

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 9087  
OFFERED BY MS. JACOBS OF CALIFORNIA**

At the appropriate place, insert the following:

1 **SEC. \_\_\_\_ . LIMITATION ON ARTIFICIAL INTELLIGENCE USE**

2 **IN FOREIGN SERVICE PERSONNEL ACTIONS.**

3 (a) **HUMAN OVERSIGHT AND REVIEW.—**

4 (1) **HUMAN OVERSIGHT REQUIRED.—**The out-  
5 put of an artificial intelligence system may not serve  
6 as the sole justification to carry out a covered per-  
7 sonnel action.

8 (2) **REVIEW AND VALIDATION.—**To the extent  
9 such output is relevant to a covered personnel ac-  
10 tion, the Secretary shall ensure that a qualified em-  
11 ployee reviews and validates any material rec-  
12 ommendation included in such output before taking  
13 the applicable covered personnel action.

14 (3) **OTHER USE OF GENERATED MATERIALS.—**  
15 In addition to the other applicable requirements  
16 under this subsection, a document, assessment, rec-  
17 ommendation, or other material generated in whole  
18 or in part by an artificial intelligence system may  
19 not be included in an official personnel record unless

1 a qualified employee has reviewed and approved such  
2 material for accuracy, completeness, and compliance  
3 with applicable standards.

4 (b) REPORTING REQUIREMENT.—Not later than 1  
5 year after the date of enactment of this Act, and annually  
6 thereafter for 3 years, the Secretary of State, in coordina-  
7 tion with the Chief Data and Artificial Intelligence Officer,  
8 shall submit to the Committee on Foreign Affairs of the  
9 House of Representatives and the Committee on Foreign  
10 Relations of the Senate a report on the use by the Foreign  
11 Service of artificial intelligence systems in connection with  
12 covered personnel actions and the Department’s compli-  
13 ance with requirements described in this section, including  
14 a—

15 (1) description of each artificial intelligence sys-  
16 tem in use and the intended use of each such sys-  
17 tem;

18 (2) summary of the procedures in place to en-  
19 sure human oversight and accountability; and

20 (3) description of the steps taken to improve  
21 the transparency, accuracy, and reliability of such  
22 systems.

23 (c) DEFINITIONS.—In this section:

24 (1) ARTIFICIAL INTELLIGENCE SYSTEM.—The  
25 term “artificial intelligence system” has the meaning

1 given such term in section 5002 of the National Ar-  
2 tificial Intelligence Initiative Act of 2020 (15 U.S.C.  
3 9401).

4 (2) COVERED PERSONNEL ACTION.—The term  
5 “covered personnel action” means recruitment, ap-  
6 plicant screening, hiring, placement, assignment,  
7 promotion, tenure, performance evaluation, dis-  
8 cipline, separation, or any other personnel action  
9 that the Secretary determines has a material effect  
10 on the terms or conditions of employment in the  
11 Foreign Service.

12 (3) QUALIFIED EMPLOYEE.—The term “quali-  
13 fied employee” means an employee of the Depart-  
14 ment of State who is trained and authorized to re-  
15 view the output of an artificial intelligence system  
16 and to make or approve a covered personnel action.

17 (d) TERMINATION.—This section shall terminate 3  
18 years after the date of the enactment of this Act.

