

# Harnessing AI: Recommendations for Policymakers



Artificial Intelligence (AI) is a suite of technologies capable of learning, reasoning, adapting, and performing tasks in ways inspired by the human mind. To capitalize on AI's transformational impact, ITI urges the U.S. Congress to support legislation that increases federal investment and fosters greater adoption of AI solutions across the federal government and commercial sectors. Lawmakers should focus on creating policy that supports innovation and investment in AI technologies to advance tomorrow's workforce. In doing so, lawmakers should focus first on leveraging voluntary international standards as a baseline for legislative approaches to AI governance. When considering legislation on AI, we encourage lawmakers to do the following:

Craft a precise and complete definition of AI and other supporting and derivative terms, such as "transparency," "high-risk," and "algorithm," among others.



Delineate how potential responsibilities stemming from legislation should be allocated within the AI stakeholder ecosystem. Examples of stakeholders include AI producers, providers, customers, developers, subjects, and partners.



Federal funding for AI research and development should encourage multi-stakeholder partnerships and lab-to-market initiatives, such as centers for excellence, innovation hubs, or research centers that underpin industry's crucial role in developing and deploying AI solutions.



For federal acquisition opportunities, the federal government should maximize its procurement and deployment of relevant AI solutions to help agencies deliver on their mission and optimize constituent services.



Examine existing legislation before proposing new regulation. If regulation is warranted, we encourage lawmakers to recognize that regulation should be flexible, design-neutral, context-specific, and risk-based – with measured regulatory attention dedicated to "high-risk" AI applications and uses.



Avoid mandating prescriptive algorithmic impact assessment and related requirements, recognizing the importance of taking a risk-based approach.



Encourage reliance on international standards and seek to align regulatory requirements with international approaches to AI regulation.



Support provisions within legislation that protect the foundation of AI systems, including source code, proprietary algorithms, and other intellectual property. Congress should avoid requirements that force companies to transfer or provide access to technology, source code, algorithms, or encryption keys as conditions for doing business with the federal government or as a general practice for business-to-business operations.



Policymakers should leverage and refer to recommendations outlined in ITI's *Policy Principles for Enabling Transparency of AI Systems* and *Global AI Policy Recommendations* to inform congressional staff on how thoughtful legislation and federal investments can accelerate the adoption of AI solutions in a transparent and ethical manner. Spurring innovation, federal funding and acquisition, and multi-stakeholder partnerships across various AI solutions will solidify the U.S. as the global leader in AI technology.