

115TH CONGRESS
2D SESSION

H. R. 5356

To establish the National Security Commission on Artificial Intelligence.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2018

Ms. STEFANIK introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Education and the Workforce, Foreign Affairs, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the National Security Commission on Artificial Intelligence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Security
5 Commission Artificial Intelligence Act of 2018”.

6 **SEC. 2. NATIONAL SECURITY COMMISSION ON ARTIFICIAL**
7 **INTELLIGENCE.**

8 (a) ESTABLISHMENT.—There is established in the ex-
9 ecutive branch an independent commission to be known

1 as the National Security Commission on Artificial Intel-
2 ligence (in this subtitle referred to as the “Commission”).
3 The Commission shall be considered an independent estab-
4 lishment of the Federal Government as defined by section
5 104 of title 5, United States Code, and a temporary orga-
6 nization under section 3161 of such title.

7 (b) RESPONSIBILITIES.—

8 (1) IN GENERAL.—The Commission shall carry
9 out a review of the advances in artificial intelligence,
10 related machine learning developments, and associ-
11 ated technologies. In carrying out such review, the
12 Commission shall consider the methods and means
13 necessary to advance the development of artificial in-
14 telligence, machine learning, and associated tech-
15 nologies by the United States to comprehensively ad-
16 dress the national security needs of the Nation, in-
17 cluding economic risk, and any other needs of the
18 Department of Defense or the common defense of
19 the Nation.

20 (2) SCOPE OF THE REVIEW.—In conducting the
21 review under paragraph (1)(A), the Commission
22 shall consider—

23 (A) the competitiveness of the United
24 States in artificial intelligence, machine learn-
25 ing, and other associated technologies, including

1 matters related to national security, economic
2 security, public-private partnerships, and invest-
3 ments;

4 (B) means and methods for the United
5 States to maintain a technological advantage in
6 artificial intelligence, machine learning, and
7 other associated technologies, including quan-
8 tum computing and high performance com-
9 puting;

10 (C) developments and trends in inter-
11 national cooperation and competitiveness, in-
12 cluding foreign investments in artificial intel-
13 ligence, machine learning, and computer science
14 fields;

15 (D) means by which to foster greater em-
16 phasis and investments in basic and advanced
17 research to stimulate private, public, academic
18 and combined initiatives in artificial intel-
19 ligence, machine learning, and other associated
20 technologies, including quantum computing and
21 high performance computing;

22 (E) workforce and education incentives to
23 attract and recruit leading talent in artificial
24 intelligence and machine learning, including

1 science, technology, engineering, and math pro-
2 grams;

3 (F) risks associated with United States
4 and foreign country advances in military em-
5 ployment of artificial intelligence and machine
6 learning, including under the international law
7 of armed conflict, international humanitarian
8 law, and escalation dynamics;

9 (G) associated ethical considerations re-
10 lated to artificial intelligence and machine
11 learning as it will be used for future applica-
12 tions;

13 (H) means to establish data standards and
14 provide incentives for the sharing of open train-
15 ing data within related data-driven industries;

16 (I) development of privacy- and security-
17 protecting measures for data in artificial intel-
18 ligence, machine learning, and associated tech-
19 nologies; and

20 (J) any other matters the Commission
21 deems relevant to the common defense of the
22 Nation.

23 (c) MEMBERSHIP.—

1 (1) NUMBER AND APPOINTMENT.—The Com-
2 mission shall be composed of 11 members appointed
3 as follows:

4 (A) The Secretary of Defense shall appoint
5 3 members.

6 (B) The Chairman of the Committee on
7 Armed Services of the Senate shall appoint 2
8 members.

9 (C) The ranking minority member of the
10 Committee on Armed Services of the Senate
11 shall appoint 2 members.

12 (D) The Chairman of the Committee on
13 Armed Services of the House of Representatives
14 shall appoint 2 members.

15 (E) The ranking minority member of the
16 Committee on Armed Services of the House of
17 Representatives shall appoint 2 members.

18 (2) DEADLINE FOR APPOINTMENT.—Members
19 shall be appointed to the Commission under para-
20 graph (1) not later than 90 days after the date of
21 the enactment of this Act.

22 (3) EFFECT OF LACK OF APPOINTMENT BY AP-
23 POINTMENT DATE.—If one or more appointments
24 under paragraph (1) is not made by the date speci-
25 fied in paragraph (2), the authority to make such

1 appointment or appointments shall expire, and the
2 number of members of the Commission shall be re-
3 duced by the number equal to the number of ap-
4 pointments so not made.

5 (d) CHAIR AND VICE CHAIR.—The Commission shall
6 elect a Chair and Vice Chair from among its members.

7 (e) TERMS.—Members shall be appointed for the life
8 of the Commission. A vacancy in the Commission shall not
9 affect its powers and shall be filled in the same manner
10 as the original appointment was made.

11 (f) STATUS AS FEDERAL EMPLOYEES.—Notwith-
12 standing the requirements of section 2105 of title 5,
13 United States Code, including the required supervision
14 under subsection (a)(3) of such section, the members of
15 the Commission shall be deemed to be Federal employees.

16 (g) FUNDING.—Of the amounts authorized to be ap-
17 propriated for fiscal year 2019 for the Department of De-
18 fense, not more than \$10,000,000 shall be made available
19 to the Commission to carry out its duties under this sec-
20 tion. Funds made available to the Commission under the
21 preceding sentence shall remain available until expended.

22 (h) REPORTS.—

23 (1) INITIAL REPORT.—Not later than 180 days
24 after the date of the enactment of this Act, the
25 Commission shall submit to the President and Con-

1 gress an initial report on the findings of the Com-
2 mission and such recommendations that the Com-
3 mission may have for action by the executive branch
4 and the Congress related to artificial intelligence and
5 machine learning and associated technologies, in-
6 cluding recommendations to more effectively orga-
7 nize the Federal Government.

8 (2) COMPREHENSIVE REPORT.—Not later than
9 one year after the date of this enactment of this Act,
10 and annually thereafter until the date specified in
11 subsection (j), the Commission shall submit to the
12 President and to Congress a comprehensive report
13 on the review required under subsection (b).

14 (i) DEFINITION OF ARTIFICIAL INTELLIGENCE.—In
15 this section, the term “artificial intelligence” includes each
16 of the following:

17 (1) Any artificial system that performs tasks
18 under varying and unpredictable circumstances with-
19 out significant human oversight, or that can learn
20 from experience and improve performance when ex-
21 posed to data sets.

22 (2) An artificial system developed in computer
23 software, physical hardware, or other context that
24 solves tasks requiring human-like perception, cog-

1 nition, planning, learning, communication, or phys-
2 ical action.

3 (3) An artificial system designed to think or act
4 like a human, including cognitive architectures and
5 neural networks.

6 (4) A set of techniques, including machine
7 learning, that is designed to approximate a cognitive
8 task.

9 (5) An artificial system designed to act ration-
10 ally, including an intelligent software agent or em-
11 bodied robot that achieves goals using perception,
12 planning, reasoning, learning, communicating, deci-
13 sionmaking, and acting.

14 (j) TERMINATION.—The Commission shall terminate
15 on October 1, 2020.

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