

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8893
OFFERED BY MRS. MCCLAIN DELANEY OF
MARYLAND**

Page 8, line 8, strike “If task forces” and insert the following:

1 (A) IN GENERAL.—If task forces

Page 8, beginning line 22, insert the following:

2 (B) CONSIDERATIONS.—In developing the
3 guidance described in subparagraph (A), each
4 task force under paragraph (1) shall consider—
5 (i) the use and retention of personal
6 data to—
7 (I) prevent, detect, protect
8 against, investigate, or respond to
9 fraud, abuse, security incidents, harm-
10 ful or unlawful content, or cir-
11 cumvention of technical measures;
12 (II) comply with applicable law,
13 legal process, or law enforcement re-
14 quests; or

1 (III) provide a product, service,
2 storage option, or setting affirmatively
3 requested by the user at issue;

4 (ii) risk-based approaches to balance
5 user privacy with preserving the integrity,
6 security, auditability, or legal preservation
7 of a provenance record;

8 (iii) existing obligations by permitting
9 providers and operators described in such
10 subparagraph to leverage similar require-
11 ments featured in privacy, security, con-
12 sumer protection, or recordkeeping laws,
13 regulations, or voluntary consensus stand-
14 ards or frameworks in the development of
15 such guidance; and

16 (iv) prevention of—

17 (I) displaying personal data be-
18 yond what such provider or operator
19 or such user elects to include, except
20 as required by applicable law; or

21 (II) disclosing trade secrets, con-
22 fidential commercial information, or
23 information that would materially in-
24 crease security risks or facilitate cir-

1 convention of technical measures de-
2 veloped pursuant to this Act.

 Add at the end the following:

3 **SEC. 3. AGE VERIFICATION TECHNOLOGY RESEARCH TO**
4 **SUPPORT ARTIFICIAL INTELLIGENCE SERV-**
5 **ICES.**

6 Subsection (c) of section (2) of the National Institute
7 of Standards and Technology Act (15 U.S.C. 272) is
8 amended—

9 (1) by redesignating paragraphs (31) and (32)
10 as paragraphs (32) and (33), respectively; and

11 (2) by inserting after paragraph (30) the fol-
12 lowing new paragraph:

13 “(31) support measures, including voluntary,
14 consensus-based technical standards, best practices,
15 guidelines, frameworks, methodologies, procedures,
16 and processes, to develop privacy protective methods
17 that are commercially reasonable and technically fea-
18 sible to determine age verification and assurance for
19 online platforms and applications, including services
20 that use artificial intelligence (as such term is de-
21 fined in section 5002 of the National Artificial Intel-
22 ligence Initiative Act of 2020 (15 U.S.C. 9401);”.

