

118TH CONGRESS
2D SESSION

S. 4838

To direct the Secretary of Commerce to develop a national strategy regarding artificial intelligence consumer literacy and conduct a national artificial intelligence consumer literacy campaign.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2024

Mr. KELLY (for himself and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Secretary of Commerce to develop a national strategy regarding artificial intelligence consumer literacy and conduct a national artificial intelligence consumer literacy campaign.

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 “Consumer Literacy
5 and Empowerment to Advance Responsible Navigation of
6 Artificial Intelligence Act” or the “Consumers LEARN AI
7 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Artificial intelligence is being incorporated
4 into progressively more products and services that
5 affect the lives of individuals across the United
6 States every day.

7 (2) Artificial intelligence technology has the po-
8 tential to benefit consumers—

9 (A) in terms of increased efficiency;

10 (B) in areas such as automation, personal-
11 ized learning, entertainment, problem solving,
12 and more; and

13 (C) with respect to future advances yet to
14 be invented.

15 (3) Consumers require new skill sets and guid-
16 ance on best practices to make effective use of artifi-
17 cial intelligence products and services. A lack of fa-
18 miliarity with new technology can create barriers to
19 its adoption and trust. An understanding of the
20 strengths and limitations of artificial intelligence
21 technologies can enable consumers to make informed
22 decisions about when and where to employ artificial
23 intelligence products and services.

24 (4) Consumer education can supplement, al-
25 though not replace, the responsibility of developers
26 and deployers of artificial intelligence products and

1 services to ensure their safety and efficacy and to
2 provide product-specific consumer guidance about
3 recommended uses as well as inappropriate or un-
4 safe uses.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) **ARTIFICIAL INTELLIGENCE.**—The term “ar-
8 tificial intelligence” means an engineered system
9 that can, for a given set of human-defined objectives,
10 generate output such as content, predictions, rec-
11 ommendations, or decisions that influence people or
12 environments.

13 (2) **ARTIFICIAL INTELLIGENCE CONSUMER LIT-**
14 **ERACY.**—The term “artificial intelligence consumer
15 literacy” means an understanding of the capabilities
16 and limitations of different kinds of artificial intel-
17 ligence, and the ability to understand and use infor-
18 mation provided about products and services that
19 employ artificial intelligence, to support safe and re-
20 sponsible decisions about exposure to and the acqui-
21 sition and use of such products and services.

22 (3) **CAMPAIGN.**—The term “campaign” means
23 the artificial intelligence literacy national public
24 service campaign described in section 4(c)(2).

1 (4) CONSUMER.—The term “consumer” means
 2 any individual, including a small business owner,
 3 within the territorial jurisdiction of the United
 4 States who is offered, purchases, transacts, or con-
 5 tracts for the purchase or transaction of any goods,
 6 merchandise, or services that the individual does not
 7 intend to offer for resale in the ordinary course of
 8 the individual’s trade or business.

9 (5) SECRETARY.—The term “Secretary” means
 10 the Secretary of Commerce.

11 **SEC. 4. ARTIFICIAL INTELLIGENCE CONSUMER LITERACY**

12 **NATIONAL STRATEGY AND CAMPAIGN.**

13 (a) IN GENERAL.—The Secretary shall develop a na-
 14 tional strategy and public campaign materials and take
 15 such action as the Secretary deems necessary to create,
 16 improve, or augment the artificial intelligence consumer
 17 literacy programs and materials of the Federal Govern-
 18 ment, including curricula for all people of the United
 19 States.

20 (b) NATIONAL STRATEGY.—

21 (1) IN GENERAL.—The Secretary shall—

22 (A) not later than 6 months after the date
 23 of enactment of this Act, develop a multilingual
 24 national strategy to promote artificial intel-
 25 ligence consumer literacy among all consumers,

1 informed by the report described in subsection
2 (d)(1);

3 (B) consult with Federal agencies and
4 State, local, Tribal, and territorial governments,
5 and private, nonprofit, and public institutions
6 that the Secretary identifies as having relevant
7 expertise pursuant to paragraphs (2) and (3) of
8 subsection (e);

9 (C) consult the Administrator of the Small
10 Business Administration to develop strategy ele-
11 ments relevant to small business owners, and in
12 the creation and implementation of the national
13 strategy;

14 (D) consider the specific needs of different
15 demographics, regions, and economies that may
16 interact with artificial intelligence products and
17 services in different ways; and

18 (E) coordinate Federal efforts to imple-
19 ment the national strategy and campaign.

20 (2) STRATEGY.—The national strategy devel-
21 oped pursuant to paragraph (1) shall—

22 (A) support current and future consumers
23 of artificial intelligence services and products
24 with the information needed to decide whether
25 and when to employ such products and services;

1 (B) develop methods to enhance the gen-
2 eral understanding of the capabilities and limi-
3 tations of artificial intelligence products and
4 services offered to consumers;

5 (C) employ a national public service cam-
6 paign to develop and disseminate materials to
7 all communities in the United States; and

8 (D) consider additional strategies such as
9 prize competitions, newsletters, and other ways
10 to engage the public and enable messages to
11 reach consumers in local, community-specific
12 ways.

13 (3) AREAS OF EMPHASIS.—The national strat-
14 egy shall emphasize, among other elements, informa-
15 tion that ensures consumers have—

16 (A) a basic understanding of—

17 (i) artificial intelligence and its uses
18 in daily life;

19 (ii) the capabilities and limitations of
20 artificial intelligence consumer products
21 and services, including what questions to
22 ask of a provider of such products or serv-
23 ices to gain that understanding; and

24 (iii) artificial intelligence tasks (in-
25 cluding classification, prediction, product

1 recommendation, autonomous decision
2 making, voice dictation and machine trans-
3 lation, and the generation of content such
4 as text, image, video, or speech) and how
5 such tasks involve different capabilities,
6 benefits, and risks;

7 (B) an awareness of—

8 (i) best practices for the protection of
9 personal data and personal identifying in-
10 formation;

11 (ii) legal considerations in the con-
12 sumer use of artificial intelligence con-
13 sumer products and services; and

14 (iii) common attempts to employ con-
15 tent that is generated or modified by artifi-
16 cial intelligence tools to deceive or defraud
17 consumers; and

18 (C) other artificial intelligence consumer
19 literacy skills identified for emphasis by the
20 Secretary.

21 (4) USE CASES.—The Secretary shall, in con-
22 sultation with officials the Secretary identifies as
23 having relevant expertise pursuant to paragraphs (2)
24 and (3) of subsection (e), create specialized use
25 cases to address artificial intelligence consumer lit-

1 eracy for tasks such as those described in paragraph
2 (3)(A)(iii) as they manifest in domains such as per-
3 sonal finance, healthcare recommendations, commu-
4 nication, creative works, and business management
5 and operations across a range of contexts such as
6 mobile device applications, computer software, and
7 internet platforms.

8 (5) BRIEFING TO CONGRESS.—Not later than
9 30 days after completing the national strategy, the
10 Secretary shall provide a briefing to Congress on
11 such strategy.

12 (6) NATIONAL STRATEGY REVIEW.—The Sec-
13 retary shall, not less than annually, review the na-
14 tional strategy developed under this subsection and
15 make such changes and recommendations as the
16 Secretary deems necessary.

17 (c) DEVELOPMENT AND DISSEMINATION OF NA-
18 TIONAL PUBLIC SERVICE CAMPAIGN MATERIALS.—

19 (1) IN GENERAL.—Not later than 120 days
20 after the national strategy described in subsection
21 (b) is completed, the Secretary shall—

22 (A) develop materials to promote artificial
23 intelligence consumer literacy;

24 (B) disseminate such materials to the gen-
25 eral public; and

1 (C) create a website where such materials
2 will be published.

3 (2) NATIONAL PUBLIC SERVICE CAMPAIGN.—

4 (A) IN GENERAL.—The Secretary shall de-
5 velop, in consultation with nonprofit, public,
6 and private organizations, especially those with
7 access to local communities and that are well
8 qualified by virtue of their experience in the
9 safe and responsible use of artificial intel-
10 ligence, an artificial intelligence consumer lit-
11 eracy national public service campaign that is
12 consistent with the national strategy described
13 in subsection (b).

14 (B) AVAILABILITY OF CAMPAIGN MATE-
15 RIALS.—The Secretary—

16 (i) shall—

17 (I) make publicly available on the
18 website created pursuant to paragraph
19 (1)(C) any educational materials de-
20 veloped as part of the campaign;

21 (II) distribute core messaging
22 materials of the campaign to the pub-
23 lic using multiple channels of commu-
24 nication, including through the use of
25 television, radio, and internet plat-

1 forms and advertisements on such
2 platforms; and

3 (III) coordinate with the Admin-
4 istrator of the Small Business Admin-
5 istration on the distribution of cam-
6 paign materials relevant to small busi-
7 ness owners through resource partners
8 of the Small Business Administration,
9 including small business development
10 centers, women business centers,
11 SCORE, veteran business opportunity
12 centers, and Apex Accelerators; and

13 (ii) may select 1 or more private or
14 non-profit organizations that are well-
15 qualified in the distribution of public serv-
16 ice campaigns to aid in the dissemination
17 of campaign materials.

18 (C) PERIODIC UPDATES.—Not later than 1
19 year after the date the campaign is initiated,
20 and annually thereafter, the Secretary shall up-
21 date the campaign materials as needed to incor-
22 porate any significant changes due to new inno-
23 vations, products, or services available to con-
24 sumers or in light of new consumer harms that
25 are identified.

1 (D) PERFORMANCE MEASURES.—The Sec-
2 retary shall develop measures to evaluate the ef-
3 fectiveness of the campaign, such as the effec-
4 tiveness of the campaign at reaching con-
5 sumers, consumer engagement with materials,
6 and the level of consumer adoption of and satis-
7 faction with artificial intelligence products and
8 services.

9 (E) EVALUATION.—Not later than 90 days
10 after campaign materials are made available or
11 distributed under subparagraph (B) or updated
12 under subparagraph (C), the Secretary shall
13 employ a private or nonprofit organization to
14 conduct an evaluation on the effectiveness of
15 the campaign using the performance measures
16 developed pursuant to subparagraph (D).

17 (3) MULTILINGUAL MATERIALS.—The Sec-
18 retary shall ensure that the artificial intelligence
19 consumer literacy materials and the campaign devel-
20 oped and disseminated under this subsection are
21 available in English, Spanish, and other languages
22 deemed appropriate by the Secretary.

23 (d) REPORTS.—

24 (1) ARTIFICIAL INTELLIGENCE CONSUMER LIT-
25 ERACY SURVEY REPORT.—Not later than 90 days

1 after the date of enactment of this Act, the Govern-
2 ment Accountability Office shall issue a report
3 that—

4 (A) summarizes all Federal programs and
5 materials extant at the time of enactment of
6 this Act that seek to improve artificial intel-
7 ligence literacy for consumers; and

8 (B) assesses the effectiveness of such pro-
9 grams.

10 (2) STRATEGY FOR CONSUMER ARTIFICIAL IN-
11 TELLIGENCE LITERACY REPORT.—Not later than 15
12 months after the date of enactment of this Act, and
13 annually thereafter, the Secretary shall submit a re-
14 port, titled the “Strategy for Consumer Artificial In-
15 telligence Literacy” or “SCAIL Report”, to the
16 Committee on Commerce, Science, and Transpor-
17 tation of the Senate and the Committee on Energy
18 and Commerce of the House of Representatives on
19 the progress of the Secretary in carrying out this
20 Act. Such report shall include—

21 (A) the national strategy for artificial in-
22 telligence consumer literacy developed pursuant
23 to subsection (b);

24 (B) information concerning the implemen-
25 tation of the duties of the Secretary described

1 in this section, including a list of government
2 officials and other representatives consulted
3 pursuant to subsection (e);

4 (C) an assessment of the success of the
5 Secretary in implementing the national strategy
6 developed pursuant to subsection (b);

7 (D) an assessment of the state of artificial
8 intelligence consumer literacy in the United
9 States;

10 (E) a brief summary of the artificial intel-
11 ligence consumer literacy materials developed
12 pursuant to subsection (c);

13 (F) for years in which the campaign is ac-
14 tive, a description on the status of the cam-
15 paign and information regarding its dissemina-
16 tion, efficacy, and impact, including information
17 on any evaluation of the campaign conducted
18 pursuant to subsection (c)(2)(E);

19 (G) information about the activities of the
20 Secretary in implementing this Act planned for
21 the next fiscal year; and

22 (H) such other materials relating to the
23 duties of the Secretary under this Act that the
24 Secretary deems appropriate.

1 (e) CONSULTATION.—In carrying out this Act, the
2 Secretary shall actively consult with—

3 (1) government officials with relevant consumer
4 and artificial intelligence expertise, including—

5 (A) the Chair of the Consumer Product
6 Safety Commission;

7 (B) the Secretary of Education;

8 (C) the Director of the National Institute
9 of Standards and Technology;

10 (D) the Director of the National Science
11 Foundation; and

12 (E) the Administrator of the Small Busi-
13 ness Administration;

14 (2) any other official the Secretary identifies as
15 having relevant expertise, especially in the develop-
16 ment of domain-specific artificial intelligence use
17 cases, such as—

18 (A) the Secretary of Agriculture;

19 (B) the Director of the Consumer Finan-
20 cial Protection Bureau;

21 (C) the Attorney General;

22 (D) the Chair of the Federal Communica-
23 tions Commission;

24 (E) the Chair of the Federal Trade Com-
25 mission;

1 (F) the Secretary of Health and Human
2 Services; and

3 (G) the Administrator of the National
4 Highway Traffic Safety Administration; and

5 (3) industry and public organizations that the
6 Secretary identifies as having expertise, information,
7 or knowledge relevant to artificial intelligence con-
8 sumer literacy or dissemination of literacy materials
9 to the public, including representatives from—

10 (A) private, nonprofit, and public organiza-
11 tions; and

12 (B) State, local, Tribal, and territorial gov-
13 ernments.

14 (f) COORDINATION OF EFFORTS.—The Secretary
15 shall take such steps as are necessary to coordinate and
16 promote artificial intelligence consumer literacy efforts at
17 the State and local level, including promoting partnerships
18 among Federal, State, and local governments, nonprofit
19 organizations, and private enterprises.

20 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to the Sec-
22 retary for fiscal years 2025 through 2034 such sums as
23 may be necessary to carry out the activities described in
24 this Act.

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