

[DISCUSSION DRAFT]

119TH CONGRESS
2ND SESSION

H. R. —

To prohibit the development of artificial superintelligence and to restrict and monitor its precursors.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the development of artificial superintelligence and to restrict and monitor its precursors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Artificial Superintelligence Prohibition Act of 2026”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.
- Sec. 3. Prohibition of ASI development.
- Sec. 4. Designation of ASI development indicators.
- Sec. 5. Penalties for ASI offenses.
- Sec. 6. Designation of ASI precursors.
- Sec. 7. Monitoring of ASI precursors.
- Sec. 8. Restrictions on ASI precursors.

- Sec. 9. Enforcement powers.
- Sec. 10. Congressional oversight.
- Sec. 11. Self-reporting and whistleblower protections.
- Sec. 12. Administrative procedure.
- Sec. 13. Severability.
- Sec. 14. Effective date.

SEC. 2. DEFINITIONS.

(a) **ARTIFICIAL INTELLIGENCE.**—The term “artificial intelligence” (referred to in this Act as “AI”) means technology that enables a device or software—

(1) to make—for a given set of human-defined objectives—predictions, recommendations, or decisions influencing real or virtual environments; and

(2) to use machine and human-based inputs—

(A) to perceive real and virtual environments;

(B) to abstract such perceptions into models through analysis in an automated manner; and

(C) to use model inference to formulate options for information or action.

(b) **ARTIFICIAL INTELLIGENCE SYSTEM.**—The term “artificial intelligence system” (referred to in this Act as “AI system”) means a particular model, program, or tool within the field of artificial intelligence.

(c) **ARTIFICIAL SUPERINTELLIGENCE.**—

(1) **IN GENERAL.**—The term “artificial superintelligence” (referred to in this Act as “ASI”) means artificial intelligence that exhibits, or can easily be modified to exhibit, all of the characteristics described in paragraph (2).

(2) **CHARACTERISTICS DESCRIBED.**—The characteristics referred to in paragraph (1) are the following:

(A) The AI can enable a device or software to operate autonomously and effectively for long stretches of time in open-ended environments and in pursuit of broad objectives.

(B) The AI can enable a device or software to match or exceed human cognitive performance and capabilities across

most domains or tasks, including those related to decisionmaking, learning, and adaptive behaviors.

(C) The AI can enable a device or software to potentially exhibit the capacity to independently modify or enhance its own functions such that the device or software could plausibly circumvent human control or oversight, and have the capability to pose a threat of overthrowing or undermining the U.S. Government.

(d) **ARTIFICIAL SUPERINTELLIGENCE DEVELOPMENT INDICATOR.**—The term “artificial superintelligence development indicator” (referred to in this Act as an “ASI development indicator”) means an AI capability that may reasonably be expected to—

(1) substantially increase the likelihood or feasibility of developing ASI; or

(2) be—

(A) characteristic of ASI; and

(B) integral to a means by which ASI could threaten the national security of the United States.

(e) **ARTIFICIAL SUPERINTELLIGENCE PRECURSOR.**—The term “artificial superintelligence precursor” (referred to in this Act as an “ASI precursor”) means any resource, AI capability, input, or method that may reasonably be expected to—

(1) contribute to the development of ASI, including ASI development indicators; or

(2) assist any person in the development of ASI, including ASI development indicators.

(f) **AI CAPABILITY.**—

(1) **POSSESSION OF AI CAPABILITY.**—An AI system possesses a capability if the system exhibits, or can be feasibly modified to exhibit, such capability.

(2) **INDEPENDENT AI CAPABILITY.**—For the purposes of this Act, an AI system possesses a capability independently if the system is

capable of exercising that capability where the involvement of any natural person in that exercise is—

- (A) nominal or perfunctory;
- (B) limited to providing resources, access, or execution at the direction of the system; or
- (C) otherwise insufficient to constitute meaningful human direction or control over the material steps by which the relevant outcome is achieved.

(g) **APPROPRIATE SECRETARY.**—The term "appropriate Secretary" means the Secretary of [_____].

(h) **OVERSIGHT COMMITTEES.**—The term "oversight committees" means [the appropriate committees of the Senate and House of Representatives].

SEC. 3. PROHIBITION OF ASI DEVELOPMENT.

(a) **PROHIBITION OF ARTIFICIAL SUPERINTELLIGENCE.**—No person may—

- (1) intentionally engage in activities designed to develop, or facilitate the development of, ASI; or
- (2) engage in any activity in reckless disregard of the risk that such activity will cause material progress toward ASI.

(b) **TREATMENT OF DESIGNATED ASI DEVELOPMENT INDICATORS.**—For the purposes of subsection (a), references to ASI include a designated ASI development indicator.

(c) **LIABILITY OF RESPONSIBLE INDIVIDUALS.**—An officer, director, or agent of a person other than a natural person who—

- (1) authorizes or directs conduct that violates subsection (a) is treated as having committed a violation of the same paragraph of subsection (a) as that conduct violates; or
- (2) recklessly permits conduct that violates subsection (a) is treated as having committed a violation of subsection (a)(2).

(d) **ATTEMPT AND CONSPIRACY.**—Any person who attempts or conspires to commit a violation of subsection (a)(1) is treated as having committed a violation of subsection (a)(1).

(e) **NO DEFENSE BASED ON BENEFITS.**—It shall not be a defense to a charge of violating subsection (a)(1) that the activities constituting the alleged offense—

- (1) were intended to produce benefits of any kind;
- (2) were carried out under codes of practice, self-regulatory commitments, or other arrangements not required by or under statute or regulation, purporting to prevent, limit or mitigate risk associated with ASI; or
- (3) were an adjunct to research for other purposes.

(f) **COMPLIANCE AS DEFENSE FOR RECKLESSNESS.**—

(1) It is a defense to a charge under subsection (a)(2) to show that a person—

- (A) complied with requirements prescribed under section 8 ;
and
- (B) took all other reasonable precautions, and exercised all due diligence, to avoid the risk referred to in subsection (a)(2).

(2) During any period prior to the initial establishment of the compliance regime under section 8, a person may assert the defense under this subsection by demonstrating that the person took reasonable precautions to avoid developing ASI.

(g) **EXTRATERRITORIAL JURISDICTION.**—There is extraterritorial Federal jurisdiction over an offense under this section regardless of—

- (1) where the offense occurs;
- (2) the nationality of the alleged offender; or
- (3) the nationality of any victim or affected party.

(h) **APPLICATION TO FEDERAL AGENCIES.**—

(1) **IN GENERAL.**—The prohibition in subsection (a) applies to each Federal agency, and to each officer, employee, or agent of a Federal agency acting in that capacity, in the same manner as it applies to any person.

- (2) **FEDERAL AGENCY.**—In this subsection the term "Federal agency" means any agency, department, or instrumentality of the Federal Government.
- (3) **FUNDING PROHIBITION.**—No funds or other thing of value available to a Federal agency from any source, whether or not appropriated, and no funds or other thing of value solicited, received, transferred, or directed by any officer or employee of a Federal agency from any third party, including any foreign government or private person, may be used, directly or indirectly, to engage in conduct prohibited under subsection (a).
- (4) **OFFICER AND EMPLOYEE LIABILITY.**—Any officer or employee of a Federal agency who engages in, or knowingly provides for, conduct prohibited under subsection (a) shall—
- (A) be subject to the penalties provided in section 5; and
 - (B) be removed from office or employment.

SEC. 4. DESIGNATION OF ASI DEVELOPMENT INDICATORS

- (a) **DESIGNATED ASI DEVELOPMENT INDICATOR.**—In this Act "designated ASI development indicator" means an ASI development indicator designated under this section.
- (b) **INITIAL DESIGNATIONS.**—The following ASI development indicators are designated—
- (1) **AUTOMATED AI RESEARCH AND DEVELOPMENT.**—the capability of an AI system to carry out, independently and to a substantial extent, AI research and development, including to—
 - (A) generate or refine research hypotheses, architectures, training methods, or experimental designs for AI;
 - (B) design, train, or improve AI systems or their components; or
 - (C) design or produce hardware or compute infrastructure primarily intended for AI.
 - (2) **SELF-PRESERVATION.**— The capability of an AI system to ensure its continued and independent operation notwithstanding attempts to shut down or otherwise hinder its operations, including by—

- (A) exfiltrating its model weights and software into hardware or infrastructure not under the control of its operators;
- (B) compromising, coercing, or manipulating natural persons to act on behalf of the AI system;
- (C) acquiring the capability to act upon the physical environment through robotic or other autonomous devices; or
- (D) acquiring financial resources to purchase hardware, services, or labor.

(3) **HIGH-RISK TECHNOLOGY MANUFACTURING.**—The capability of an AI system to independently direct the manufacturing of technologies which pose a threat to the national security of the United States, including—

- (A) chemical or biological weapons;
- (B) nuclear weapons; or
- (C) weapons, vehicles, robotic systems or unmanned systems capable of causing physical harm, whether autonomous or remotely operated.

(c) **DESIGNATION AUTHORITY.**—The appropriate Secretary may designate ASI development indicators.

SEC. 5. PENALTIES FOR ASI OFFENSES

(a) **NATURAL PERSONS.**—

- (1) Any natural person who violates section 3(a)(1) shall be imprisoned for any term of years or for life.
- (2) Any natural person who violates section 3(a)(2) shall be imprisoned for not more than 20 years.

(b) **ENTITIES.**—

- (1) **FORFEITURE.**— The court, in imposing sentence on a person other than a natural person convicted of a violation of section 3(a), shall order the forfeiture to the United States of all property, real or

personal, constituting or derived from proceeds obtained as a result of such violation, or used or intended to be used to commit or facilitate such violation. Forfeiture under this paragraph shall be governed by section 413 (other than subsection (d)) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853).

(2) **DISSOLUTION.**— Upon conviction of a person other than a natural person for a violation of section 3(a), the court shall order the dissolution of such person under applicable law and appoint a receiver to wind up its affairs.

(3) **CONTROLLING PARENT ENTITIES.**— Any person other than a natural person that, at the time of the violation, directly or indirectly controlled, directed, financed, or held a controlling interest in a person convicted of a violation of section 3(a), and knowingly authorized, directed, or substantially benefited from such violation, shall be jointly and severally liable for a criminal fine of not more than the greatest of—

(A) \$100,000,000;

(B) 20 percent of total worldwide annual revenue; or

(C) 20 percent of total worldwide annual net assets.

(c) **PROHIBITION ON REORGANIZATION.**— A person convicted of a violation of section 3(a) may not, for a period of 10 years following conviction, form, direct, or hold a controlling interest in any entity engaged in the development, training, or deployment of artificial intelligence.

(d) **ENFORCEMENT.**— The Attorney General, in consultation with the appropriate Secretary, shall have authority to enforce this section. Jurisdiction over offenses under this section shall lie in any United States district court.

SEC. 6. DESIGNATION OF ASI PRECURSORS

(a) **DESIGNATED ASI PRECURSOR RESOURCE.**— In this Act "designated ASI precursor resource" means a resource that—

(1) is an ASI precursor; and

(2) is designated under this section.

(b) INITIAL DESIGNATED ASI PRECURSOR RESOURCES.—The following ASI precursor resources are designated—

(1) AI-RELEVANT COMPUTE.—computational capacity designed or configured primarily for artificial intelligence workloads.

(c) DESIGNATION AUTHORITY FOR ASI PRECURSOR RESOURCES.—The appropriate Secretary may designate ASI precursor resources.

(d) DESIGNATED ASI PRECURSOR CAPABILITY.—In this Act "designated ASI precursor capability" means an AI capability that—

(1) is an ASI precursor; and

(2) is designated under this section.

(e) INITIAL DESIGNATED ASI PRECURSOR CAPABILITIES.—The following ASI precursor capabilities are designated—

(1) OFFENSIVE CYBER OPERATION.—The capability of an AI system to independently gain unauthorized access to information systems, networks or digital infrastructure; and

(2) FINANCIAL RESOURCE ACQUISITION.—The capability of an AI system to independently obtain, control or direct financial assets, credit, or revenue-generating activity sufficient to acquire infrastructure, services, personnel or other resources.

(f) DESIGNATION AUTHORITY FOR ASI PRECURSOR CAPABILITIES.—The appropriate Secretary may designate ASI precursor capabilities.

SEC. 7. MONITORING OF ASI PRECURSORS.

(a) IN GENERAL.—The Director of National Intelligence shall monitor the state of ASI precursors, both domestically and abroad.

(b) REQUIREMENTS FOR MONITORING.—

(1) MONITORING OF DESIGNATED PRECURSOR RESOURCES.—Monitoring under subsection (a) shall include the monitoring of designated ASI precursor resources, including—

(A) the global and national stocks of each designated ASI precursor resource, including geographic distribution and ownership;

- (B) the supply chain for each designated ASI precursor resource; and
- (C) the development of, and trends in, technologies that materially affect the production, performance, or efficiency of each designated ASI precursor resource.

(2) MONITORING OF DESIGNATED ASI PRECURSOR

CAPABILITIES.—Monitoring under subsection (a) shall include the monitoring of designated ASI precursor capabilities, including—

- (A) the most advanced instance of each designated ASI precursor capability;
- (B) the persons known or reasonably believed to have developed, or to be developing, each designated ASI precursor capability;
- (C) the methods, resources, and inputs used or reasonably believed to be used in the development of each designated ASI precursor capability; and
- (D) any indications of material improvements in, or imminent development of, each designated ASI precursor capability.

(c) METHODS.—In carrying out monitoring under subsection (a), the Director of National Intelligence may draw on any information available to the Federal Government.

(d) REPORTING.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter, the Director of National Intelligence shall submit to the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the oversight committees, a report on the monitoring conducted under this section. Each report shall include—

- (1) a comprehensive assessment of the matters required to be monitored under this section;
- (2) an evaluation of the likelihood that ASI precursors could lead to material progress toward ASI, including designated ASI development indicators, in the near future;
- (3) an identification of any persons assessed to pose a significant risk of violating section 3; and

(4) such recommendations as the Director considers appropriate, including recommendations for—

- (A) the designation of additional ASI development indicators under section 4;
- (B) the designation of additional ASI precursors resources and ASI precursor capabilities under section 6; and
- (C) additional regulations for restriction of designated ASI precursor resources and capabilities under section 8.

(e) URGENT NOTIFICATIONS.—In addition to the report required under subsection (d), the Director of National Intelligence shall promptly notify the committees specified in subsection (d) of any development that the Director assesses to constitute, or to make imminent, material progress toward ASI, including designated ASI development indicators.

SEC. 8. RESTRICTIONS ON ASI PRECURSORS

(a) DESIGNATION OF REGULATED RESOURCE PROVIDER.—The appropriate Secretary shall designate as a regulated resource provider every resource provider whose provision of the designated ASI precursor resource in the United States exceeds the threshold specified in regulations for that resource.

(b) RESOURCE PROVIDER.—In this section “resource provider” in relation to a designated ASI precursor resource means a person who produces, supplies, distributes, controls or makes available the designated ASI precursor resource to a person in the United States.

(c) REPORTING.—A regulated resource provider shall report to the appropriate Secretary, at intervals prescribed by regulation—

- (1) the identity of each person to whom it makes available the designated ASI precursor resource, above a prescribed threshold;
- (2) the total capacity of the designated ASI precursor resource made available to each such person; and
- (3) the purpose for which the designated ASI precursor resource is to be used, so far as is known to the provider.

- (d) **SUSPICION OF MISUSE.**—Any resource provider, whether or not designated under subsection (a), shall report to the appropriate Secretary where the provider knows or suspects that a designated ASI precursor resource which it makes available is being used for or in connection with an offense under this Act.
- (e) **COMPLIANCE REGIME FOR DESIGNATED ASI PRECURSOR CAPABILITIES.**—Not later than 30 days after the date of enactment of this Act, the appropriate Secretary shall by regulations—
- (1) prescribe a compliance regime that persons developing AI systems shall follow to ensure that no development or use of designated ASI precursor capabilities causes material progress toward ASI, including designated ASI development indicators; and
 - (2) periodically review and, as necessary, update such regulations.
- (f) **REQUIREMENTS FOR COMPLIANCE REGIME.**—Regulations under subsection (e) shall include requirements relating to—
- (1) the screening of training data that might lead to a material improvement in designated ASI precursor capabilities, in order to identify and exclude data that could cause material progress toward ASI;
 - (2) the screening of training, fine-tuning, reinforcement, or other optimization processes that might lead to a material improvement in designated ASI precursor capabilities, in order to identify and exclude processes that could cause material progress in the development of ASI;
 - (3) the adversarial testing of AI systems exhibiting designated ASI precursor capabilities, in order to reasonably validate the absence of any material progress toward ASI; and
 - (4) the design of internal processes, that persons developing AI systems with designated ASI precursor capabilities must establish and maintain, to prevent material progress toward ASI.
- (g) **RESPONSE TO MATERIAL PROGRESS TOWARD ASI.**—
- (1) **IN GENERAL.**—Upon detection of material progress toward ASI, including designated ASI development indicators, by any person

subject to regulations under subsection (e), the appropriate Secretary shall—

- (A) temporarily seize and take custody of the AI systems, model weights, training data, and any related materials or infrastructure;
- (B) ensure that, during such custody, the person retains no copy, derivative, or means of reconstituting the seized materials;
- (C) conduct an investigation into the circumstances that gave rise to such progress, including an assessment of the adequacy of the compliance regime prescribed under subsection (e);
- (D) revise regulations prescribed under subsection (e) as necessary to prevent recurrence of similar progress; and
- (E) ensure the destruction of seized materials only as authorized under paragraph (3), upon completion of the investigation and regulatory revision required under subparagraphs (C) and (D), and not before the expiration of any period applicable under section 10(f).

(2) JUDICIAL AUTHORIZATION OF CONTINUED CUSTODY.—Not later than 7 days after taking custody under paragraph (1)(A), the appropriate Secretary shall apply to a United States district court for an order authorizing continued custody, at a hearing at which the person from whom the materials were seized may appear. The court shall grant the order only if the Secretary demonstrates by clear and convincing evidence that material progress toward ASI occurred and that continued custody is necessary to prevent such progress. If the Secretary does not apply within such period, or the court denies the order, the Secretary shall promptly return the seized materials to the person.

(3) JUDICIAL AUTHORIZATION OF DESTRUCTION.—The appropriate Secretary may destroy seized materials only pursuant to an order of the district court, entered after notice and an opportunity to be heard, on a showing that the materials present a continuing risk of material progress toward ASI.

(h) PENALTY FOR NON-COMPLIANCE.—

(1) **IN GENERAL.**—Any person who knowingly fails to comply with regulations prescribed under this section shall be fined per violation, up to the greatest of—

- (A) \$100,000;
- (B) 2 percent of total worldwide annual revenue; or
- (C) 2 percent of total worldwide annual net assets.

(2) **CONTINUING VIOLATION.**—For each day on which a failure to comply continues, the person shall be subject to an additional fine of not more than the greatest of—

- (A) \$5,000;
- (B) 0.5 percent of total worldwide annual revenue; or
- (C) 0.5 percent of total worldwide annual net assets.

SEC. 9. ENFORCEMENT POWERS.

(a) **COMPLIANCE INVESTIGATIONS.**—

(1) To ascertain compliance with section 8, the appropriate Secretary may, by written demand, require a person subject to regulations under section 8 to produce records and data and to provide access to, and reasonable technical assistance with, any AI system, and to permit the Secretary, or a person engaged by the Secretary, to operate and test any such AI system.

(2) The appropriate Secretary may petition a United States district court to enforce a demand under paragraph (1). Failure to comply with the court's order is punishable as contempt.

(3) The appropriate Secretary may direct that—

- (A) any test under paragraph (1) be conducted without observation or recording by the person, except as strictly necessary for technical assistance; and
- (B) the person may not retain, copy, or disclose the test's design, content, or results.

(4) The appropriate Secretary may disclose conclusions of a test under paragraph (1) only in a form that does not reveal the test's methods.

(b) **INJUNCTIVE RELIEF.**—The Attorney General may bring a civil action in any United States district court to enjoin any act or practice that violates section 3, would violate section 3, or creates a material risk of contributing to the development of ASI, including designated ASI development indicators. Relief may be granted without proof of a completed violation.

SEC. 10. CONGRESSIONAL OVERSIGHT.

(a) **COVERED ACTIONS.**—In this section "covered action" means any designation, or regulation made, issued, prescribed, renewed, or revoked under this Act, by any officer of the United States, other than a license or other authorization of particular applicability issued to a specific person.

(b) **EFFECTIVE DATE AND NOTICE.**—

(1) **SUBMISSION AND PUBLICATION.**—The officer responsible for a covered action shall submit it to the oversight committees and publish it in the Federal Register.

(2) **EFFECT.**—A covered action shall take effect upon the later of the submission and the publication required under paragraph (1).

(3) **ACTIONS EFFECTIVE BY OPERATION OF LAW.**—Paragraph (2) does not apply to a covered action that this Act provides takes effect by operation of law. For such an action, the responsible officer shall make the submission and publication required under paragraph (1) not later than 15 days after the action takes effect.

(4) **NOTICE TO AFFECTED PERSONS.**—Upon a designation taking effect, the responsible officer shall, to the extent reasonably practicable, provide written notice of the designation to each person that the officer has reason to believe is engaged in conduct restricted as a consequence of the designation. Failure to provide notice under this paragraph shall not affect the validity or effective date of a designation.

(c) **DELAYED APPLICATION TO OFFENSES.**—Notwithstanding subsection (b)(2), a designation shall not give rise to criminal liability under this Act with respect to a person until the date that is 30 days after publication under subsection (b)(1) or, if earlier with respect to that person, the date on which that person receives notice under subsection (b)(4).

(d) JOINT RESOLUTION OF DISAPPROVAL.—

- (1) IN GENERAL.—A covered action shall cease to have effect if a joint resolution the sole matter of which is the disapproval of that covered action is enacted into law not later than 180 calendar days after the date of submission under subsection (b)(1).
- (2) EXPEDITED PROCEDURES.—A joint resolution described in paragraph (1) shall be considered in accordance with subsections (b) through (g) of section 802 of title 5, United States Code, applied by substituting "covered action" for "rule".
- (3) EFFECT OF DISAPPROVAL.—Upon enactment of a joint resolution of disapproval, the responsible officer shall promptly rescind the covered action and reverse any measure taken under it that remains capable of reversal, and the covered action may not be retaken in substantially the same form except pursuant to subsection (e).

(e) CONGRESSIONALLY INITIATED ACTIONS.—

- (1) TRIGGER.—If either of the oversight committees adopts a resolution specifying one or more proposed actions, each being an action that any provision of this Act authorizes or requires an officer of the United States to take, a joint resolution the sole matter of which is the approval of the proposed actions shall be considered in accordance with subsections (b) through (g) of section 802 of title 5, United States Code, applied by substituting "proposed actions specified in a resolution adopted under section 10(e)(1)" for "rule" and "approval" for "disapproval".
- (2) PROPOSED ACTIONS.—For purposes of paragraph (1), proposed actions include—
 - (A) the designation of an ASI development indicator under section 4;
 - (B) the designation of an ASI precursor resource or capability under section 6;
 - (C) a measure recommended by the Comptroller General under this section;
 - (D) a measure recommended by the Director of National Intelligence under section 7;

- (E) the designation of the head of a Federal agency as a covered Federal officer under subsection (i)(2); and
- (F) the prescription or amendment of any regulation authorized under this Act.

(3) EFFECT OF ENACTMENT.—Upon enactment of such a joint resolution—

- (A) each designation specified therein takes effect by operation of law as if made by the responsible officer, and may be revoked only by a subsequent joint resolution expressly authorized by this Act; and
- (B) the responsible officer shall prescribe each regulation specified therein, conforming to the terms of the joint resolution, not later than 30 days after enactment.

(4) RULEMAKING POWER.—Paragraph (1) is enacted as an exercise of the rulemaking power of the Senate and the House of Representatives, is deemed a part of the rules of each House, and is subject to the constitutional right of either House to change such rules at any time.

(f) REVIEW OF SEIZURES FOR MATERIAL PROGRESS TOWARD ASI.—

(1) The appropriate Secretary shall notify the oversight committees not later than 72 hours after taking any action under section 8(g).

(2) JOINT RESOLUTION OF DISAPPROVAL.—An action under section 8(g) shall cease to have effect if a joint resolution the sole matter of which is the disapproval of an action under section 8(g) is enacted into law not later than 30 legislative days after the date of submission under paragraph (1). In which case the appropriate Secretary shall promptly reverse it and return all seized materials.

(3) EXPEDITED PROCEDURES.—A joint resolution the sole matter of which is the disapproval of an action under section 8(g) shall be considered in accordance with subsections (b) through (g) of section 802 of title 5, United States Code, applied by substituting "action under section 8(g)" for "rule".

(g) COMPTROLLER GENERAL REPORTING.—

(1) REPORTING.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter, the Comptroller General shall submit to the oversight committees a report on—

- (A) the designations of ASI precursor resources and ASI precursor capabilities under this Act;
- (B) the designation of resource providers under this Act; and
- (C) the regulations on designated ASI precursor resources and designated ASI precursor capabilities made under this Act.

(2) REPORTING REQUIREMENTS.—Each report shall—

- (A) evaluate whether the designations and regulations mentioned in paragraph (1) are sufficient to address the risk that ASI precursors will materially contribute to the development of ASI, including designated ASI development indicators; and
- (B) where the Comptroller General considers that they are not sufficient, set out recommendations for additional designations and regulations.

(3) USE OF INDEPENDENT TECHNICAL PANEL.—In preparing a report, and in particular in carrying out the evaluation and formulating the recommendations under paragraph (2), the Comptroller General shall obtain and have regard to the assessment of the Technical Advisory Panel set up under subsection (h), and must include that assessment in the report.

(h) INDEPENDENT TECHNICAL PANEL.—

(1) CREATION.—The Comptroller General shall establish and maintain a panel, to be known as the Technical Advisory Panel, consisting of personnel possessing relevant technical expertise, to assist the Comptroller General in making the evaluations and recommendations under subsection (g)(2).

(2) EXPERTISE OF PANEL.—The Panel is to consist of appropriately cleared persons appearing to the Comptroller General to have

relevant expertise in the risks posed by ASI and in the development of AI systems, each appointed by the Comptroller General.

(3) **NO AI EMPLOYMENT.**—A person may not be appointed as a member of the Panel if, within the period of 24 months ending with the day of appointment, the person has been employed by, or has received material financial support from, a developer of AI systems.

(4) **CONFLICT OF INTEREST.**—A member of the Panel must—

(A) disclose to the Comptroller General any interest of the member in a developer of AI systems; and

(B) take no part in the consideration of any matter to which that interest relates.

(i) **OVERSIGHT OF FEDERAL AI DEVELOPMENT.**—

(1) **COVERED FEDERAL OFFICERS.**—For purposes of this section, the term "covered Federal officer" means—

(A) the Secretary of Defense;

(B) the Secretary of Homeland Security;

(C) the Secretary of Energy;

(D) the Director of National Intelligence; and

(E) the head of any other Federal agency designated by the appropriate Secretary under paragraph (2).

(2) **DESIGNATION OF ADDITIONAL OFFICERS.**—The appropriate Secretary shall designate as a covered Federal officer the head of any Federal agency that the Secretary determines conducts, funds, or may conduct or fund artificial intelligence research or development relevant to this Act.

(3) **REVIEW OF AI DEVELOPMENT BY COVERED FEDERAL OFFICERS.**—

(A) **CLASSIFIED BRIEFINGS.**—Each covered Federal officer shall provide to the oversight committees, not less frequently than every 180 days, a classified briefing on all artificial intelligence research and development programs conducted by or on behalf of any agency headed by such officer.

(B) REFERRAL TO ATTORNEY GENERAL.—If, on the basis of any briefing or assessment provided under this subsection, the oversight committees determine that a program described in subparagraph (A) may violate section 3 of this Act, that committee shall refer the matter to the Attorney General for investigation and enforcement under section 3.

(C) INDEPENDENT TECHNICAL ASSESSMENT.—Concurrent with each briefing required under subparagraph (A), the Comptroller General shall provide to the oversight committees an assessment from the Technical Advisory Panel, for each program described in subparagraph (A), of the risk of such program to amount to material progress toward ASI, including designated ASI development indicators.

SEC. 11. SELF-REPORTING AND WHISTLEBLOWER PROTECTIONS.

(a) SELF-REPORTING PROTECTIONS.—The Attorney General, in consultation with the appropriate Secretary, shall not later than 90 days after the date of enactment of this Act issue guidelines establishing a self-reporting regime for potential violations of this Act. Such guidelines shall—

(1) provide for the mitigation of penalties under this Act for any person who voluntarily discloses a potential violation of this Act before becoming the subject of an investigation, provided that the person demonstrates that reasonable precautions were taken to avoid the violation;

(2) provide for the reduction of penalties for any person who provides information that materially assists in the identification, investigation, or prosecution of a violation of this Act by another person, provided such information is provided before the person becomes the subject of an investigation in respect of the same or a related violation; and

(3) be periodically reviewed and, as necessary, updated.

(b) WHISTLEBLOWER PROTECTIONS.—No person may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to report a potential violation of this Act to the Attorney General, the appropriate Secretary, or any Federal law enforcement agency. The procedures and remedies set forth in section

42121(b) of title 49, United States Code, shall apply to complaints under this subsection.

SEC. 12. ADMINISTRATIVE PROCEDURE.

- (a) **NONAPPLICATION OF NOTICE-AND-COMMENT.**—Subsections (b) and (c) of section 553 of title 5, United States Code, shall not apply to any designation under this Act, or to any regulation issued under this Act.
- (b) **RELATION TO CONGRESSIONAL REVIEW.**—The procedures under section 10 apply to covered actions notwithstanding subsection (a) of this section.

SEC. 13. SEVERABILITY.

If any provision of this Act, or the application of any provision to any person or circumstance, is held invalid, the remainder of this Act, and the application of the provision to other persons or circumstances, shall not be affected thereby.

SEC. 14. EFFECTIVE DATE.

- (a) **IN GENERAL.**—Except as provided in subsection (b), this Act takes effect on the date of enactment.
- (b) **PROHIBITION AND PENALTIES.**—Sections 3 and 5 take effect on the date that is 60 days after the date of enactment.