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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To establish a program for the disclosure of research and development programs in the automation of frontier artificial intelligence research.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To establish a program for the disclosure of research and development programs in the automation of frontier artificial intelligence research.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''RSI Safety Act of 2026''.

SEC. 2. AUTOMATION OF FRONTIER AI RESEARCH AND DEVELOPMENT DISCLOSURE PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall carry out a program, to be known as the ''Automation of Frontier AI Research and Development Disclosure Program'', through which covered developers shall submit disclosures with respect to the automation of the research and development of technologies related to artificial intelligence under this section.

(2) OFFICE OF FRONTIER ARTIFICIAL INTELLIGENCE RESEARCH.—There is established in the Department of Commerce an office to be known as the ''Office of Frontier Artificial Intelligence Research'' which shall be under the supervision of a Director of the Office appointed by the Secretary.

(3) DEMONSTRATED EXPERTISE.—The Director of the Office shall have demonstrated expertise in the research and development of artificial intelligence.

(4) FUNCTION.—The Secretary of Commerce shall carry out this section through the Director and the Office.

(b) COVERED DEVELOPERS.—

(1) INITIAL QUALIFICATIONS.—Subject to paragraph (2), a developer shall be a covered developer on the date that the following qualifications both first apply with respect to the developer, whether di-

rectly by the entity or through an employee, agent, affiliate, or subsidiary of the entity:

(A) The developer has used, or has made a determination that the developer intends to use, not less than 10 septillion integer or floating-point operations in the training of an artificial intelligence model.

(B) In the immediately preceding 12 months, the developer expended not less than $100,000,000 for the training of artificial intelligence models.

(2) ADJUSTMENTS BY REGULATION.—

(A) PERIODIC ADJUSTMENTS.—Not later than 2 years after the date of the enactment of this Act, and every 2 years thereafter, the Secretary may prescribe regulations to modify the numbers in subparagraphs (A) and (B) of paragraph (1) if the Secretary determines that such modifications are appropriate to ensure that the qualifications under paragraph (1), as modified by such regulations, identify the developers that carry out research related to the automation of the research and development of technologies related to artificial intelligence.

(B) ALTERNATIVE DETERMINATION OF QUALIFICATION.—Not earlier than 1 year after the date of the enactment of this Act, the Secretary may prescribe regulations to specify requirements based on capability for the registration of covered developers under this subsection, in place of the qualification described in paragraph (1)(A).

(C) EFFECTIVE DATE OF ADJUSTMENTS.—A regulation prescribed under subparagraph (A) or (B) shall take effect—

(i) not earlier than 90 days after the date of the prescription of the regulation if the purpose of the regulation is to increase the number of covered developers, but such a regulation may take effect on a date that is not earlier than 30 days after the date of the prescription of the regulation if the Secretary determines that such a date is necessary; and

(ii) not earlier than 180 days after the date of the prescription of the regulation, for any other such regulation.

(D) CAISSI CONSULTATION.—The Secretary shall consult with CAISSI before pre-

scribing a regulation under this paragraph to determine the appropriate adjustments, if any, with respect to qualifications described in paragraph (1).

(3) REGISTRATION.—A covered developer shall—

(A) register with the Secretary not later than 30 days after becoming a covered developer; and

(B) comply with the requirements under this section.

(4) CANCELLATION OF PRIOR REGISTRATION.—

(A) IN GENERAL.—The Secretary shall cancel the registration of a covered developer registered under this section, on the application of the covered developer, if the Secretary determines that the covered developer does not meet the requirements for being a covered developer under paragraphs (1) and (2) for the 4 calendar quarters preceding the date on which the covered developer makes the application to the Secretary.

(B) EFFECT OF CANCELLATION.—A developer with a registration as a covered developer cancelled by the Secretary under this paragraph

shall comply with the requirements of a covered developer under this section through the date on which the Secretary cancels the registration.

(C) REGISTRATION REQUIREMENT.—A developer with a registration as a covered developer cancelled by the Secretary under this paragraph shall comply with paragraph (3) if the developer meets the requirements for being a covered developer under paragraphs (1) and (2) after the date on which the Secretary cancels the registration.

(5) REGULATIONS.—

(A) IN GENERAL.—The Secretary shall prescribe regulations necessary to implement and operate the registration of covered developers under this subsection.

(B) DATE OF FIRST PRESCRIPTION.—The Secretary shall carry out subparagraph (A) not later than 180 days after the date of the enactment of this Act.

(C) DOMESTICITY REQUIREMENT.—The regulations under this paragraph shall include requirements that a covered developer shall have an agent or affiliate in the United States

that shall be responsible for ensuring that the covered developer complies with this section.

(6) PUBLICATION.—The Secretary shall publish from time to time a list of the covered developers registered under this subsection.

(c) QUARTERLY DISCLOSURE REQUIREMENT.—

(1) IN GENERAL.—A covered developer shall submit to the Secretary a disclosure report each calendar quarter with respect to the activities of the covered developer—

(A) from the date on which the covered developer becomes a covered developer, for the first report after the covered developer becomes a covered developer; and

(B) in the preceding calendar quarter, for any other such disclosure report.

(2) CONTENT OF DISCLOSURE REPORT.—

(A) CATEGORIES.—The disclosure report referred to in paragraph (1) shall contain information with respect to the following categories:

(i) Data and training inputs, covering the curation, filtering, and generation of training data, reward-signal design, synthetic data, and data-quality assessment.

(ii) Algorithmic and architectural design, covering architecture, training recipes, optimizers, scaling configurations, and inference-time methods.

(iii) Experimentation and research direction, covering the design, configuration, execution, prioritization, and interpretation of experiments and training runs.

(iv) Safety, evaluation, and oversight operations, covering the use of covered systems to design or conduct evaluations, red-teaming, monitoring, interpretability research, and the review of the outputs or actions of other covered systems.

(v) Any other technical specification or matter as prescribed by the Secretary through regulation.

(B) FIELDS FOR EACH CATEGORY.—The disclosure report referred to in paragraph (1) shall contain, for each category described in subparagraph (A), the following:

(i) Autonomous compute shares, consisting of each of the following shares, stated separately, of the computing operations performed during the period covered

by the disclosure report for covered activities in the category:

(I) The share performed by covered systems in the substantially autonomous performance of the covered activities.

(II) The share performed for a training run, experiment, or evaluation initiated or configured by a covered system.

(ii) Review-sampling rate, or the share of the outputs of substantially autonomous performance of a covered activity that a human examined substantively, before or after integration into a broader workflow, excluding any nominal approval given at a pace that precludes meaningful understanding.

(iii) Unreviewed action share, or share of actions in the research and development pipeline executed without explicit human review before execution.

(iv) Closed-loop cycles, or number of cycles of design, execution, interpretation, and redesign completed by a covered sys-

tem without human intervention during the period covered by the disclosure report.

(v) Oversight status, or the assessment of the category based on the test of meaningful oversight under subparagraph (C).

(vi) Role characterization, or the characterization of the roles performed by covered systems in the category, including whether a covered system provides a feedback signal, constructs a training environment, or performs self-optimization.

(vii) Estimates, determined in accordance with the published schema under subparagraph (D), of the researcher-equivalent hours performed by covered systems, the effect of the covered systems on the pace of research and development with respect to the category, and such similar measures as the Secretary may specify under the schema.

(C) HUMAN OVERSIGHT.—

(i) IN GENERAL.—The disclosure report referred to in paragraph (1) shall include an assessment of the state of human

review against a test of meaningful oversight established by the Secretary.

(ii) CONTENT.—The test of meaningful oversight referred to in clause (i) shall include the following:

(I) Whether human supervisors can and do intervene with respect to the outputs or actions of an artificial intelligence system before the outputs or actions are integrated into broader research and development workflows, such as a large training run.

(II) Whether human supervision that permits substantive assessment of each distinct automated action is feasible and carried out based on the volume and rate of outputs from an artificial intelligence system.

(III) Whether human supervisors have sufficient information and resources to verify the safety of an artificial intelligence system.

(IV) Whether human supervisors comply with review protocols ensuring

material human control over autonomous decision-making.

(D) FORMAT OF DISCLOSURE REPORTS.—The disclosure report referred to in paragraph (1) shall be formatted based on a published schema established by the Secretary, with specifications related to units and rules of measurement, including what shall constitute a distinct action, that shall allow for auditing of the information in the report and meaningful comparison of information across multiple disclosure reports from multiple covered developers.

(E) CERTIFICATION.—The disclosure report referred to in paragraph (1) by a covered developer shall include a certification with respect to the accuracy and completeness of the report by—

(i) if the covered developer is an individual, the covered developer; or

(ii) if the covered developer is an entity other than an individual, an individual who is an officer of the covered developer appointed by the covered developer.

(F) CAISSI CONSULTATION.—The Secretary shall consult with CAISSI, in estab-

lishing the specifications referred to in subparagraph (D), with respect to the units and rules of measurement and the design of the measures and information to be audited, and CAISSI shall provide such additional technical assistance to the Secretary as the Secretary may require in carrying out this section.

(3) DATE OF SUBMISSION.—A covered developer shall submit the disclosure report for a calendar quarter under paragraph (1) not later than 45 days after the end of the quarter.

(4) RETENTION OF REPORTS.—A covered developer that submits a disclosure report under this subsection shall maintain a copy of the report and the records used to prepare the report for not less than 5 years after the date of the submission of the report.

(5) INTERIM REPORTS.—The Secretary may prescribe regulations requiring a covered developer to submit interim disclosure reports, in accordance with the requirements for a disclosure report under paragraph (1), on a more frequent interval than every calendar quarter.

(6) REGULATIONS.—The Secretary may prescribe regulations to carry out this subsection.

(d) MATERIAL CHANGE DISCLOSURE REQUIREMENT.—

(1) IN GENERAL.—A covered developer that discovers or implements a material shift in the automation of the research and development of technologies related to artificial intelligence shall submit to the Secretary a report on the discovery or implementation of the shift not later than 4 business days after the date of the discovery or implementation.

(2) CONTENT OF MATERIAL CHANGE DISCOVERY OR IMPLEMENTATION REPORT.—The report on the discovery or implementation of a material shift referred to in paragraph (1) by a covered developer shall include the following:

(A) Information required under subsection (c) affected by the discovery or implementation subject to the report, updated to the date of the submission of the report.

(B) A description of the discovery or implementation and the shift.

(C) A description of such internal responses of the developer filing the report to the discovery or implementation and the shift, such as a change to a review protocol.

(D) A certification with respect to the accuracy and completeness of the report by—

(i) if the covered developer is an individual, the covered developer; or

(ii) if the covered developer is an entity other than an individual, an individual who is an officer of the covered developer appointed by the covered developer.

(3) RETENTION OF REPORTS.—A covered developer that submits a report under this subsection shall maintain a copy of the report and the records used to prepare the report for not less than 5 years after the date of the submission of the report.

(4) REGULATIONS FOR MATERIAL SHIFTS.—The Secretary shall prescribe regulations to specify qualitative or quantitative conditions for what shall constitute a material shift in the automation of the research and development of technologies related to artificial intelligence, which shall include the following as examples of such a shift:

(A) A change from a human-supervised operation to a closed-loop operation.

(B) A change in the type of involvement, such as a change from an artificial intelligence system providing a feedback signal to the artifi-

cial intelligence system building a training environment.

(C) The first substantially autonomous performance of a covered activity in a category described in subsection (c)(2)(A) by a new architecture or class of artificial intelligence system.

(D) A new internal frontier artificial intelligence model that materially advances research and development automation capability.

(5) DE MINIMIS SHIFTS.—The regulations under paragraph (4) may provide that a covered developer shall not be required to submit a report on the discovery or implementation of a de minimis shift if—

(A) the regulations specify the conditions required for a shift to be a de minimis shift;

(B) the Secretary notifies the appropriate congressional committees of such regulations on the date of the prescription of the regulations; and

(C) the shift meets the conditions specified in the regulations not earlier than 30 days after the date of the prescription of the regulations.

(e) REVIEW BY THE SECRETARY.—

(1) REQUESTS FOR RESPONSE.—The Secretary shall review each report submitted under subsection (c) or (d) and may request a response from the covered developer that submitted the report of an apparent error, inconsistency, or omission in the report.

(2) RESPONSES TO REQUESTS.—A covered developer that receives a request under paragraph (1) shall submit to the Secretary a response to the request not later than 30 days after the date of receipt.

(3) REVIEW.—

(A) IN GENERAL.—The Secretary may examine the records of a covered developer if the covered developer does not comply with this subsection or if the Secretary is not satisfied with the response submitted under paragraph (2) to a request under paragraph (1).

(B) ON-SITE REVIEW.—The Secretary shall carry out the examination of the records of a covered developer under subparagraph (A), through an employee designated by the Secretary, on the premises of the covered developer if the covered developer gives the employee ac-

cess to the records, which the covered developer may maintain in a secured environment.

(C) SUBPOENA FOR PRODUCTION OF RECORDS.—The Secretary may issue a subpoena to a covered developer to require the production of the records of the covered developer if the covered developer does not give the Secretary, or the employee designated by the Secretary under subparagraph (B), access to the records.

(D) AID OF COURTS.—The Secretary may seek compliance or enforcement of a subpoena issued to a covered developer under subparagraph (C) through an order issued by a United States district court with jurisdiction over the covered developer, and the failure of the covered developer to obey such an order shall constitute contempt of such court.

(4) BIENNIAL AUDIT.—

(A) IN GENERAL.—The Secretary shall conduct an audit of the records used by a covered developer to submit a report under subsection (c) or (d) within 2 years after the date of the submission of the first such report and at such regular intervals thereafter not exceed-

ing 2 years during the period in which the covered developer is required to file a report under subsection (c).

(B) FINAL AUDIT.—The Secretary shall conduct an audit of the records used by a covered developer to submit a report under subsection (c) or (d) within 2 years after the covered developer ceases to be required to file a report under subsection (c).

(C) EXAMINATION OF RECORDS.—The Secretary shall examine the records of a covered developer for an audit under this paragraph, whether on the premises of the covered developer or through the issuance of a subpoena, in accordance with paragraph (3).

(D) ERRORS.—The Secretary shall treat an error discovered or identified in an audit under this paragraph as a ground for further investigation and may not treat the error as a conclusive determination of inaccuracy or deception.

(5) CORRECTIONS.—

(A) IN GENERAL.—If the Secretary determines that a report submitted by a covered developer under subsection (c) or (d) contains an

error, the Secretary may require the covered developer to submit to the Secretary a corrected version of the report that addresses the error.

(B) TIME TO FILE A CORRECTED REPORT.—If the Secretary makes a decision to require a covered developer to submit to the Secretary a corrected version of a prior report under subparagraph (A), the covered developer shall have not less than 30 days to comply with the decision.

(C) REVIEW OF CORRECTED REPORT.—The Secretary shall review a report that is submitted by a covered developer under subparagraph (A) to be the corrected version of a prior report and may require further submissions from the covered developer if such submissions are necessary for the Secretary to determine whether to accept the report as successfully addressing the error.

(D) TREATMENT OF REQUIREMENT FOR CORRECTION.—The Secretary may not treat the decision to require a covered developer to submit to the Secretary a corrected version of a prior report to address an error in the prior report as a conclusive determination that the cov-

ered developer made the error in a knowing or willful manner.

(6) REFERRAL.—The Secretary may refer a matter related to carrying out this subsection to the Attorney General if the Secretary determines that the matter may relate to a violation of law.

(f) DISCLOSURE PROTECTIONS.—

(1) IN GENERAL.—An individual employed by, or affiliated with, a covered developer may submit to the Secretary a report alleging any of the following:

(A) The inaccuracy of a report under subsection (c) or (d) or a response under subsection (e), in comparison with the records of the covered developer.

(B) Failure to submit a report under subsection (c) or (d), a response under subsection (e), or any other filing required under this section.

(C) Any misrepresentation or omission related to a report under subsection (c) or (d), a response under subsection (e), or any other filing required under this section.

(2) OBLIGATION TO INVESTIGATE.—The Secretary shall investigate such matters alleged in a report under paragraph (1) in a manner that shall

protect the privacy and confidentiality of the individual who submits the report.

(3) PROHIBITION AGAINST RETALIATION.—It shall be unlawful for a covered developer to discharge or in any other manner discriminate against an individual who is employed by, or affiliated with, the covered developer because the individual—

(A) submits a report under paragraph (1) or cooperates with the Secretary in an investigation under this subsection; or

(B) reports a matter alleged in a report under paragraph (1) to another individual who is employed by, or affiliated with, the covered developer.

(4) PENALTIES.—A violation of paragraph (3) shall be treated as a violation of section 15(a)(3) of the Fair Labor Standards Act of 1938, and for the purposes of such Act with respect to such a violation—

(A) the individual who is employed by, or affiliated with, the covered developer shall be deemed an employee; and

(B) the covered developer shall be deemed an employer.

(5) REFERRALS.—The Secretary may make a referral with respect to an allegation of a violation of this section to the Attorney General.

(6) CIVIL PENALTY FOR FAILURE TO REGISTER.—The Attorney General may file a civil action in an appropriate United States district court against a covered developer that is required to register as a covered developer under subsection (b) and knowingly and willfully fails to comply with the registration requirements under the subsection, and the court in such action may assess against the covered developer a civil penalty in any amount, not to exceed $100,000 for each day that begins after the period specified in paragraph (3) of the subsection until the covered developer complies with the registration requirements under the subsection.

(7) CIVIL PENALTY FOR FAILURE TO REPORT.—The Attorney General may file a civil action in an appropriate United States district court against a covered developer that knowingly and willfully falsifies or omits material information required in, or knowingly and willfully fails to submit, a report under subsection (c) or (d) or a response under subsection (e), and the court in such action may assess against the covered developer a civil penalty in

any amount, not to exceed $5,000,000 with respect to the first imposition of a penalty under this paragraph and $10,000,000 with respect to a subsequent imposition of a penalty under this paragraph.

(8) CIVIL PENALTY FOR FAILURE TO MAINTAIN RECORDS.—The Attorney General may file a civil action in an appropriate United States district court against a covered developer that knowingly and willfully does not maintain records required under this section, and the court in such action may assess against the covered developer a civil penalty in any amount, not to exceed $5,000,000 with respect to the first imposition of a penalty under this paragraph and $10,000,000 with respect to a subsequent imposition of a penalty under this paragraph.

(g) PUBLICATION.—

(1) IN GENERAL.—A filing or submission by a covered developer to the Secretary under this Act, other than a summary under paragraph (4), and the information in such a filing or submission or obtained by the Secretary under subsection (e) or (f) shall be confidential and may not be disclosed to the public, and the filing, submission, or information may not be made available to the public under section 552 of title 5, United States Code.

(2) CITATION FOR PURPOSES OF OPEN FOIA ACT OF 2009.—This subsection is a statute that specifically exempts certain matters from disclosure under section 552 of title 5, United States Code, as described in subsection (b)(3) of that section.

(3) DISCLOSURE TO OTHER GOVERNMENT AGENCIES.—The Secretary may provide to any of the following a copy of a submission by a covered developer under this section, which the recipient may not disclose to any other entity except to the extent permitted by the Secretary:

(A) The Attorney General.

(B) CAISSI.

(C) Such other internal advisers to the Secretary with expertise in technologies related to artificial intelligence.

(4) PUBLIC SUMMARIES OF FILINGS.—

(A) IN GENERAL.—A covered developer shall include, in a report under subsection (c) or (d) or a response under subsection (e), a summary of the information in the report or response with respect to the category described in subsection (c)(2)(A)(iv) that shall be suitable for, and disclosed to, the public in accordance with this paragraph.

(B) REGULATIONS.—The Secretary shall prescribe regulations to specify a standard format of a summary under subparagraph (A) that shall allow for meaningful comparison of information across multiple summaries from multiple covered developers.

(C) PUBLIC AVAILABILITY.—The Secretary shall make available to the public a summary under subparagraph (A) not later than 30 days after the date that the Secretary receives the summary.

(5) REPORTS BY THE SECRETARY.—

(A) REGULAR REPORT.—Not later than 2 years after the date of the enactment of this Act and every year thereafter, or on a shorter interval determined by the appropriate congressional committees, the Secretary shall submit to the appropriate congressional committees a report based on the aggregate information in the reports under subsection (c) or (d) and corrections to such information, without breaking the confidentiality of each specific covered developer, which shall contain information on industry-wide or cross-developer trends in each of the categories described in subsection (c)(2)(A).

(B) RECOMMENDATIONS.—The Secretary shall include in a report under subparagraph (A) specific recommendations for the Congress to consider with respect to the following:

(i) Specifying limits, restrictions, or conditions on the automation of the research and development of technologies related to artificial intelligence.

(ii) Additional authorities or powers required by the Secretary to carry out the purposes of this section.

(C) FEASIBILITY OF CAPABILITIES-BASED CRITERIA FOR REGISTRATION OF DEVELOPERS.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility of identifying measures for artificial intelligence systems and models based on capabilities rather than measurements of raw computational power, such as the number of integer or floating-point operations used with respect to such artificial intelligence systems and models.

(D) CAISSI ASSISTANCE.—The Secretary shall consult with CAISSI in preparing a report under this paragraph.

(h) EXEMPTION FROM THE PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply with respect to this section.

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—The registration requirement under subsection (b) and the disclosure requirements under subsection (c) and (d) shall apply to a covered developer beginning 1 year after the date of the enactment of this Act.

(2) DEADLINE FOR REGULATIONS.—The Secretary shall prescribe regulations with respect to subsections (c)(2)(C)(i), (c)(2)(D), (d)(4), and (g)(4), not later than 270 days after the date of the enactment of this Act.

(3) FAILURE TO PRESCRIBE REGULATIONS.—In the event that the Secretary shall fail to comply timely with paragraph (2), a covered developer shall comply, as the case may be, with—

(A) the requirements under subsection (c), until the Secretary prescribes the regulations under subsections (c)(2)(C)(i) and (c)(2)(D), by using a consistent format chosen by the covered

developer, allowing for meaningful comparison of information across multiple reports under the subsection from the covered developer, that shall include the information required under subsection (c)(2)(B), with a description of the methods and measures used with respect to the format, and an assessment of the state of human oversight or review with respect to the matters described in subsection (c)(2)(C)(ii), with a description of the methods and measures used for the assessment;

(B) the requirements under subsection (d), until the Secretary prescribes the regulations under subsection (d)(4), by specifying qualitative or quantitative conditions for what shall constitute a material shift in the automation of the research and development of technologies related to artificial intelligence, including with respect to an example described in subsection (d)(4), which the covered developer shall use consistently across all reports by the covered developer under the subsection; and

(C) the requirements under subsection (g), until the Secretary prescribes the regulations under subsection (g)(4), by using a consistent

format chosen by the covered developer that shall allow for meaningful comparison of information across multiple summaries from the covered developer.

(j) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the following:

(A) The Committee on Energy and Commerce of the House of Representatives.

(B) The Committee on Science, Space, and Technology of the House of Representatives.

(C) The Committee on Commerce, Science, and Transportation of the Senate.

(2) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in section 5002 of the National Artificial Intelligence Initiative Act of 2020.

(3) CAISSI.—The term ''CAISSI'' means—

(A) the Center for Advancing Innovation and Standards for Super Intelligence;

(B) a successor entity of the entity referred to in subparagraph (A); or

(C) in the absence of an entity referred to in subparagraph (A) or (B), such advisers to

the Secretary or employees of the Department of Commerce with expertise in technologies related to artificial intelligence, as recommended to the Secretary by the Under Secretary of Commerce for Standards and Technology.

(4) COVERED ACTIVITY.—The term ''covered activity'' means any activity related to research or development in connection with the development of an artificial intelligence system or model by a covered developer and does not include an activity related to routine software engineering that is not directed to the development of a frontier artificial intelligence model.

(5) COVERED DEVELOPER.—The term ''covered developer'' means a developer required to be registered under subsection (b).

(6) COVERED SYSTEM.—The term ''covered system'' means an artificial intelligence model, an agent of an artificial intelligence model, or a coordinated set of components related to artificial intelligence, which is capable of carrying out a covered activity.

(7) DEVELOPER.—The term ''developer'' means an entity that carries out the training of artificial intelligence models, whether directly by the entity or

through an employee, agent, affiliate, or subsidiary of the entity, and meets any of the following:

(A) The entity is—

(i) an individual with United States nationality or lawfully admitted for permanent residence in the United States under the Immigration and Nationality Act;

(ii) an entity organized under the laws of the United States or a State; or

(iii) an entity ultimately controlled, directly or indirectly, by an entity described in this subparagraph.

(B) The entity carries out an activity related to the training of artificial intelligence models in the United States.

(8) FRONTIER ARTIFICIAL INTELLIGENCE MODEL.—The term ''frontier artificial intelligence model'' means an artificial intelligence model—

(A) with respect to which the amount of integer or floating-point operations described in subsection (b)(1)(A), or the amount determined under subsection (b)(2)(A), has been used in the training of the model; or

(B) if applicable, which meets the requirements based on capability under subsection (b)(2)(B).

(9) OFFICE.—The term ''Office'' means the Office of Frontier Artificial Intelligence Research established under subsection (a).

(10) PROGRAM.—The term ''Program'' means the Automation of Frontier AI Research and Development Disclosure Program established under subsection (a).

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(12) SUBSTANTIALLY AUTONOMOUS PERFORMANCE.—The term ''substantially autonomous performance'' means, with respect to a covered activity, the performance or carrying out of the covered activity, which consists of a sequence of at least 2 actions, with one action proceeding to the next based on the determination of a covered system and without a human individual substantively reviewing an action in the sequence and deciding whether to take the next action.