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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To establish the National Artificial Intelligence Research Resource, and for  
other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Ms. ESHOO introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To establish the National Artificial Intelligence Research  
Resource, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Creating Resources  
5 for Every American To Experiment with Artificial Intel-  
6 ligence Act of 2023” or the “CREATE AI Act of 2023”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1           (1) Cutting-edge artificial intelligence research  
2       relies on access to computational resources and large  
3       datasets.

4           (2) Access to the computational resources and  
5       datasets necessary for artificial intelligence research  
6       and development is often limited to very large tech-  
7       nology companies.

8           (3) The lack of access to computational and  
9       data resources has resulted in insufficient diversity  
10      in the artificial intelligence research and develop-  
11      ment community.

12          (4) Engaging the full and diverse talent of the  
13      United States is critical for maintaining United  
14      States leadership in artificial intelligence and ensur-  
15      ing that artificial intelligence is developed in a man-  
16      ner that benefits all people of the United States.

17          (5) The National Artificial Intelligence Re-  
18      search Resource Task Force, authorized under sec-  
19      tion 5106 of the National Artificial Intelligence Ini-  
20      tiative Act of 2020 (15 U.S.C. 9401 et seq.), rec-  
21      ommended the establishment of a National Artificial  
22      Intelligence Research Resource in a report entitled  
23      “Strengthening and Democratizing the U.S. Artifi-  
24      cial Intelligence Innovation Ecosystem: An Imple-

1       mentation Plan for a National Artificial Intelligence  
2       Research Resource”, issued on January 24, 2023.

3   **SEC. 3. NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH**  
4       **RESOURCE.**

5       (a) NAIRR STEERING SUBCOMMITTEE.—Section  
6   5103 of the William M. (Mac) Thornberry National De-  
7   fense Authorization Act for Fiscal Year 2021 (15 U.S.C.  
8   9413) is amended—

9           (1) by redesignating subsection (e) as sub-  
10       section (f); and

11          (2) by inserting after subsection (d) the fol-  
12       lowing:

13       “(e) NAIRR STEERING SUBCOMMITTEE.—

14           “(1) DEFINITION.—In this subsection, the  
15       terms ‘NAIRR’, ‘National Artificial Intelligence Re-  
16       search Resource’, ‘Operating Entity’, ‘Program  
17       Management Office’, and ‘resources of the NAIRR’  
18       have the meanings given the terms in section 5601.

19           “(2) ESTABLISHMENT.—There is established  
20       within the Interagency Committee a Steering Sub-  
21       committee for the National Artificial Intelligence Re-  
22       search Resource (referred to in this section as the  
23       ‘NAIRR Steering Subcommittee’).

24           “(3) CHAIR AND ASSISTANT CHAIRS.—The  
25       NAIRR Steering Subcommittee shall be chaired by

1 the Director of the Office of Science and Technology  
2 Policy. The Director of the Office of Science and  
3 Technology Policy may establish assistant chairs of  
4 the NAIRR Steering Subcommittee based on mem-  
5 bers of the NAIRR Steering Subcommittee rotating  
6 into the assistant chair positions on a predetermined  
7 schedule.

8 “(4) MEMBERSHIP.—The Director of the Office  
9 of Science and Technology Policy shall select mem-  
10 bers of the Interagency Committee to serve on the  
11 NAIRR Steering Subcommittee that the Director de-  
12 termines—

13 “(A) have substantial expertise;

14 “(B) have substantially funded or con-  
15 ducted artificial intelligence research and devel-  
16 opment; or

17 “(C) have some other significant relation-  
18 ship with the NAIRR.

19 “(5) CHANGES TO NAIRR STEERING SUB-  
20 COMMITTEE COMPOSITION.—Not less frequently  
21 than once a year, the Director of the Office of  
22 Science and Technology Policy shall review the com-  
23 position of the NAIRR Steering Subcommittee and  
24 update such composition, which may include adding

1 or removing members from the NAIRR Steering  
2 Subcommittee, if necessary.

3 “(6) SUBCOMMITTEES AND WORKING  
4 GROUPS.—The NAIRR Steering Subcommittee may  
5 establish subcommittees, working groups, or other  
6 permanent or temporary bodies of certain members  
7 of the NAIRR Steering Subcommittee.

8 “(7) DUTIES.—The NAIRR Steering Sub-  
9 committee shall—

10 “(A) coordinate with the National Science  
11 Foundation and the Program Management Of-  
12 fice to—

13 “(i) oversee and approve the operating  
14 plan for the NAIRR;

15 “(ii) request the budget for the  
16 NAIRR;

17 “(iii) develop and release a request for  
18 proposals to solicit bids for the Operating  
19 Entity, including establishing the terms  
20 and conditions and functions of the Oper-  
21 ating Entity; and

22 “(iv) develop and release funding op-  
23 portunities for resources of the NAIRR;

24 “(B) work with the Program Management  
25 Office to establish criteria for the Operating

1 Entity, review candidates, and select an entity  
2 to act as the Operating Entity;

3 “(C) identify resources that could be fed-  
4 erated, participate in resource provider selection  
5 and funding, and provide direction to the Oper-  
6 ating Entity about resource allocation and how  
7 those resources should be made accessible via  
8 the NAIRR;

9 “(D) define key performance indicators for  
10 the NAIRR, in conjunction with the Program  
11 Management Office and any relevant Advisory  
12 Committees established under section 5602(c);

13 “(E) evaluate NAIRR performance against  
14 the key performance indicators defined under  
15 subparagraph (D) on a periodic basis and not  
16 less frequently than once every year;

17 “(F) develop an annual report, transmitted  
18 to the Director of the Office of Science and  
19 Technology Policy and publicly released, on the  
20 progress of the National Artificial Intelligence  
21 Research Resource that includes—

22 “(i) a summary of the results of the  
23 evaluation conducted under subparagraph  
24 (E); and

1 “(ii) any recommendations for  
2 changes to the NAIRR; and

3 “(G) oversee a periodic independent assess-  
4 ment of the NAIRR.

5 “(8) PROVISION OF RESOURCES OF THE  
6 NAIRR.—Each agency comprising the NAIRR Steer-  
7 ing Subcommittee is authorized to provide the Oper-  
8 ating Entity with resources of the NAIRR or fund-  
9 ing for resources of the NAIRR.”.

10 (b) IN GENERAL.—The National Artificial Intel-  
11 ligence Initiative Act of 2020 (15 U.S.C. 9401 et seq.)  
12 is amended by adding at the end the following:

13 **“TITLE LVI—NATIONAL ARTIFI-**  
14 **CIAL INTELLIGENCE RE-**  
15 **SEARCH RESOURCE**

“Sec. 5601. Definitions.

“Sec. 5602. Establishment; governance.

“Sec. 5603. Resources of the NAIRR.

“Sec. 5604. NAIRR processes and procedures.

16 **“SEC. 5601. DEFINITIONS.**

17 “In this title:

18 “(1) ADVISORY COMMITTEE.—The term ‘Advi-  
19 sory Committee’ means any Advisory Committee es-  
20 tablished under section 5602(c).

21 “(2) AI TESTBED.—The term ‘AI testbed’  
22 means a testbed described in section 22A(g) of the

1 National Institute of Standards and Technology Act  
2 (15 U.S.C. 278h–1(g)).

3 “(3) EXECUTIVE AGENCY.—The term ‘Execu-  
4 tive agency’ has the meaning given such term in sec-  
5 tion 105 of title 5, United States Code.

6 “(4) NATIONAL ARTIFICIAL INTELLIGENCE RE-  
7 SEARCH RESOURCE; NAIRR.—The terms ‘National  
8 Artificial Intelligence Research Resource’ and  
9 ‘NAIRR’ have the meaning given the term ‘National  
10 Artificial Intelligence Research Resource’ in section  
11 5106(g).

12 “(5) OPERATING ENTITY.—The term ‘Oper-  
13 ating Entity’ means the Operating Entity selected  
14 by the Program Management Office as described in  
15 section 5602(b)(3)(A).

16 “(6) PROGRAM MANAGEMENT OFFICE.—The  
17 term ‘Program Management Office’ means the Pro-  
18 gram Management Office established under section  
19 5602(b).

20 “(7) RESOURCE OF THE NAIRR.—The term ‘re-  
21 source of the NAIRR’ means a resource described in  
22 section 5603(b).

23 “(8) NAIRR STEERING SUBCOMMITTEE.—The  
24 term ‘NAIRR Steering Subcommittee’ means the



1       NAIRR Steering Subcommittee established under  
2       section 5103(e).

3           “(9) STEM.—The term ‘STEM’ means science,  
4       technology, engineering, and mathematics, including  
5       computer science.

6       **“SEC. 5602. ESTABLISHMENT; GOVERNANCE.**

7           “(a) ESTABLISHMENT.—Not later than 1 year after  
8       the date of enactment of the Creating Resources for Every  
9       American To Experiment with Artificial Intelligence Act  
10      of 2023, the Director of the National Science Foundation,  
11      in coordination with the NAIRR Steering Subcommittee,  
12      shall establish the National Artificial Intelligence Re-  
13      search Resource to—

14           “(1) spur innovation and advance the develop-  
15      ment of safe, reliable, and trustworthy artificial in-  
16      telligence research and development;

17           “(2) improve access to artificial intelligence re-  
18      sources for researchers and students of artificial in-  
19      telligence, including groups historically underrep-  
20      resented in STEM;

21           “(3) improve capacity for artificial intelligence  
22      research in the United States; and

23           “(4) support the testing, benchmarking, and  
24      evaluation of artificial intelligence systems developed  
25      and deployed in the United States.

1 “(b) PROGRAM MANAGEMENT OFFICE.—

2 “(1) ESTABLISHMENT.—The Director of the  
3 National Science Foundation shall establish within  
4 the National Science Foundation a Program Man-  
5 agement Office to oversee the day-to-day functions  
6 of the NAIRR and shall appoint an individual to  
7 head the Program Management Office.

8 “(2) STAFF.—

9 “(A) IN GENERAL.—The head of the Pro-  
10 gram Management Office may identify staff  
11 and direct all employees of the Program Man-  
12 agement Office, in accordance with the applica-  
13 ble provisions of title 5, United States Code.

14 “(B) REPRESENTATION AND REQUIRE-  
15 MENTS.—The staff of the Program Manage-  
16 ment Office—

17 “(i) may include representation from  
18 other Federal agencies providing support  
19 for NAIRR resources; and

20 “(ii) shall include not fewer than 3  
21 full-time employees.

22 “(3) DUTIES.—The duties of the Program  
23 Management Office shall include—

1           “(A) in coordination with the NAIRR  
2           Steering Subcommittee and any relevant Advi-  
3           sory Committee as appropriate—

4           “(i) developing the funding oppor-  
5           tunity and soliciting bids for the Operating  
6           Entity, which will be responsible for oper-  
7           ation of the National Artificial Intelligence  
8           Research Resource;

9           “(ii) selecting, through a competitive  
10          and transparent process, a nongovern-  
11          mental organization, which may be an  
12          independent legal entity or a consortium of  
13          1 or more partners (which may include  
14          federally funded research and development  
15          centers), to be designated the Operating  
16          Entity;

17          “(iii) overseeing compliance with the  
18          contractual obligations of the Operating  
19          Entity;

20          “(iv) establishing evaluation criteria  
21          for the NAIRR;

22          “(v) overseeing asset allocation and  
23          utilization;

24          “(vi) identifying an external inde-  
25          pendent evaluation entity;

1 “(vii) assessing the performance of  
2 the Operating Entity on not less than an  
3 annual basis and, if such performance is  
4 unsatisfactory, ending the agreement with  
5 such Operating Entity and selecting a new  
6 Operating Entity in accordance with clause  
7 (ii);

8 “(viii) developing multi-agency fund-  
9 ing opportunities for the selection of  
10 NAIRR resources; and

11 “(ix) coordinating resource contribu-  
12 tions from participating Federal agencies;  
13 and

14 “(B) delegating, with appropriate over-  
15 sight, operational tasks to the Operating Enti-  
16 ty, including—

17 “(i) coordinating the provisioning of  
18 resources of the NAIRR;

19 “(ii) maintaining a portal and associ-  
20 ated services for users to access resources  
21 of the NAIRR;

22 “(iii) developing policies and proce-  
23 dures for the NAIRR;

24 “(iv) hiring and managing a staff (in-  
25 cluding experts in cyber infrastructure

1 management, data science, research de-  
2 sign, privacy, ethics, civil rights and civil  
3 liberties, and legal and policy matters) to  
4 support the operations of the NAIRR;

5 “(v) continually modernizing NAIRR  
6 infrastructure;

7 “(vi) recommending key performance  
8 indicators for the NAIRR, in coordination  
9 with the NAIRR Steering Subcommittee  
10 and any relevant Advisory Committee;

11 “(vii) publishing publicly available an-  
12 nual reports reviewing the performance of  
13 the NAIRR, the resources of the NAIRR,  
14 and the NAIRR governance structures;

15 “(viii) establishing and administering  
16 training to new users on accessing a re-  
17 source of the NAIRR, research design, and  
18 issues related to privacy, ethics, civil rights  
19 and civil liberties, safety, and trust-  
20 worthiness of artificial intelligence systems;

21 “(ix) facilitating connections to AI  
22 testbeds; and

23 “(x) making resources of the NAIRR  
24 available to other Federal agencies, and to  
25 Congress, for the purpose of educating

1 Federal government officials and employ-  
2 ees about artificial intelligence.

3 “(c) ADVISORY COMMITTEES.—The head of the Pro-  
4 gram Management Office, acting through the Director of  
5 the Operating Entity, shall establish Advisory Committees  
6 to provide advice to the Operating Entity and the Program  
7 Management Office. Any such Advisory Committees shall  
8 be comprised of members from government agencies, the  
9 private sector, academia, and public interest groups.  
10 Chapter 10 of title 5, United States Code, shall not apply  
11 to any such Advisory Committee.

12 **“SEC. 5603. RESOURCES OF THE NAIRR.**

13 “(a) IN GENERAL.—The head of the Program Man-  
14 agement Office, acting through the Director of the Oper-  
15 ating Entity and in coordination with the NAIRR Steering  
16 Subcommittee and any relevant Advisory Committee,  
17 shall—

18 “(1) coordinate and provision resources of the  
19 NAIRR;

20 “(2) establish processes to manage the procure-  
21 ment of new resources of the NAIRR, and intake of  
22 in-kind contribution of resources of the NAIRR,  
23 from Federal agencies or other entities;

1 “(3) establish policies on and review resources  
2 of the NAIRR for concerns related to ethics, privacy,  
3 civil rights, and civil liberties;

4 “(4) retire resources of the NAIRR no longer  
5 available or needed; and

6 “(5) publicly report a summary of categories of  
7 available resources of the NAIRR, categories of  
8 sources of such resources of the NAIRR, and issues  
9 related to resources of the NAIRR.

10 “(b) RESOURCES OF THE NAIRR.—The NAIRR  
11 shall offer resources that include, at a minimum, all of  
12 the following, subject to the availability of appropriations:

13 “(1) A mix of computational resources, includ-  
14 ing—

15 “(A) on-premises, cloud-based, hybrid, and  
16 emergent resources;

17 “(B) public cloud providers providing ac-  
18 cess to popular computational and storage serv-  
19 ices for NAIRR users;

20 “(C) an open source software environment  
21 for the NAIRR; and

22 “(D) an application programming interface  
23 providing structured access to artificial intel-  
24 ligence models.

25 “(2) Data, including by—

1           “(A)(i) in coordination with the National  
2           Institute of Standards and Technology and con-  
3           sistent with the guidance of the National  
4           Science and Technology Council titled ‘Desir-  
5           able Characteristics of Data Repositories for  
6           Federally Funded Data,’ dated May 2022, or  
7           any successor document, publishing interoper-  
8           ability standards for data repositories based on  
9           the data sharing and documentation standards  
10          and guidelines produced under section 22A of  
11          the National Institute of Standards and Tech-  
12          nology Act (15 U.S.C. 278h–1); and

13          “(ii) selecting and developing, through a  
14          competitive bidding process, data repositories to  
15          be available to NAIRR users;

16          “(B) establishing acceptable criteria for  
17          datasets used as resources of the NAIRR;

18          “(C) identifying and providing access to  
19          existing curated datasets of value and interest  
20          to the NAIRR user community;

21          “(D) establishing an artificial intelligence  
22          open data commons to facilitate community  
23          sharing and curation of data, code, and models;  
24          and



1           “(E) coordinating with the Interagency  
2           Council on Statistical Policy to explore options  
3           to make Federal statistical data available to  
4           NAIRR users, including through the standard  
5           application process established under section  
6           3583(a) of title 44, United States Code.

7           “(3) Educational tools and services, including  
8           by—

9                   “(A) facilitating and curating educational  
10                  and training materials;

11                  “(B) providing technical training and user  
12                  support; and

13                  “(C) providing outreach and programming  
14                  for groups historically underrepresented in  
15                  STEM.

16           “(4) AI testbeds, including by—

17                   “(A) in coordination with the National In-  
18                  stitute of Standards and Technology, facili-  
19                  tating access to artificial intelligence testbeds  
20                  through which researchers can measure, bench-  
21                  mark, test, or evaluate engineering or algo-  
22                  rithmic developments; and

23                  “(B) developing a comprehensive catalog of  
24                  open AI testbeds.

1   **“SEC. 5604. NAIRR PROCESSES AND PROCEDURES.**

2       “(a) USER ELIGIBILITY.—

3           “(1) ELIGIBLE USERS.—Subject to paragraph  
4       (3), the following users shall be eligible for access to  
5       the NAIRR:

6           “(A) A researcher, educator, or student  
7       based in the United States that is affiliated  
8       with an entity described in paragraph (2).

9           “(B) An employee of an entity described in  
10      clause (iii) or (iv) of paragraph (2)(B) with a  
11      demonstrable mission-need.

12       “(2) ENTITIES DESCRIBED.—An entity de-  
13      scribed in this paragraph is an entity that satisfies  
14      the following:

15           “(A) Is based in the United States.

16           “(B) Is one of the following:

17               “(i) An institution of higher edu-  
18              cation.

19               “(ii) A nonprofit institution (as such  
20              term is defined in section 4 of the Steven-  
21              son-Wydler Technology Innovation Act of  
22              1980 (15 U.S.C. 3703)).

23               “(iii) An Executive agency.

24               “(iv) A federally funded research and  
25              development center.

1           “(v) A small business concern (as  
2           such term is defined in section 3 of the  
3           Small Business Act (15 U.S.C. 632), not-  
4           withstanding section 121.103 of title 13,  
5           Code of Federal Regulations) that has re-  
6           ceived funding from an Executive agency,  
7           including through the Small Business In-  
8           novation Research Program or the Small  
9           Business Technology Transfer Program  
10          (as described in section 9 of the Small  
11          Business Act (15 U.S.C. 638)).

12          “(vi) A category of entity that the Di-  
13          rector of the National Science Foundation  
14          and the Director of the Office of Science  
15          and Technology Policy, after consultation  
16          with the NAIRR Steering Subcommittee  
17          and any relevant Advisory Committee, de-  
18          termine shall be eligible.

19          “(vii) A consortium composed of enti-  
20          ties described in clauses (i) through (vi).

21          “(3) EXCLUDED ENTITIES.—

22          “(A) IN GENERAL.—No individual is au-  
23          thorized to be an eligible user under paragraph  
24          (1) if the individual is employed by a foreign  
25          country that is listed in section 4872(d)(2) of

1 title 10, United States Code, or is otherwise au-  
2 thorized by such country to act for or on its be-  
3 half.

4 “(B) ENFORCEMENT.—The Director of the  
5 National Science Foundation shall ensure that  
6 individuals authorized as eligible users meet the  
7 requirements of subparagraph (A).

8 “(b) PRIVACY, ETHICS, CIVIL RIGHTS AND CIVIL  
9 LIBERTIES, SAFETY, AND TRUSTWORTHINESS.—

10 “(1) IN GENERAL.—

11 “(A) REQUIREMENTS.—The head of the  
12 Program Management Office, acting through  
13 the Director of the Operating Entity and in  
14 consultation with any relevant Advisory Com-  
15 mittee, shall establish requirements, a review  
16 process for applications, and a process for au-  
17 diting resources of the NAIRR and research  
18 conducted using resources of the NAIRR on  
19 matters related to privacy, ethics, civil rights  
20 and civil liberties, safety, security, and trust-  
21 worthiness of artificial intelligence systems de-  
22 veloped using resources of the NAIRR.

23 “(B) FEDERAL STATISTICAL DATA.—Any  
24 auditing process required under subparagraph  
25 (A) for Federal statistical data included in a re-

1 source of the NAIRR shall be completed by the  
2 head of a designated statistical agency (as de-  
3 fined in section 3576(e) of title 44, United  
4 States Code), in coordination with the Chief  
5 Statistician of the United States, consistent  
6 with relevant law.

7 “(2) CONSISTENCY.—The head of the Program  
8 Management Office shall ensure the requirements  
9 and processes described in paragraph (1) are con-  
10 sistent with the policies of the Office of Management  
11 and Budget policy and relevant policies of other Ex-  
12 ecutive agencies. The head of the Program Manage-  
13 ment Office shall coordinate with the Senior Agency  
14 Official for Privacy and the General Counsel of the  
15 National Science Foundation in ensuring compliance  
16 with applicable privacy law and policy and Federal  
17 laws and regulations.

18 “(3) AVAILABILITY.—The head of the Program  
19 Management Office, acting through the Director of  
20 the Operating Entity, shall—

21 “(A) when determining access to computa-  
22 tional resources of the NAIRR, take into con-  
23 sideration the extent to which the access relates  
24 to privacy, ethics, civil rights and civil liberties,  
25 safety, security, risk mitigation, and trust-

1           worthiness of artificial intelligence systems, or  
2           other topics that demonstrate that a project is  
3           in the public interest;

4           “(B) ensure that a significant percentage  
5           of the annual allotment of computational re-  
6           sources of the NAIRR is provided to projects  
7           the primary focus of which is related to any of  
8           the topics described in subparagraph (A); and

9           “(C) to the extent that demand for access  
10          to computational resources of the NAIRR ex-  
11          ceeds availability, consider, on a priority basis,  
12          projects focusing on any of the topics described  
13          in subparagraph (A) when ranking applications  
14          for such access.

15       “(c) SCIENTIFIC INTEGRITY.—

16           “(1) IN GENERAL.—The head of the Program  
17          Management Office, acting through the Director of  
18          the Operating Entity and in consultation with any  
19          relevant Advisory Committee, shall develop guidance  
20          for—

21           “(A) addressing concerns related to mat-  
22          ters of scientific integrity, including matters re-  
23          lated to the effects or impacts of research and  
24          potential research enabled by the NAIRR; and

1           “(B) mechanisms for an employee of the  
2           Operating Entity, an employee of the Program  
3           Management Office, a member of the NAIRR  
4           Steering Subcommittee or an Advisory Com-  
5           mittee, a researcher or student affiliated with a  
6           NAIRR user described in subsection (a)(1), an  
7           employee of a provider of a resource of the  
8           NAIRR, an employee of a NAIRR funding  
9           agency, or a member of the public to report vio-  
10          lations of the guidance developed under this  
11          paragraph, including by confidential and anony-  
12          mous means.

13          “(2) CONSISTENCY WITH GOVERNMENT POLI-  
14          CIES ON SCIENTIFIC INTEGRITY.—The guidance de-  
15          veloped under paragraph (1)(A) shall be published in  
16          a publicly accessible location on the website of the  
17          NAIRR. Such policies shall, to the degree prac-  
18          ticable, be consistent with—

19                 “(A) the Presidential memorandum enti-  
20                 tled ‘Restoring Trust in Government Through  
21                 Scientific Integrity and Evidence-Based Policy-  
22                 making’, dated January 27, 2021, or successor  
23                 document; and

24                 “(B) reports produced pursuant to such  
25                 Presidential memorandum (including the re-

1           ports entitled ‘Protecting the Integrity of Gov-  
2           ernment Science’, dated January 2022, and ‘A  
3           Framework for Federal Scientific Integrity Pol-  
4           icy and Practice’, dated January 2023, pub-  
5           lished by the National Science and Technology  
6           Council, or successor documents).

7           “(d) SYSTEM SECURITY AND USER ACCESS CON-  
8   TROLS.—The head of the Program Management Office,  
9   acting through the Director of the Operating Entity and  
10   in consultation with the NAIRR Steering Subcommittee,  
11   the Director of the Office of Management and Budget, the  
12   Director of the National Institute of Standards and Tech-  
13   nology, and the Director of the Cybersecurity and Infra-  
14   structure Security Agency—

15           “(1) shall establish minimum security require-  
16       ments for all persons interacting with the NAIRR,  
17       consistent with the most recent version of the Cyber-  
18       security Framework, or successor document, main-  
19       tained by the National Institute of Standards and  
20       Technology; and

21           “(2) may establish tiers of security require-  
22       ments and user access controls beyond the minimum  
23       requirements relative to security risks.

24           “(e) FEE SCHEDULE.—The head of the Program  
25   Management Office, acting through the Director of the



1 Operating Entity, may establish a fee schedule for access  
2 to the NAIRR. The Operating Entity may only charge fees  
3 in such fee schedule. Such fee schedule—

4 “(1) may differ by type of eligible user and type  
5 of affiliated entity described in subsection (a);

6 “(2) shall include a free tier of access based on  
7 appropriated funds and anticipated costs and de-  
8 mand;

9 “(3) may include cost-based charges for eligible  
10 users to purchase resources of the NAIRR beyond  
11 the resources included in a free or subsidized tier;  
12 and

13 “(4) shall ensure that the primary purpose of  
14 the NAIRR is to support research.

15 “(f) RESEARCH SECURITY.—The head of the Pro-  
16 gram Management Office, acting through the Director of  
17 the Operating Entity and in consultation with the NAIRR  
18 Steering Subcommittee and the Director of the Office of  
19 Science and Technology Policy, shall—

20 “(1) ensure conformance with the requirements  
21 of National Security Presidential Memorandum–33  
22 (relating to supported research and development na-  
23 tional policy), issued January 2021, and its imple-  
24 mentation guidance on research security and re-  
25 search integrity, or any successor policy document or

1 guidance, by establishing NAIRR operating prin-  
2 ciples that emphasize the research integrity prin-  
3 ciples of openness, reciprocity, and transparency;  
4 and

5 “(2) designate a member of the leadership team  
6 for the Operating Entity as a research security point  
7 of contact with responsibility for overseeing conform-  
8 ance with the National Security Presidential Memo-  
9 randum–33 and its implementation guidance, or any  
10 successor policy document or guidance.”.

11 (c) CONFORMING AMENDMENTS.—The table of con-  
12 tents in section 2(b) of the William M. (Mac) Thornberry  
13 National Defense Authorization Act for Fiscal Year 2021  
14 (Public Law 116–283; 134 Stat. 3388) is amended by in-  
15 serting after the items relating to title LV the following:

“TITLE LVI—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH  
RESOURCE

“Sec. 5601. Definitions.

“Sec. 5602. Establishment; governance.

“Sec. 5603. Resources of the NAIRR.

“Sec. 5604. NAIRR processes and procedures.”.