



## Priorities in AI

Profound breakthroughs over the past decade have transformed AI from an emerging technology into a commercial reality that is now powering our smartphones, our homes, and our businesses. The economic and national security imperatives of US leadership in the development of AI cannot be overstated. To maintain that leadership, the United States must cultivate a policy environment that encourages innovation while also fostering public trust that AI is developed and deployed responsibly. BSA advocates for a policy framework built around [five pillars of responsible AI](#).

### Instilling Trust and Confidence in AI

As AI is integrated into business and government processes that have consequential impacts on people—such as their ability to obtain access to credit, housing, or employment—it is imperative that the law keeps pace with the evolution of technology. The public must be able to trust that AI systems will be designed and deployed responsibly and have confidence that existing legal protections will apply regardless of whether a decision is made by a person or a machine. To instill trust and confidence in AI, the incoming Administration should:

- ✔ **Develop a National AI Risk Management Framework.** The incoming Administration should direct the National Institute for Standards and Technology (NIST) to convene a multistakeholder process to develop an AI risk management framework that would help establish a shared conceptual understanding for identifying and mitigating risks in AI systems, including the potential for unintended bias.
- ✔ **Eliminate Uncertainty.** AI is subject to a broad array of existing regulations and consumer protections. Ensuring these rules remain sufficiently clear and enforceable is important both for fostering public confidence in AI and for encouraging its adoption. To eliminate uncertainty as to how current

laws and regulations apply to AI, the incoming Administration should direct agencies to undertake a [comprehensive review](#) of existing authorities to ensure they remain fit for purpose, confirm that civil rights protections continue to apply to the high-risk uses of AI, and identify current laws and regulations that may be unnecessarily impeding AI adoption.

- ✔ **Pursue Risk-Based, Application-Specific Regulations.** Because the risks of AI are inherently use-case specific, new regulations, if needed, should focus on specific applications of the technology that pose high risks to the public. If new regulations are needed, they should account for the unique roles and capabilities of the range of actors that may be involved in an AI system's supply chain, with obligations assigned to the actor that is best positioned to both identify and efficiently mitigate the risk of harm that gave rise to the need for a regulation.
- ✔ **Prioritize International Coordination.** The US should assert leadership in the rules governing AI. Ensuring that the US approach to AI governance is interoperable with our trading partners will be critical priority in the years ahead. To minimize the risk of fragmentation, the Administration should engage bilaterally and multilaterally with like-minded countries to pursue a harmonized approach to AI governance.

## Enhancing Innovation

The United States has long enjoyed economic and security advantages from being home to the world's most innovative companies. However, governments around the globe are racing to put in place the right policies, incentives, and infrastructure to close the technological gap with the United States. To ensure that the United States retains its technological advantage, the incoming Administration should:

- ✔ **Bolster R&D Investments.** From the microprocessor to the internet, US investments in R&D have fueled the development of fundamental technologies that have helped launch entire new industries and established America as the hub for global innovation. However, US spending on R&D as a percentage of GDP has steadily declined since 1976. To maintain the United States' long-term leadership in AI, the incoming Administration should act on the recommendations from the [National Security Commission on AI](#) and commit to a doubling of current funding levels for non-defense AI R&D.
- ✔ **Maximize Open Data.** AI innovation depends on the quantity and quality of data that is available for training. The incoming Administration should pursue an [open data agenda](#) that is focused on enhancing access to high-value government data, making it easier for organizations to voluntarily share their own data, and promote the development and use of privacy-enhancing technologies.
- ✔ **Grow the High-Tech Workforce.** Global competition to train and recruit the next generation of tech talent is fierce. There are worrying signs that the United States is falling behind. In 2020 alone, more than one million computer programming jobs in the United States will go unfilled. Solving the high-tech workforce shortage will require an ["all of the above" strategy](#) that includes investments in K-12 STEM education, an expansion of "non-traditional" graduate programs, and an expansion of the opportunities available for high-skilled immigration.
- ✔ **Establish a National AI Research Cloud.** The incoming Administration should quickly convene the National Artificial Intelligence Resource Task Force to begin developing a roadmap for a National AI Research Cloud that would enable the academic research community to harness computational power and shared data resources that are readily available to industry and government.



### ABOUT BSA

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With headquarters in Washington, DC, and operations in more than 30 countries, BSA pioneers compliance programs that promote legal software use and advocates for public policies that foster technology innovation and drive growth in the digital economy.