title 25, Indians.

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which was set out in the Appendix to Title 5, Government Organization and Employees, and was substantially repealed and restated in chapter 10 (§1001 et seq.) of Title 5 by Pub. L. 117-286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4197, 4361. Section 14 of the Act was repealed and restated as section 1013 of Title 5. For disposition of sections of the Act into chapter 10 of Title 5, see Disposition Table preceding section 101 of Title 5.

**§ 9415. National AI Research Resource Task Force**

**(a) Establishment of Task Force**

**(1) Establishment**

**(A) In general**

The Director of the National Science Foundation, in coordination with the Office of Science and Technology Policy, shall establish a task force—

(i) to investigate the feasibility and advisability of establishing and sustaining a National Artificial Intelligence Research Resource; and

(ii) to propose a roadmap detailing how such resource should be established and sustained.

**(B) Designation**

The task force established by subparagraph (A) shall be known as the “National Artificial Intelligence Research Resource Task Force” (in this section referred to as the “Task Force”).

**(2) Membership**

**(A) Composition**

The Task Force shall be composed of 12 members selected by the co-chairpersons of the Task Force from among technical experts in artificial intelligence or related subjects, of whom—

(i) 4 shall be representatives from the Interagency Committee established in section 9413 of this title, including the co-chairpersons of the Task Force;

(ii) 4 shall be representatives from institutions of higher education; and

(iii) 4 shall be representatives from private organizations.

**(B) Appointment**

Not later than 120 days after enactment of this Act, the co-chairpersons of the Task Force shall appoint members to the Task Force pursuant to subparagraph (A).

**(C) Term of appointment**

Members of the Task Force shall be appointed for the life of the Task Force.

**(D) Vacancy**

Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made.

**(E) Co-chairpersons**

The Director of the Office of Science and Technology Policy and the Director of the