ARTIFICIAL INTELLIGENCE BRIEF

FEBRUARY 23, 2024

As emerging Artificial Intelligence (AI) tools and chatbots capture attention across the country, both the Biden administration and Congressional leadership are moving quickly to learn about both its capabilities and potential drawbacks. AI will likely impact every industry, revolutionizing processes, enhancing productivity, and unlocking new opportunities for innovation. We cover it all in BGR's Artificial Intelligence Brief.

RECENT ACTIONS

Biden-Harris Administration

White House Wades Into Debate On 'Open' Versus 'Closed' Artificial Intelligence Systems: The Biden administration is asking for public input in the debate over the openness of powerful artificial intelligence systems. The inquiry is part of a broader executive order aiming to regulate rapidly advancing technology. The order specifically addresses "dual-use foundation models with widely available weights," referring to AI models whose key components, or weights, are publicly accessible. Tech companies, including Meta Platforms and IBM, are divided on the issue, with some emphasizing the innovation benefits of openness and others highlighting security risks. The Commerce Department's National Telecommunications and Information Administration is now seeking public comments to inform a report to the president. The debate underscores the complexity of balancing innovation and safety in AI development, with companies like Google releasing open models while acknowledging the need for a nuanced approach to risks and benefits. Critics argue that even open models may not promote true accessibility, as resources remain concentrated in the hands of a few large companies. (ABC News)

NIST Signs Research Deal For Preventing AI Misuse In Biotech Sciences:
The National Institute of Standards and Technology (NIST) has signed a two-year research agreement with the Engineering Biology Research Consortium to develop screening tools preventing the misuse of artificial intelligence in synthetic biology. The collaboration, mandated by President Biden's AI executive order, aims to establish standards and safeguards for nucleic acid synthesis in light of AI advancements. NIST emphasized the need for safeguards in the rapidly growing field of synthetic biology and sees this agreement as the first step toward ensuring secure and responsible AI use in engineering biology. (Inside AI Policy)

Justice Dept. Names First Chief AI Officer Under Executive Order Mandate: The Justice Department has appointed Jonathan Mayer of Princeton University as its Chief Science and Technology Advisor and the first Chief Artificial Intelligence Officer, in accordance with President Biden's AI executive order. As Chief AIO, Mayer will oversee AI-related initiatives, lead the newly established Emerging Technology Board, and coordinate cross-agency efforts on AI and related issues within the Justice Department. With a background in technology, policy, and law, Mayer will also serve as the principal advisor to the Attorney General on complex technical matters, including cybersecurity and artificial intelligence. (Inside AI Policy)

Deputy Defense Secretary Hicks Stresses 'Speed and Safety' To Integrate AI Into Military Operations: Deputy Defense Secretary Kathleen Hicks underscored the importance of "speed and safety" as fundamental components of the Pentagon's strategy to integrate artificial intelligence into its operations, aiming to enhance military threat assessments and outmaneuver adversaries. Speaking to a gathering of tech and defense industry officials during a keynote address on February 21 at the Chief Digital and AI Office's (CDAO) three-day symposium on defense data and AI, Hicks emphasized the necessity for both responsibility and rapid implementation, rejecting the luxury of choosing between the two. She revealed that the Joint All-Domain Command and Control, initiated in 2019, was operational at "low latency" and ready to serve as a foundation for developing a unified network of AI-powered sensors. The Pentagon's AI development and testing efforts extended beyond the defense contracting community, influencing industry standards and requirements for data management and AI applications due to the military's substantial purchasing power. Hicks' speech at the CDAO symposium marked a milestone for the CJADC2 program, highlighting the Pentagon's influential role in shaping future AI technologies. She assured the industry audience that the minimum viable capability for CJADC2 was real, low latency, and extremely reliable. (Inside AI Policy)

FCC's Reconstituted Consumer Advisory Panel Will Delve Into AI Issues, Including Robocalls: The Federal Communications Commission (FCC) has relaunched its Consumer Advisory Committee with a specific mandate to investigate issues pertaining to artificial intelligence. The committee's membership comprises representatives from various sectors, including industry, public interest advocates, and other key stakeholders. In an announcement on February 20, the FCC stated that the Consumer Advisory Committee would concentrate on examining the implications of emerging AI technologies on consumer privacy and protection. This includes exploring how AI can be utilized to safeguard vulnerable consumer populations from unwanted and illegal calls, in addition to addressing other consumer protection issues. The committee's initial meeting is scheduled for April 4, with 28 members drawn from a diverse mix of non-profit organizations, communications companies, trade associations, and individuals. Claudia Ruiz of UnidosUS and John Breyault of the National Consumers League serve as co-chairs for the committee. (Inside AI Policy)

Congress & Legislative Issues

House Leaders Launch Bipartisan Artificial Intelligence Task Force: Speaker Mike Johnson (R-LA) and Minority Leader Hakeem Jeffries (D-NY) have announced the creation of a bipartisan task force on artificial intelligence, aiming to investigate congressional avenues for promoting U.S. leadership in AI innovation and examining safeguards against potential AI-related threats such as deepfakes, misinformation dissemination, and job displacement. Each leader has appointed 12 members to the task force, which will be co-chaired by Jay Obernolte, a Republican with a master's degree in AI and a background in video game development, and Ted Lieu, a Democratic leader who previously authored a bill regulating AI, including the use of AI chatbots like ChatGPT. In addition to Obernolte, the other Republicans are: Reps. Neal Dunn (FL), Kat Cammack (FL), Scott Franklin (FL), Laurel Lee (FL), Darrell Issa (CA), Michelle Steel (CA), French Hill (AR), Michael Cloud (TX), Ben Cline (VA), Eric Burlison (MO), and Rich McCormick (GA). In addition to Lieu, the other Democrats are: Reps. Anna Eshoo (CA), Ami Bera (CA), Sara Jacobs (CA), Yvette Clarke (NY), Alexandria Ocasio-Cortez (NY), Bill Foster (IL), Suzanne Bonamici (OR), Don Beyer (VA), Haley Stevens (MI), Valerie Foushee (NC), and Brittany Pettersen (CO). (NBC News)

SPOTLIGHT – **BGR Analysis of the Artificial Intelligence Task Force**
By Syd Terry

This week, House Speaker Mike Johnson (R-LA) and Democratic Leader Hakeem Jeffries (D-NY) announced the formation of a House Artificial Intelligence (AI) Task Force, chaired by Rep. Obernolte (R-CA) and Rep. Ted Lieu (D-CA). Read BGR Vice President Syd Terry's take on the new task force and what they may tackle through the remainder of this Congress here.

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"It would be easy to say the House is playing catch-up, given the deliberate process in the Senate overseen by Majority Leader Chuck Schumer (D-NY) and Republican Senator Todd Young (R-IN). However, House Committees have been hard at work on the issue... In addition to issuing a report, much of the task force's work will be to harmonize these efforts and negotiate a larger package that could serve as the basis for negotiations with the Senate, when their work product is complete.

Sen. Schatz Cites Election Risks To Propel Lingering Proposal For AI Labeling: Senator Brian Schatz (D-HI) expressed concerns about the escalating risks to elections and democratic institutions arising from AI-powered deceptions, aiming to prompt Senate consideration of his legislative proposal for labeling AI-generated content. His warnings followed his participation in the Munich Security Conference as part of a bipartisan Senate delegation, where the AI threat to global elections was a prominent topic. During the conference, 20 major tech firms committed to developing and implementing methods for detecting and mitigating AI election risks, and they pledged to inform the public about these efforts. The digital content covered by the accord included AI-generated audio, video, and images designed to deceptively manipulate the appearance, voice, or actions of political candidates and election officials. Senator Schatz is leveraging the companies' pledge and the broader AI threat to global elections to urge his colleagues to pass the AI Labeling Act, a legislative proposal he introduced last summer with Senator John Kennedy (R-LA). (Inside AI Policy)

States Clash Over What Responsible AI Looks Like: President Joe Biden's executive order on artificial intelligence initially spurred excitement among states aiming to harness the technology's untapped benefits. However, concerns are now arising about the perceived dark side of AI and its potential for abuse. Utah Attorney General Sean Reyes and 19 other Republican state attorneys general raised objections, contending that Biden's order seeks to centralize governmental control over a technology developed by the private sector. They expressed worry that the order could lead to political manipulation, such as censoring information under the pretext of combating disinformation. The attorneys general urged Commerce Secretary Gina Raimondo not to centralize control over U.S. AI development and cautioned against creating barriers in this crucial economic sector. They challenged Biden's authority to mandate testing and reporting requirements on AI companies and criticized the invocation of the Defense Production Act for non-military purposes. Simultaneously, states like Oklahoma are grappling with AI's potential impact, with a task force report suggesting AI's use could reduce the government workforce but also enhance efficiency in services. The attorneys general call for bipartisan collaboration to address AI's complexities and advocate for harnessing its power for the greater good across party lines. (Route Fifty)

Key California Lawmaker Unveils AI Anti-Discrimination Measure: California Assemblymember Rebecca Bauer-Kahan has introduced legislation, A.B. 2930, aimed at preventing discrimination by AI software, particularly in hiring and decision-making processes. The revised bill, following the failure of her previous legislation last year, removes language allowing state residents to sue for violations. The updated version has undergone negotiations with tech companies and has gained support, with companies like Workday providing input. Notably, the bill now limits the right to file a suit for discrimination to the state attorney general and public attorneys, eliminating private right of action. The legislation maintains a focus on AI tools making consequential decisions, requiring impact assessments, and distinguishing compliance responsibilities between developers and deployers of automated systems. With Bauer-Kahan leading the California Assembly's privacy committee, the bill's chances of passage are seen as enhanced, potentially setting a precedent for AI regulation in other states. (Bloomberg Government)

Governors Are 'Excited And Scared' About AI: AI has become a prominent topic in Washington, with governors and legislatures expected to play a key role in shaping AI policy. Officials have expressed a mix of excitement and concern about AI, acknowledging its potential to innovate while also being wary of unintended consequences. At Politico's Governors Summit, Governors like Brian Kemp (R-GA) and Kathy Hochul (D-NY) emphasized the economic benefits of AI but stressed the need for a thoughtful, federal-level approach to address potential risks, such as the use of AI in disinformation during elections. Concerns include the possibility of hindering developers with a "one size fits all" regulation. Tennessee Governor Bill Lee (R) specifically highlighted the threat of AI to the music industry, advocating for a state bill called the ELVIS Act to protect musicians from unauthorized use of their likeness or voices in AI. (Politico)

Wisconsin Lawmakers Approve AI Measures To Protect Elections And Children: The Wisconsin Assembly has passed legislation aimed at regulating the use of artificial intelligence in political campaigns and addressing concerns related to AI-generated content. The bill, sponsored by Republican Rep. Adam Neylon, requires political candidates and their supporters to disclose the use of AI in ads through disclaimers or face a $1,000 fine. Additionally, the Assembly approved a proposal criminalizing the distribution of AI-generated child pornography, making it a felony punishable by up to 25 years in prison. The legislation reflects a broader national trend, with 25 states introducing AI-related bills in the previous year, highlighting the growing need for comprehensive regulation as AI technology becomes more prevalent. The bills aim to provide transparency in AI use, address ethical concerns, and promote responsible deployment of the technology in various sectors, including politics and law enforcement. (Inside AI Policy)

Oklahoma Lawmakers Move Bills For Regulating AI: The Oklahoma House Technology Committee has advanced several AI-related bills, positioning them for final approval in the Republican-controlled chamber. One bill, proposed by committee Chairman Jeff Boatman, seeks to establish the Oklahoma Artificial Intelligence Bill of Rights, granting citizens the right to transparency and the ability to opt out of data utilization by AI models. Another bill, introduced by Rep. Daniel Pae, aims to compel healthcare insurance companies to disclose their use of AI algorithms and document AI applications to address potential biases in healthcare decisions. Additionally, the committee approved bills addressing the regulation of AI in elections, specifically banning the dissemination of deceptive deepfakes within 90 days of an election unless clear disclosure is provided. Another bill mandates an inventory of all state government systems using AI by the end of the year. All four bills received unanimous approval from the House Government Modernization and Technology Committee on February 20. (Inside AI Policy)

LOOKING FORWARD

Raimondo Says U.S. Needs More Chips Funding as AI Fuels Demand:
Commerce Secretary Gina Raimondo emphasized the need for continued investments in semiconductor manufacturing to restore the United States' global leadership in the industry and address the growing demand for artificial intelligence technologies during a virtual appearance at an Intel Corp. event Wednesday. Raimondo said the has U.S. fallen behind and needs sustained efforts, potentially through initiatives like "Chips Two," to regain a leading position. She highlighted the significant chip demand projected by AI applications and discussed conversations with OpenAI's CEO Sam Altman, who is working on a venture to enhance global AI chip manufacturing. The 2022 Chips Act allocated funds to revitalize domestic semiconductor production, which the Commerce Department is in the process of distributing. (Bloomberg Government)

ANALYSIS

The New York Times: China's Rush to Dominate A.I. Comes With a Twist: It Depends on U.S. Technology

This New York Times op-ed by Paul Mozur, John Liu and Cade Metz discusses the challenges faced by Chinese companies in the development of generative artificial intelligence models, highlighting a reliance on underlying systems from the United States. Despite rapid growth and deep-pocketed backers, Chinese firms like 01.AI, founded by Kai-Fu Lee, are reportedly using technology from the likes of Meta's generative AI model LLaMA. This dependence on U.S. technology has put China at least a year behind in generative AI developments, with concerns about national security, geopolitics, and innovation models arising. The author suggests that China's regulatory restrictions, censorship rules, and the pressure for quick returns on AI investments have hindered local innovation, leading to a competitive landscape where Chinese companies scramble to catch up with open-source AI models from the U.S. The author also notes the challenges posed by U.S. restrictions on AI chip sales to China and the difficulty in navigating evolving regulations. Despite some attempts by Chinese companies like Baidu to build foundational AI models from scratch, the overall situation raises questions about the trajectory of China's AI development and its impact on the global technological balance of power. The article concludes by highlighting that breakthroughs in generative AI could significantly influence productivity, industries, and future innovations, making it a crucial aspect of the technological competition between China and the United States.

GO DEEPER

- **ABC News:** OpenAI CEO warns that 'societal misalignments' could make artificial intelligence dangerous
- **Associated Press:** CEOs of OpenAI and Intel cite artificial intelligence's voracious appetite for processing power
- **CNN:** Ultra-realistic artificial intelligence video is here
- **NPR:** Schools are navigating the new world of artificial intelligence
- **Politico:** Artificial intelligence is making critical health care decisions. The sheriff is MIA.
- **Politico:** Feds tap artificial intelligence to boost recycling
- **Rice University:** Google's chief scientist discusses artificial intelligence history and future at Rice
- **Tech Xplore:** New system combines human, artificial intelligence to improve experimentation
- **Voice of America:** Artificial Intelligence Is Being Used to Help Save Lives