

118TH CONGRESS
2D SESSION

S. 3849

To promote United States leadership in technical standards by directing the National Institute of Standards and Technology and the Department of State to take certain actions to encourage and enable United States participation in developing standards and specifications for artificial intelligence and other critical and emerging technologies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Mr. WARNER (for himself and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To promote United States leadership in technical standards by directing the National Institute of Standards and Technology and the Department of State to take certain actions to encourage and enable United States participation in developing standards and specifications for artificial intelligence and other critical and emerging technologies, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting United
3 States Leadership in Standards Act of 2024”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **ARTIFICIAL INTELLIGENCE AND OTHER**
7 **CRITICAL AND EMERGING TECHNOLOGIES.**—The
8 term “artificial intelligence and other critical and
9 emerging technologies” means a subset of artificial
10 intelligence and other critical and emerging tech-
11 nologies included in the list of such technologies
12 identified and maintained by the National Science
13 and Technology Council of the Office of Science and
14 Technology Policy as the Director considers appro-
15 priate for purposes of this Act.

16 (2) **DIRECTOR.**—The term “Director” means
17 the Director of the National Institute of Standards
18 and Technology.

19 **SEC. 3. UNITED STATES PARTICIPATION IN ORGANIZA-**
20 **TIONS DEVELOPING STANDARDS AND SPECI-**
21 **FICATIONS FOR ARTIFICIAL INTELLIGENCE**
22 **AND OTHER CRITICAL AND EMERGING TECH-**
23 **NOLOGIES.**

24 (a) **BRIEFING REQUIRED.**—

25 (1) **IN GENERAL.**—Not later than 1 year after
26 the date of the enactment of this Act, the Director

1 shall provide to Congress a briefing to assist in the
2 evaluation and identification of opportunities for
3 Federal Government participation in the develop-
4 ment of technical standards for artificial intelligence
5 and other critical and emerging technologies.

6 (2) ELEMENTS.—The briefing provided pursu-
7 ant to paragraph (1) shall include the following:

8 (A) An overview of standards activities re-
9 lating to artificial intelligence and other critical
10 and emerging technologies and information
11 about the following:

12 (i) Key technical standards that are
13 the subject of ongoing activity.

14 (ii) Key standards bodies hosting
15 these activities.

16 (iii) Any Federal agency that is par-
17 ticipating in these activities.

18 (B) An analysis identifying where partici-
19 pation by United States industry and Federal
20 agencies in standards activities in artificial in-
21 telligence and other critical and emerging tech-
22 nologies would be facilitated or enhanced by
23 conducting prestandardization and standards
24 coordination meetings with stakeholders and
25 standards meetings hosted in the United States.

1 (C) Recommendations for effectively in-
2 forming United States industry and Federal
3 agencies on ongoing standardization activities
4 with the objective of increasing participation of
5 such industry and agencies in such activities.

6 (3) FEDERAL AGENCY NOTICE REQUIRE-
7 MENT.—

8 (A) IN GENERAL.—Using the mechanism
9 established pursuant to subparagraph (B), each
10 head of a Federal agency shall transmit to the
11 Director notice of the participation of their re-
12 spective Federal agency in a standards activity
13 relating to artificial intelligence and other crit-
14 ical and emerging technologies.

15 (B) MECHANISM.—The Director shall, in
16 coordination with the Director of the Office of
17 Management and Budget, develop a mechanism
18 for reporting participation by Federal agencies
19 in standards activities.

20 (b) WEB PORTAL.—

21 (1) IN GENERAL.—In order to inform United
22 States industry and Federal agencies about existing
23 and ongoing international efforts to develop tech-
24 nical standards for artificial intelligence and other
25 critical and emerging technologies and opportunities

1 for participation in such efforts, the Director shall
2 establish an accessible web portal to help such indus-
3 try and agencies navigate and participate in such ef-
4 forts.

5 (2) CONTENTS.—The web portal established
6 pursuant to paragraph (1) shall include regularly
7 updated lists of the following:

8 (A) International efforts described in para-
9 graph (1) and information on opportunities for
10 participation in such efforts.

11 (B) Information on accessing standards,
12 both in development and published, for artificial
13 intelligence and other critical and emerging
14 technologies.

15 (3) ADMINISTRATION.—The Director may inter-
16 into such cooperative agreements with such non-
17 governmental organizations as the Director considers
18 appropriate to establish the web portal required by
19 paragraph (1).

20 **SEC. 4. PILOT PROGRAM TO SUPPORT STANDARDS MEET-**
21 **INGS FOR ARTIFICIAL INTELLIGENCE AND**
22 **OTHER CRITICAL AND EMERGING TECH-**
23 **NOLOGIES IN THE UNITED STATES.**

24 (a) PILOT PROGRAM REQUIRED.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, and sub-
3 ject to the availability of appropriated funds, the Di-
4 rector shall, in coordination with the heads of such
5 other Federal agencies as the Director considers ap-
6 propriate, establish a pilot program on supporting
7 standards meetings for artificial intelligence and
8 other critical and emerging technologies in the
9 United States by—

10 (A) conducting prestandardization and
11 standards coordination meetings with stake-
12 holders; and

13 (B) awarding grants to eligible entities de-
14 scribed in subsection (b) hosting meetings of or-
15 ganizations described in paragraph (1) of such
16 subsection to support the hosting of such meet-
17 ings in the United States.

18 (2) ADMINISTRATION.—The Director may carry
19 out the pilot program required by paragraph (1) by
20 entering into such cooperative agreements with such
21 nongovernmental organizations as the Director con-
22 siders appropriate to establish and administer the
23 pilot program.

24 (b) ELIGIBLE ENTITIES.—For purposes of the pilot
25 program required by subsection (a), an eligible entity is—

1 (1) an organization that is developing standards
2 and specifications for artificial intelligence and other
3 critical and emerging technologies for at least 1
4 technical standard that affects the interests of 1 or
5 more Federal agencies; or

6 (2) an entity that hosts an organization de-
7 scribed in paragraph (1).

8 (c) GRANTS.—

9 (1) IN GENERAL.—In carrying out the pilot
10 program required by subsection (a), the Director
11 shall award grants to eligible entities to host meet-
12 ings as described in such subsection.

13 (2) USE OF FUNDS.—An eligible entity receiv-
14 ing a grant under this subsection to host a meeting
15 in the United States may use the amount of the
16 grant for such costs as the Director considers rea-
17 sonable for hosting the meeting in the United
18 States, but not more than fifty percent of antici-
19 pated cost of hosting the meeting and not more than
20 a maximum amount that the Director shall establish
21 for purposes of this subsection. Such costs may in-
22 clude the following:

23 (A) Costs related to the preparation and
24 planning of meetings described in subsection
25 (a).

1 (B) Meeting venue-related expenses.

2 (C) Such other costs that may support the
3 eligible entity in conducting a standards meet-
4 ing in the United States.

5 (3) CONSIDERATIONS.—In deciding whether to
6 award a grant under this subsection to an eligible
7 entity to host a meeting, the Director may consider
8 the extent to which the eligible entity—

9 (A) is or hosts an organization that admin-
10 isters technical standards activity in artificial
11 intelligence and other critical and emerging
12 technologies that involves United States-based
13 participants, including participants from Fed-
14 eral agencies of the United States;

15 (B) has a demonstrable history of partici-
16 pating in or hosting successful meetings; and

17 (C) has a stable or growing participant
18 base.

19 (d) GUIDANCE.—

20 (1) IN GENERAL.—The Director shall develop
21 and periodically update guidance for the pilot pro-
22 gram carried out under this section.

23 (2) ELEMENTS.—The guidance developed and
24 updated pursuant to paragraph (1) shall cover the
25 following:

1 (A) Eligibility for grants awarded under
2 the pilot program.

3 (B) How grants are awarded under sub-
4 section (c).

5 (C) The duration and amounts of grants
6 awarded under subsection (c).

7 (D) The merit review process for the pilot
8 program.

9 (E) Priority areas for technical standards
10 activity.

11 (F) Means for recipients of grants under
12 the pilot program to report expenses relating to
13 costs described in subsection (c)(2)(D).

14 (G) Such additional matters as the Direc-
15 tor determines appropriate for purposes of the
16 pilot program.

17 (e) BRIEFINGS FOR CONGRESS.—

18 (1) IN GENERAL.—During the third year of the
19 pilot program carried out under this section and in
20 each subsequent year of the pilot program, the Di-
21 rector shall provide Congress with a briefing on the
22 pilot program.

23 (2) ELEMENTS.—Each briefing provided pursu-
24 ant to paragraph (1) shall include the following:

1 (A) An assessment of the effectiveness of
2 the pilot program with respect to improving the
3 hosting of standards meetings in the United
4 States.

5 (B) Identification of the recipients of
6 grants under the pilot program.

7 (C) The geographic distribution of
8 attendees at meetings supported with grants
9 under the pilot program.

10 (D) A summary of the expenses for which
11 the amounts of grants awarded under the pilot
12 program were used.

13 (f) RECOMMENDATIONS FOR PERMANENT IMPLE-
14 MENTATION.—If, before the date that is 3 years after the
15 date of the enactment of this Act, the Director determines
16 that conducting prestandardization and standards coordi-
17 nation meetings with stakeholders or awarding grants as
18 described in subsection (a) is feasible and advisable, the
19 Director shall, not later than 3 years after the date of
20 the enactment of this Act—

21 (1) develop recommendations for such legisla-
22 tive or administrative action as the Director con-
23 siders appropriate to establish a permanent imple-
24 mentation of the pilot program; and

1 (2) submit to Congress the recommendations
2 developed pursuant to paragraph (1).

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$10,000,000 for the period of fiscal years 2024 through
6 2028.

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