

Congressional Action on AI Takes Major Step Forward

Senate Majority Leader Chuck Schumer (D-NY) proposed a new framework to guide future artificial intelligence legislation and regulation, and other members of Congress are also considering legislation to address AI concerns.

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TAKEAWAYS

- ② Schumer is seeking feedback now from AI stakeholders on his proposal, including the four guardrails—Who, Where, How and Protect—which would require technology companies to review and test their AI programs before release and provide results to users.
- ② House Energy and Commerce Chair Cathy McMorris Rodgers (R-WA-5) and Senate Intelligence Committee Chairman Mark Warner (D-VA) are poised to play pivotal roles in developing new bipartisan and bicameral AI legislation.

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Congressional leaders are intensifying efforts to legislate and regulate artificial intelligence (AI) technology. On April 13, Senate Majority Leader Chuck Schumer (D-NY) publicly announced a framework on artificial intelligence (AI) regulation. The announcement came in response to the Chinese Communist Party's release of their own AI regulatory framework. Schumer revealed his framework as part of the United States' duty to "lead and shape the rules governing such a transformative technology" rather than allow China to "write the rules of the road."

Senate Majority Leader Schumer's AI Regulation Framework

The framework is focused on delivering security without compromising innovation. In Schumer's words: "Time is of the essence to get ahead of this powerful new technology to prevent potentially wide-ranging damage to society and national security and instead put it to positive use by advancing strong, bipartisan legislation."

The four guardrails are Who, Where, How and Protect. The first three guardrails work together to inform and protect users, while allowing the government to access information to develop future regulations. The proposal would require that technology companies review and test their AI programs before they are released and, further, that they give users access to the results of those tests. The final guardrail will reconcile the evolving AI systems with American values. Together these measures should increase transparency and address potential misuse or bias in AI systems.

Schumer requires bipartisan support to garner the 60 votes needed to overcome a filibuster challenge and pass his legislation in the Senate. Some Republican members of the Senate, including Senator Rubio (R-FL) and Senator Budd (R-NC), have expressed an interest in the framework.

Senator Mark Warner (D-VA), chair of the Senate Select Committee on Intelligence, is poised to play a leading role in developing bipartisan legislation to regulate AI. He recently wrote to AI developers directly urging them to prioritize safety measures earlier in their development processes—specifically to address bias and trustworthiness concerns. Warner is well positioned to work with AI stakeholders and his colleagues in Congress in developing bipartisan AI legislation.

House AI Legislation—Leadership from House Energy and Commerce Chair Cathy McMorris Rodgers

In the House of Representatives, Congresswoman Cathy McMorris Rodgers (R-WA-5) is leading efforts on data privacy reform and AI management. In 2022, she partnered with then-Chair of the Energy and Commerce Committee Frank Pallone (D-NJ-6) to lead the charge on the American Data Privacy and Protection Act (ADPPA), which would establish a national framework to protect consumer data privacy and security and bolster the privacy rights of individual rights.

McMorris Rodgers is expected to return her attention to the ADPPA. As one of her aides noted, "The most important thing we can do to begin providing certainty and safety to the development of AI is passing a federal data privacy and security law."

The Energy and Commerce Committee and its chair will have an important role to play in moving Schumer's plan forward in the House given their focus on artificial intelligence and privacy to date.

Opportunity for Stakeholder Engagement

As Schumer looks for feedback from AI stakeholders, this is an important time for AI stakeholders to share recommendations with leaders in Congress.

Pillsbury is closely monitoring AI-related legislative and regulatory efforts. Our AI team helps startups, global corporations and government agencies navigate the landscape impacted by emerging developments in AI. For insights on these rapidly evolving topics, please visit our [Artificial Intelligence practice page](#).

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