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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require know your customer rules for United States cloud computing companies to determine whether specified foreign entities are accessing United States data centers to train artificial intelligence models.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To require know your customer rules for United States cloud computing companies to determine whether specified foreign entities are accessing United States data centers to train artificial intelligence models.

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. KNOW YOUR CUSTOMER RULES FOR U.S.**
2 **CLOUD COMPUTING COMPANIES TO DETER-**
3 **MINE WHETHER SPECIFIED FOREIGN ENTI-**
4 **TIES ARE ACCESSING U.S. DATA CENTERS TO**
5 **TRAIN AI MODELS.**

6 (a) **IN GENERAL.**—The Secretary of Commerce, act-
7 ing through the Under Secretary for Industry and Com-
8 merce, shall take such actions as may be necessary to re-
9 quire U.S. IaaS providers of IaaS products to—

10 (1) verify the identity of their foreign cus-
11 tomers; and

12 (2) provide such a verification to the intel-
13 ligence community and the Cybersecurity and Infra-
14 structure Security Agency if an entity associated
15 with a specified foreign entity is using their IaaS
16 product.

17 (b) **PROHIBITIONS ON ACCOUNTS WITH CERTAIN**
18 **FOREIGN JURISDICTIONS.**—In carrying out this section,
19 the Secretary of Commerce—

20 (1) shall coordinate with the intelligence com-
21 munity and the Cybersecurity and Infrastructure Se-
22 curity Agency to determine whether or not a cus-
23 tomer from a specified foreign entity is using a U.S.
24 IaaS product to develop or carry out malicious
25 cyber-enabled activities; and

1 (2) if the Secretary makes an affirmative deter-
2 mination with respect to a customer under para-
3 graph (1), shall prohibit the use of the IaaS product
4 by that foreign customer.

5 (c) DEADLINES.—

6 (1) REGULATIONS.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Commerce shall promulgate regulations to
9 implement this Act.

10 (2) REPORT.—Not later than one year after the
11 date of the enactment of this Act, and annually
12 thereafter for five years, the Secretary of Commerce
13 shall submit to Congress a report on the following:

14 (A) A description of the types of use of
15 IaaS products by customers of such products.

16 (B) An identification of the percentage of
17 customers that are specified foreign entities
18 using IaaS products as compared to all cus-
19 tomers using such products, including—

20 (i) the percentage of such customers
21 from specified foreign entities that use
22 such products with malicious intent; and

23 (ii) a description of such uses.

24 (C) An explanation of how the Secretary
25 identified such consumers that are specified for-

1 eign entities that use such products with mali-
2 cious intent.

3 (3) BRIEFING.—Not later than 180 days after
4 the date of the submission of the final annual report
5 under paragraph (2), the Secretary of Commerce
6 shall brief Congress on the effectiveness of the im-
7 plementation of this Act and any recommendations
8 to improve such implementation, if necessary.

9 (4) JOINT REPORT.—Not later than one year
10 after the date of the enactment of this Act, the Sec-
11 retary of Commerce and the Cybersecurity and In-
12 frastructure Security Agency shall jointly submit to
13 Congress a report on the feasibility of a pre-screen-
14 ing mechanism that would aim to prevent specified
15 foreign entities from using IaaS products with mali-
16 cious intent.

17 (d) DEFINITIONS.—In this section—

18 (1) the term “AI” means artificial intelligence;

19 (2) the term “IaaS” means infrastructure as a
20 service;

21 (3) the term “intelligence community” has the
22 meaning given that term in section 3 of the National
23 Security Act of 1947 (50 U.S.C. 3003);

1 (4) the term “specified foreign entity” has the
2 meaning given that term in section 7701(a)(51)(B)
3 of the Internal Revenue Code of 1986; and

4 (5) the term “U.S. IaaS providers” means
5 United States IaaS providers of United States infra-
6 structure as a service products.