

Recent Federal Government Action on Artificial Intelligence and Next Generation Technologies

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Last week the Trump administration released a set of regulatory artificial intelligence (AI) principles to govern the development of AI in the private sector. As private industry and government stakeholders increase their efforts to advance AI, the new principles are viewed as a necessary governance framework for innovators and government officials to ensure that AI's challenging technical and ethical questions are not ignored.

As a derivative of the administration's national AI strategy—the American AI Initiative—the principles are designed to achieve three goals: ensure public engagement, limit regulatory overreach and promote trustworthy technology.

The principles urge federal agencies to:

- Provide opportunities for public comment in AI rulemaking and collect feedback from the American public, academia, industry leaders, nonprofits and civil society.
- Promote light-touch and scientific-based regulatory and policy approaches to facilitate AI innovation and growth. Agencies are urged to adopt flexible and cross-sector frameworks to meet the unique needs of all advanced technology sectors.
- Protect privacy and promote civil rights, civil liberties and American values in the regulatory approach to AI.
- Uphold the development of trustworthy AI, pursue action that considers fairness, transparency, safety and security, and determine the appropriate levers to ensure the integrity of all AI applications.

As noted above, the principles reinforce the federal government's interest in advancing emerging technology in a way that supports an innovation ecosystem and American values.

Last week the U.S. Department of Energy (DOE) announced up to \$625 million to be distributed over the next five years to establish several multidisciplinary quantum information science (QIS) research centers.

President Trump signed the National Quantum Initiative Act sponsored by former House Science, Space and Technology Chairman Lamar Smith in December 2018 to support the National Quantum Initiative, which established a coordinated program to

Contact Information

If you have any questions concerning this alert, please contact:

Lamar Smith

Senior Consultant

lamar.smith@akingump.com

Washington, D.C.

+1 202.887.4031

Ed Pagano

Partner

epagano@akingump.com

Washington, D.C.

+1 202.887.4255

Hans C. Rickhoff

Senior Counsel

herrickhoff@akingump.com

Washington, D.C.

+1 202.887.4145

Christopher A. Treanor

Counsel

ctreanor@akingump.com

Washington, D.C.

+1 202.887.4551

Christina Barone

Public Policy Specialist

cbarone@akingump.com

Washington, D.C.

+1 202.416.5543

accelerate the research and development of QIS and technology applications and leverages the combined strengths of academia, industry and DOE laboratories to drive QIS breakthroughs. The Quantum Initiative encompasses a multiagency effort at the National Institute of Standards and Technology, the DOE and the National Science Foundation. Moreover, the Act called for the creation of competitively awarded QIS research centers.

As stated above, the increased investment supporting the National Quantum Initiative reinforces DOE and congressional commitment to U.S. scientific and technological resources to a rapidly advancing field that will affect discovery science and emerging technological innovation for decades to come.

Aside from this recent executive action, a bipartisan group of senators on the Commerce, Science and Transportation Committee introduced the Industries of the Future Act of 2020. The legislation seeks to plan for American Industries of the Future by evolving U.S. global leadership in AI, advanced manufacturing, QIS, next generation wireless networks and infrastructure, and synthetic biology. Furthermore, this legislation will position the U.S. at the forefront of innovation, increase quality of life for the public, enhance research and development capabilities and outcomes, and boost economic growth.

The Industries of the Future Act requires:

- The Trump administration to develop a report on federal government research and development programs that focus on Industries of the Future.
- A plan to increase baseline industry investments in such industries by 2022 and in civilian spending on Industries of the Future to \$10 billion by fiscal year 2025. The bill would also require the administration to outline legislation to implement such spending plans.
- The establishment of a coordination council that would require existing entities to focus more on advancing Industries of the Future.

In addition to new legislation to develop next generation infrastructure, members of Congress have also expressed interest in readily addressing algorithmic bias in AI applications that may result in inaccurate, unfair or discriminatory decisions affecting the American public. The Akin Gump cross-practice AI team continues to actively monitor forthcoming congressional, administrative and private-stakeholder initiatives related to AI.

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