AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8128

OFFERED BY MR. McNERNEY

Mr. Burgess, and Mr. Guthrie

Strike all after the enacting clause and insert the following:

1 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.

6 SEC. 2. DEFINITIONS.

7 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 artificial intelligence improved the ability of the Commission to advance the consumer product safety mission of the Commission.

**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 potential use of blockchain tech-
technology in commerce and the potential benefits of
blockchain technology for limiting fraud and other
unfair and deceptive acts and practices.

(2) REQUIREMENTS FOR STUDY.—In con-
ducting the study, the Secretary shall examine—

(A) trends in the commercial use of and
investment 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 trans-
actions;

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

(F) any other relevant observations or rec-
ommendations 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 decep-
tive 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.”.