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Senate majority leader drafting a proposed regulatory framework for artificial intelligence

Written by: Tony Samp, Daniel Tobey, M.D., J.D., Bennett Borden, Steven R. Phillips

Major legislation to regulate artificial intelligence technology in the United States could be proposed in the near future, according to a published report.

Amid a flurry of public interest and concern around the rapid pace of artificial intelligence development, Senate Majority Leader Chuck Schumer (D-NY) has been seeking inputs and drafting a regulatory framework and guidelines for ensuring trustworthy AI.

A serious US Congressional initiative to regulate AI, while being extremely significant in its own right, could also potentially spur action across the Atlantic, with EU lawmakers working to finalize the AI Act, landmark legislation that has been in development for the past two years.

Indications are that Senator Schumer's legislation will emphasize transparency and explainability of AI systems. These include information on the training and intended audience for an algorithm, disclosure of data sources, an explanation for how AI models make certain determinations, and strong ethical guardrails.

Legislative prospects

In his capacity as majority leader, Senator Schumer certainly has the clout and influence to get a bill on the Senate floor. If recent experience is any guide, he can be expected to seek bipartisan support for the initiative, to overcome the 60-vote threshold necessary to move legislation in the Senate and to build support in the Republican-controlled House.

It is worth noting that Senator Schumer has established a track record of crafting bipartisan legislation in the technology sector. In the last Congress, he led the ultimate enactment of the CHIPS and Science Act. The bill, originally known as the Endless Frontier Act and subsequently the United States Innovation and Competition Act, was first introduced by the senator in 2020, but did not move in the 116th Congress; it was reintroduced in 2021 with bipartisan support and passed in 2022.
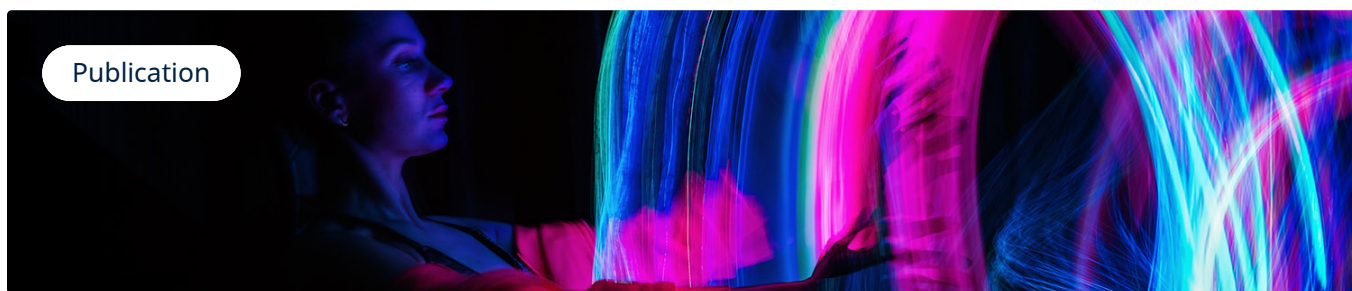
Competition with China, an overriding concern during debate on what became the CHIPS Act, is also a major consideration in the current push for an AI regulatory framework. In announcing the effort, Senator Schumer's press release states that the Chinese Communist Party's release of its own approach to regulating AI is a "wake-up call to the nation and urgent action is required for the US to stay ahead of China and shape and leverage this powerful technology."

Policymakers fear Chinese progress both in developing new AI systems and apps, as well as formulating new rules governing the use of the technology.

As Congress moves to create a comprehensive statutory regime, the Administration has been taking other steps to improve AI safety and reliability but lacks a mandatory regulatory framework. The Commerce Department's request for comment published today "focuses on self-regulatory, regulatory, and other measures and policies that are designed to provide reliable evidence to external stakeholders—that is, to provide assurance—that AI systems are legal, effective, ethical, safe, and otherwise trustworthy." Last month, the National Institute for Standards and Technology (NIST) put out an AI Risk Management Framework. In January, the White House Office of Science and Technology Policy (OSTP) published a blueprint for an AI Bill of Rights.

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