



The Republic Unifying Meritocratic Performance Advancing Machine Intelligence by Eliminating Regulatory Interstate Chaos Across American Industry Act (TRUMP AMERICA AI) Act

SECTION-BY-SECTION

Sec. 1.

Short Title; table of contents.

Sec. 2.

Definitions.

Title I.

Places a duty of care on AI developers in the design, development, and operation of AI platforms to prevent and mitigate foreseeable harm to users.

Title II.

Requires certain companies and federal agencies to issue reports on AI-related job effects, including layoffs and job displacement to the Department of Labor (DOL) on a quarterly basis. Requires the DOL to compile data on AI-related job effects and publish a report to Congress and the public.

Title III.

Sunsets Section 230.

Title IV.

Requires covered online platforms, including social media platforms, to implement tools and safeguards to protect users under the age of 17 against online harms. Specifically, this title would:

- Require covered platforms to exercise reasonable care in the design and use of features that increase minors' online activity to prevent and mitigate harm to minors (e.g., mental health disorders and severe harassment).
- Require covered platforms to provide certain safeguards to minors, such as protections for minors' data; tools for parents of minors, such as access to minors' privacy settings; and a mechanism for account holders and visitors to report harm to minors on the platform.
- Prohibit covered platforms from conducting market or product research on children under the age of 13 and may only conduct research on those under the age of 17 with parental consent.
- Require covered platforms to provide users notice when using algorithms and permit users to switch to an algorithm that does not rely on user-specific data.

Title V.

Establishes requirements for companies providing AI chatbot and companion services to protect kids.

Title VI.

Establishes an “Advanced Artificial Intelligence Evaluation Program” within the Department of Energy (DOE) to evaluate advanced AI systems and collect data on the likelihood of adverse AI incidents, such as loss-of-control scenarios and weaponization by adversaries. Requires developers of advanced AI systems to participate in the program, including a duty to provide information regarding the AI system upon request. Prohibits an advanced AI system from being deployed until the developer has complied with program requirements.

Title VII.

Enables the U.S. Attorney General, state attorneys general, and private actors to file suit to hold AI system developers liable for harms caused by the AI system for defective design, failure to warn, express warranty, and unreasonably dangerous or defective product claims. If an AI system deployer substantially modifies an AI system or intentionally misuses an AI system contrary to its intended use, the deployer could also be held liable.

Title VIII.

Combats the consistent pattern of bias against conservative figures demonstrated by AI systems by requiring third-party audits to prevent discrimination based on political affiliation.

Title IX.

Promotes partnerships between government, business, and academia to advance AI research. Specifically, it would:

- Authorize the Center for AI Standard and Innovation at NIST which develops guidelines and standards with the private sector and federal agencies;
- Create new AI testbeds with National Laboratories;
- Create grand challenge prize competitions to spur private sector AI Innovation; and
- Create international alliances on AI standards, research and development.

Title X.

Establishes the National Artificial Intelligence Research Resource (NAIRR) to remove barriers to essential tools and infrastructure that power artificial intelligence research and development. Specifically, this title would:

- Make computing resources, massive datasets, and advanced infrastructure required to perform cutting-edge research in AI available to students, researchers, non-profits, small businesses, and academic institutions as a shared resource.
- Establish a formal governance structure for NAIRR, including a Steering Subcommittee under OSTP and a Program Management Office within the NSF to oversee operations, manage federal and private resource contributions, select an independent operating entity through a transparent bidding process, and ensure adherence to strict standards of privacy, ethics, scientific integrity, and national security.
- Require NAIRR be built using donated resources from both federal agencies and the private sector.

Title XI.

Directs the Secretary of Energy to enter into agreements with owners and operators of data centers to protect consumers from rate increases and adverse impacts of data center development. If a covered entity declines to enter into such agreements, they will be deemed ineligible for such Federal incentives and assistance as the Secretary shall identify.

Title XII.

Protects the voice and visual likenesses of individuals and creators from the proliferation of digital replicas without their consent. Specifically, this title would:

- Hold individuals or companies liable if they distribute an unauthorized digital replica of an individual's voice or visual likeness; and
- Hold platforms liable for hosting an unauthorized digital replica if the platform has knowledge of the fact that the replica was not authorized by the individual depicted.

Title XIII.

Helps creators, musicians, artists, writers, and others access the courts to protect their copyrighted works if and when they are used to train generative AI models. Specifically, this title would:

- Promote transparency about when and how copyrighted works are used to train generative AI models by enabling copyright holders to obtain this information through an administrative subpoena; and
- Ensure that subpoenas are granted only upon a copyright owner's sworn declaration that they have a good faith belief their work was used to train the model, and that their purpose is to protect their rights.

Title XIV.

Sets new federal transparency guidelines for marking, authenticating and detecting AI-generated content. Specifically, this title would:

- Require NIST to develop guidelines and standards for content provenance information, watermarking and synthetic content detection;
- Direct NIST to develop cybersecurity measures to prevent tampering with provenance and watermarking on AI content;
- Require providers of AI tools used to generate creative or journalistic content to allow owners of that content to attach provenance information to it and prohibits its removal; and
- Authorize the Federal Trade Commission (FTC) and state attorneys general to enforce the bill's requirements.

Title XV.

Makes clear that an AI model's unauthorized reproduction, copying, or processing of copyrighted works for the purpose of training, fine-tuning, developing, or creating AI *does not* constitute fair use under the Copyright Act.

Title XVI.

Codifies President Trump's Executive Order preventing woke AI in the federal government by only allowing agency heads to procure LLMs that are truthful in responding to user prompts seeking factual information and that are neutral and do not manipulate responses in favor of ideological biases.

Title XVII.

- The Act does not preempt any generally applicable law that may address artificial intelligence.
- Severability Clause.
- Except as otherwise provided, the Act becomes effective 180 days after enactment.