

Artificial Intelligence Legislative Updates

June 24, 2019

Last week, the Trump administration and Congress took additional steps to speed up the adoption of artificial intelligence (AI) initiatives, increase collaboration with private industry and examine potential applications of AI.

- The Trump administration released an updated research and development plan stemming from its February Executive Order (EO) 13859 entitled “Maintaining American Leadership in Artificial Intelligence.” As described in a previous alert, EO 13859 seeks to focus the resources of the federal government to develop AI in order to increase U.S. prosperity, enhance national and economic security, accelerate national leadership in AI and improve quality of life for the American people. The plan infuses an eighth element, which urges an expanded public private partnership to accelerate advances in AI. Most importantly, the public private partnership approach as a component of the coordinated strategy stems from the recognition that the federal government cannot direct the national effort on its own and must collaborate with private industry. The administration recognizes that critical and rapid technology breakthroughs to maintain a competitive advantage are generated by effective partnerships between the federal government, academia, industry and other non-federal entities.
- The Fiscal Year (FY) 2020 National Defense Authorization Act (NDAA)—which includes provisions to speed up the adoption of artificial intelligence to support the goal of enhancing national security, modernize our military forces and improve our weapon system—is being considered in Congress. Importantly, and **as mentioned in a prior alert**, Sens. Martin Heinrich (D-NM), Rob Portman (R-OH) and Brian Schatz (D-HI) introduced the bipartisan Artificial Intelligence Initiative Act (AI-IA) to organize a coordinated national strategy for developing AI. Sen. Martin Heinrich filed the AI-IA text as an amendment to the FY 2020 NDAA. The filing of this amendment in the coming fiscal year’s defense package signals a sense of urgency to speed up AI applications to take transportation, health care, manufacturing and national security to the next stage of opportunity.
- In the House of Representatives, several committees and individual members are focused on AI applications as well as their potential social impact. The House Homeland Security Subcommittee on Intelligence will hold a June 25 hearing on the possibilities and limitations of using AI in the context of counterterrorism. The next day, the House Science, Space & Technology Committee will hold a hearing

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entitled “Artificial Intelligence: Societal and Ethical Implications.” Relatedly, Science Committee member Rep. Don Beyer’s (D-VA) amendment to one of the “minibus” spending bills has been made in order and will receive consideration by the full House. That amendment would require the National Science Foundation to provide Congress with a report on its efforts to incorporate social impact assessments into AI research that it funds. Also on June 26, the House Financial Services Task Force on Artificial Intelligence will hold a hearing entitled “Perspectives on Artificial Intelligence: Where We Are and the Next Frontier in Financial Services.”

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