

Budd 2 Modified

AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: To prohibit entities under the ownership, control, or influence of certain foreign governments from accessing the resources of the Artificial Intelligence Safety Institute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 4178**

To establish artificial intelligence standards, metrics, and evaluation tools, to support artificial intelligence research, development, and capacity building activities, to promote innovation in the artificial intelligence industry by ensuring companies of all sizes can succeed and thrive, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BUDD to the amendment (No. BAG24D82) proposed by Ms. CANTWELL (for Mr. YOUNG)

Viz:

1 On page 13, between lines 18 and 19, insert the fol-  
2 lowing:

3 “(h) PROHIBITION ON ACCESS TO RESOURCES FOR  
4 ENTITIES UNDER CONTROL OF CERTAIN FOREIGN GOV-  
5 ERNMENTS.—

6 “(1) IN GENERAL.—An entity under the owner-  
7 ship, control, or influence of the government of a

1 covered nation may not access any of the resources  
2 of the Artificial Intelligence Safety Institute.

3 “(2) CRITERIA FOR IDENTIFICATION.—The Di-  
4 rector, working with the heads of the relevant Fed-  
5 eral agencies, shall establish criteria to determine if  
6 any entity that seeks to utilize the resources of the  
7 Artificial Intelligence Safety Institute is under the  
8 ownership, control, or influence of the government of  
9 a covered nation.

10 “(3) DEFINITIONS.—In this subsection:

11 “(A) COVERED NATION.—The term ‘cov-  
12 ered nation’ has the meaning given that term in  
13 section 4872 of title 10, United States Code.

14 “(B) OWNERSHIP, CONTROL, OR INFLU-  
15 ENCE OF THE GOVERNMENT OF A COVERED NA-  
16 TION.—The term ‘ownership, control, or influ-  
17 ence of the government of a covered nation’,  
18 with respect to an entity, means the govern-  
19 ment of a covered nation—

20 “(i) has the power to direct or decide  
21 matters affecting the entity’s management  
22 or operations in a manner that could—

23 “(I) result in unauthorized access  
24 to classified information; or

1           “(II) adversely affect perform-  
2           ance of a contract or agreement re-  
3           quiring access to classified informa-  
4           tion; and  
5           “(ii) exercises that power—  
6           “(I) directly or indirectly;  
7           “(II) through ownership of the  
8           entity’s securities, by contractual ar-  
9           rangements, or other similar means;  
10           “(III) by the ability to control or  
11           influence the election or appointment  
12           of one or more members to the enti-  
13           ty’s governing board (such as the  
14           board of directors, board of managers,  
15           or board of trustees) or its equivalent;  
16           or  
17           “(IV) prospectively (such as by  
18           not currently exercising the power,  
19           but could).”.