To direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the consumer product safety mission of the Commission.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 28, 2020

Mr. McNERNEY (for himself and Mr. BURGESS) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER --, 2020

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on August 28, 2020]
A BILL

To direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the consumer product safety mission of the Commission.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Consumer Safety Technology Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—ARTIFICIAL INTELLIGENCE AND CONSUMER PRODUCT SAFETY

Sec. 101. Short title.
Sec. 102. Pilot program for use of artificial intelligence by Consumer Product Safety Commission.

TITLE II—BLOCKCHAIN TECHNOLOGY INNOVATION

Sec. 201. Short title.

TITLE III—DIGITAL TOKEN TAXONOMY

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Reports on unfair or deceptive acts or practices in transactions relating to digital tokens.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “consumer product” has the meaning given such term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)); and

(2) the term “Secretary” means the Secretary of Commerce.
TITLE I—ARTIFICIAL INTELLIGENCE AND CONSUMER PRODUCT SAFETY

SEC. 101. SHORT TITLE.

This title may be cited as the “AI for Consumer Product Safety Act”.

SEC. 102. PILOT PROGRAM FOR USE OF ARTIFICIAL INTELLIGENCE BY CONSUMER PRODUCT SAFETY COMMISSION.

(a) Establishment.—Not later than 1 year after the date of enactment of this Act, the Consumer Product Safety Commission shall establish a pilot program to explore the use of artificial intelligence by the Commission in support of the consumer product safety mission of the Commission.

(b) Requirements.—In conducting the pilot program established under subsection (a), the Commission shall do the following:

(1) Use artificial intelligence for at least 1 of the following purposes:

(A) Tracking trends with respect to injuries involving consumer products.

(B) Identifying consumer product hazards.

(C) Monitoring the retail marketplace (including internet websites) for the sale of recalled
consumer products (including both new and used products).

(D) Identifying consumer products required by section 17(a) of the Consumer Product Safety Act (15 U.S.C. 2066(a)) to be refused admission into the customs territory of the United States.

(2) Consult with the following:

(A) Technologists, data scientists, and experts in artificial intelligence and machine learning.

(B) Cybersecurity experts.

(C) Members of the retail industry.

(D) Consumer product manufacturers.

(E) Consumer product safety organizations.

(F) Any other person the Commission considers appropriate.

(c) Report to Congress.—Not later than 180 days after the conclusion of the pilot program established under subsection (a), the Consumer Product Safety Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Commission, a report on the findings and data derived from such program, including whether and the extent to which the use of artifi-
cial intelligence improved the ability of the Commission to
advance the consumer product safety mission of the Com-
mission.

TITLE II—BLOCKCHAIN
TECHNOLOGY INNOVATION

SEC. 201. SHORT TITLE.

This title may be cited as the “Blockchain Innovation
Act”.

SEC. 202. STUDY ON BLOCKCHAIN TECHNOLOGY AND ITS
USE IN CONSUMER PROTECTION.

(a) IN GENERAL.—

(1) STUDY REQUIRED.—Not later than one year
after the date of enactment of this Act, the Secretary
of Commerce, in consultation with the Federal Trade
Commission, and in consultation with the any other
appropriate Federal agency the Secretary determines
appropriate, shall conduct a study on current and po-
tential use of blockchain technology in commerce and
the potential benefits of blockchain technology for lim-
iting fraud and other unfair and deceptive acts and
practices.

(2) REQUIREMENTS FOR STUDY.—In conducting
the study, the Secretary shall examine—

(A) trends in the commercial use of and in-
vestment in blockchain technology;
(B) best practices in facilitating public-private partnerships in blockchain technology;

(C) potential benefits and risks of blockchain technology for consumer protection;

(D) how blockchain technology can be used by industry and consumers to reduce fraud and increase the security of commercial transactions;

(E) areas in Federal regulation of blockchain technology that greater clarity would encourage domestic innovation; and

(F) any other relevant observations or recommendations related to blockchain technology and consumer protection.

(3) PUBLIC COMMENT.—In producing the study required in subsection (a)(2), the Secretary shall provide opportunity for public comment and advice relevant to the production of the study.

(b) REPORT TO CONGRESS.—Not later than 6 months after the completion of the study required pursuant to subsection (a), the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Department of Commerce, a report that contains the results of the study conducted under subsection (a).
TITLE III—DIGITAL TOKEN TAXONOMY

SEC. 301. SHORT TITLE.
This title may be cited as the “Digital Taxonomy Act”.

SEC. 302. FINDINGS.
Congress finds that—
(1) it is important that the United States remains a leader in innovation;
(2) digital tokens and blockchain technology are driving innovation and providing consumers with increased choice and convenience;
(3) the use of digital tokens and blockchain technology is likely to increase in the future;
(4) the Federal Trade Commission is responsible for protecting consumers from unfair or deceptive acts or practices, including relating to digital tokens;
(5) the Commission has previously taken action against unscrupulous companies and individuals that committed unfair or deceptive acts or practices involving digital tokens; and
(6) to bolster the Commission’s ability to enforce against unfair or deceptive acts or practices involving digital tokens, the Commission should ensure staff have appropriate training and resources to identify and pursue such cases.
SEC. 303. REPORTS ON UNFAIR OR DECEPTIVE ACTS OR PRACTICES IN TRANSACTIONS RELATING TO DIGITAL TOKENS.

Not later than one year after the date of enactment of this Act and each year thereafter until fiscal year 2024, the Federal Trade Commission shall transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on its website, a report of—

(1) any actions taken by the Commission relating to unfair or deceptive acts or practices in transactions relating to digital tokens;

(2) the Commission’s other efforts to prevent unfair or deceptive acts or practices relating to digital tokens; and

(3) any recommendations by the Commission for legislation that would improve the ability of the Commission and other relevant Federal agencies—

(A) to further protect consumers from unfair or deceptive acts or practices in the digital token marketplace; and

(B) to promote competition and promote innovation in the global digital token sector.

Amend the title so as to read: “A bill to direct the Consumer Product Safety Commission to establish a pilot
program to explore the use of artificial intelligence in support of the mission of the Commission and direct the Secretary of Commerce and the Federal Trade Commission to study and report on the use of blockchain technology and digital tokens, respectively.”.