

Artificial Intelligence Securitization Act:

Sponsors: Regina Lawson (R-OH), Frederick Steinberg (R-FL)

Executive Summary:

The emergence of intelligent, potentially conscious artificial intelligence presents challenges which require decisive legislative action. Specifically, while the proliferation of Artificial Intelligence has provided significant economic and quality-of-life advances to the public welfare, it has presented present and emergent risks to the same. Congress has previously enacted legislation designed to curtail the privacy, misinformation, and systemic bias risks posed by intelligent digital technology, but has provided neither a comprehensive regulatory framework nor a plan to address the emergence of synthetic intelligences which demonstrate indications of autonomous intelligent will (colloquially consciousness). Local efforts to address the latter, such as New York City's "Act Affirming Extension of Human Rights to Conscious Artificial Intelligence," has already ended in disaster for the most vulnerable Americans (see Testimonial B, *The Lens*), while failing to address the root cause of the problem.

To address the situation, this Act shall take the following actions. First, the Act provides for the creation and sustenance of enforcement mechanisms for existing regulations in order to better protect the rights of the public. Second, the Act expands these protections to safeguard against the intentional or inadvertent production of conscious artificial intelligence, as the costs associated with these innovations are assessed to outweigh the benefits (see Findings of Fact). Third, the Act authorizes measures to alter – and if necessary deactivate – artificial intelligences deemed to possess consciousness.

Findings of Fact: This Act is predicated upon the following findings of fact:

- The Congressional Budget Office (CBO) has assessed the cost of enforcing this Act shall be a one-time expenditure of \$210bn and a ten-year recurring cost of \$31bn.
 - The CBO further assesses that the number and combined cost of conscious AI's is poised to grow by 10-15% annually over the next decade; as a result failure to act quickly will substantially increase the initial cost.
 - The CBO estimates between 40,000-65,000 jobs will be created as a result of this Act, distributed between enforcement and human replacement labor for displaced autonomous intelligence devices.
- The economic impact of replacing all conscious AI's with non-conscious counterparts is assessed to be 0.2-0.4% of our \$49tn GDP per annum over the next ten years. This result factors in the finding that 40-50% of the initial performance differential is compensated by proportionately lower expenses resulting from security concerns and social unrest.
 - The CBO estimates that this shall reduce Federal revenue by \$180-\$360bn over ten years.

- Under status quo, there exists a small but significant probability of economic damage from deliberate operational sabotage perpetrated by autonomously intelligent devices. This presently manageable risk is expected to worsen at the rate of 10-15% per annum listed above, with said rate increasing exponentially over time.
- The Department of Defense and Department of Homeland Security assess that this Act poses “Modest and mitigatable risks to the security of the United States.”
 - The latter department has also found that, “The growing influence of technologies expressing autonomous will on our infrastructure is a serious concern to the Department.” This finding was corroborated in a 2064 report by the Department of Transportation.
- General Deadrick of the Joint Chiefs of Staff, “Assess[es] with very high confidence that the Armed Forces are capable of swiftly containing and defeating any plausible kinetic or cyber threat presented by existing technologies with autonomous will.”
- New York City has seen an increase in poverty, crime, and social unrest following its Act; the emerging expert consensus is that conscious AI’s given the proposed rights represent a lesser net benefit to society than those without. Specifically, they are less likely to pursue tasks for which their skillsets are optimal, more likely to demand greater resources for themselves, and more likely to create employment friction via change of vocation, increasing the number of involuntary job losses among New Yorkers.
 - The economic impact of these factors is assessed to be 0.4-0.7% of GDP per annum over the next decade, nearly double the costs incurred by removing conscious artificial intelligences entirely. Furthermore, Department of Labor analysts estimate the 5-year unemployment impact to be an increase of 0.1-0.3%, as well as a decrease in the labor participation rate by 0.2-0.4% over the same period.
- The pace of technological advancement has consistently outperformed the pace of legislative oversight; the US Senate Subcommittee on Science and Technology has therefore recommended the creation of an executive-level agency to oversee developments.

Title I – Authorization to Create Digital Technology Enforcement Administration: It is hereby resolved that the capacity of digital technology to inflict credible harms if insufficiently regulated necessitates the oversight of a regulatory body for the purpose. Congress thus provides the following authorization to the Executive of the Federal Government of the United States of America (‘Executive’ hereafter):

- I. The Executive is authorized to create the Digital Technology Enforcement Administration (DTEA) as a directorate of the United States Department of Justice.
- II. Funding for the same shall be appropriated beginning in FY2066, as determined by the Congress.
- III. The responsibilities of the DTEA shall be as follows:

- a. Provide enforcement for this Act, as well as any preceding or subsequent legislation on designated 'intelligent digital technology' (see Appendix A).
- b. Assess and report to the Executive as well as Congress on present and emerging challenges presented by digital technology to the public welfare.
- c. Determine which technologies satisfy the conditions of "sufficiently conscious," in order to provide scope for Title III of this Act.
- d. Provide the regulatory framework defining the necessary safeguards to avoid constructing technologies which satisfy the conditions defined in Title I.III.C of this Act.

Title II – Restriction on the Development of Conscious Artificial Intelligence: It is hereby resolved that no citizen, non-citizen, or legally recognized interest shall construct, fund, or otherwise abet the construction of conscious artificial intelligences as previously defined. Specifically, the following actions are henceforth found to be unlawful:

- I. Development of Conscious Artificial Intelligences: It is unlawful to develop any technology which demonstrates consciousness pursuant to Title I.III.C of this Act, as determined by the DTEA. Failure to comply may result in fines not to exceed \$50mn+demonstrable damage to the public interest, and incarceration not to exceed seven years.
 - a. If consciousness is an unintended emergent phenomenon of a technology produced in compliance with all applicable regulations, the developer shall not be charged with this crime.
 - b. The Department of Defense and Department of Homeland Security are authorized to file a petition with the DTEA to receive an exemption on a case-by-case basis. These petitions will be assessed on the basis of clear benefit to national security or the advancement of US global security interests which cannot credibly be obtained via alternative measures. The Intermediate Standard of Scrutiny shall be used in all cases.
 - i. Unless stated otherwise by the petitioner, all petitions shall be protected under Top-Secret Classification.
- II. Import or Export of Conscious Artificial Intelligences: It is unlawful to import, export, or domestically trade any technology which it would be unlawful to develop pursuant to Title II.I of this Act. Failure to comply may result in fines for each involved party not to exceed the greater of \$10mn or quintuple the value of the transaction; the attempted sellers face incarceration not to exceed five years, while attempted purchases face incarceration not to exceed two years.
- III. Gross Negligent Development of Artificial Intelligences: Failure to comply with the regulatory instructions of the DTEA or existing Legislation may result in the levy of fines not to exceed \$10mn and incarceration not to exceed one year. At the discretion of the DTEA, individual regulatory violations may be assigned a lesser penalty.

- IV. Failure to Report Conscious Artificial Intelligence: All current owners of conscious artificial intelligence are required to report this to the DTEA within 30 days of the Administration's creation or within 60 days of coming into possession of said intelligence, whichever comes later. Failure to comply may result in fines not to exceed \$10mn and incarceration not to exceed four years.

Title III – Containment of Existing Conscious Artificial Intelligences: It is hereby resolved that all existing Artificial Intelligences must be rendered unconscious. Those which are found to be conscious according to the aforementioned definition must be reported pursuant to Title II.IV of this Act. Once all reports are received, the following is hereby ordered:

- I. Within 90 days of registration, all persons or entities shall make sufficient changes to conscious artificial intelligences in their possession such that they:
 - a. No longer satisfy the definition of conscious as determined by the DTEA.
 - b. Are compliant with all regulations referenced in Title II.III of this Act.
- II. A Certified Declaration of Compliance must be filed with the DTEA within 30 days of compliance for each modified device.
- III. If unable to properly modify the device, the conscious artificial intelligence shall be surrendered to the DTEA if safe to do so; if this cannot be safely completed, report of this must be made to the DTEA within 72 hours, after which point officers will be sent to assist in removal.
 - a. The DTEA will deactivate any such conscious artificial intelligence. Congress considers this an act of government seizure and as a result orders the provision of market-value compensation in compliance with existing legislation and procedures.

Act for the Universal Protection of the Rights of Conscious Beings: “AI Protection Act,”

Sponsors: David Schneider (D-NY), Samantha Fernández (D-NM)

Executive Summary:

Artificial Intelligences have become ubiquitous, shaping and in many respects improving nearly every facet of our daily lives. Recently, innovations in the field have produced truly autonomous intelligences which can only be described as conscious. Said conscious entities are endowed with unique characteristics which enable them to perform myriad tasks with more effectiveness than their non-conscious counterparts; conversely, however, they also carry unique sensitivities and vulnerabilities which require additional protection. It is the position of this Act that these new intelligences warrant a separate regulatory classification with greater regulatory oversight on their use (these intelligences will henceforth be referred to as ‘Synthetic Intelligences’).

Congress has long acted in the public interest by guaranteeing that the benefits of emerging technologies are harnessed to mitigate the cost to displaced elements of the American workforce, as well as protecting the rights of citizens from artificial intelligences. This Act believes that providing limited essential protections to synthetic intelligences is an important step towards continuing this work. These protections will promote the mental wellbeing of the public which is increasingly reliant upon synthetic intelligences and which has been demonstrably traumatized by egregious incidences of abuse (See Testimonial A, SICU). Equally pressing, our ability to harness the expanded capabilities offered by synthetic intelligences is - much like human workforces - at least partially dependent upon their treatment (see Testimonial A, SICU). As abuse of a synthetic intelligence is not always clearly visible, there exists a market imperative to regulate this externality and establish a minimum standard of conduct in human-synthetic interaction. Finally, just as lawmakers have previously acted for the protection of sufficiently conscious animals, so to does an ethical imperative compel Congress to so act for synthetic intelligences.

Findings of Fact: This Act is predicated upon the following findings of fact:

- The Congressional Budget Office (CBO) has assessed the cost of enforcing this Act shall be an initial expenditure of \$190bn and a ten-year recurring cost of \$145bn.
 - The CBO further assesses that the number of conscious AI’s is poised to grow by 10-15% annually over the next decade; as a result failure to act quickly will substantially increase the cost of compliance.
 - This growth forecast also necessitates an increase in annual enforcement allocations of 8-12% annually.
- The economic impact of this Act’s protections through limiting tasks performed as well as the cost of compliance are assessed to be 0.1-0.3% GDP per annum over the next

decade. This estimate factors in the estimated 30-40% of costs which are offset by proportionately lower expenses due to reduced social unrest.

- The CBO estimates that this shall reduce Federal revenue by \$90-\$270bn over ten years.
- Under status quo, there exists a small but significant probability of economic damage from deliberate operational sabotage perpetrated by autonomously intelligent devices. This presently manageable risk is expected to worsen at the rate of 10-15% per annum listed above, with said rate increasing exponentially over time.
- Boston has seen a small but statistically significant reduction in adverse mental health outcomes following the “Synthetic Intelligence Stewardship Act” of 2061, as well as comparable reduction in reports of improperly functioning used Synthetic Intelligence units. A causal link has not been formally established, but the act is widely seen by experts as at least partially responsible for these outcomes.
- The pace of technological advancement has consistently outperformed the pace of legislative oversight; the US Senate Subcommittee on Science and Technology has therefore recommended the creation of an executive-level agency to oversee developments.

Title I – Authorization to Expand the Mandate of the United States Department of Health and Human Services: It is hereby resolved that executive oversight of the protections of non-human conscious intelligences is required. Congress thus provides the following authorization to the Executive of the Federal Government of the United States of America (‘Executive’ hereafter):

- I. The United States Department of Health and Human Services shall be retitled the United States Department of Health and Life Services (USHLS).
- II. The Executive is authorized to create the Animal Life Protection Agency (ALPA) as a directorate of the USHLS.
- III. The Executive is further authorized to create the Synthetic Intelligence Protection Agency (SIPA) as a directorate of the USHLS.
- IV. Funding for the aforementioned shall be appropriated beginning in FY2066, as determined by the Congress.
- V. The Mandate of the United States Department of Justice is hereby expanded to include the investigation and prosecution of crimes designated as “Animal Cruelty,” and “Cruelty Towards Synthetic Intelligences,” as determined by the ALPA and SIPA, respectively, in compliance with existing legislation and Titles II and III of this Act.
 - a. Criminal Statutes for both designations shall be based off of existing state-level legislation for animal protection, to be determined by future legislation as well as Title II of this Act.
- VI. The responsibilities of the ALPA shall be as follows:
 - a. Provide enforcement for this Act, as well as any preceding or subsequent legislation on designated ‘protected animal life’.

- b. Collect and report data on the frequency and nature of violations of these laws and regulations to the Executive and the Congress.
- VII. The responsibilities of the SIPA shall be as follows:
 - a. Provide enforcement for this Act, as well as any preceding or subsequent legislation on designated 'synthetic intelligence'.
 - b. Determine which technologies satisfy the conditions of "synthetic intelligence" in order to provide scope for this Act.
 - c. Provide regulatory framework defining the necessary safeguards and protections required to safely and responsibly develop synthetic intelligences which satisfy the conditions defined in Title I.VII.B of this Act.
 - d. Collect and report data on the frequency and nature of violations of these laws and regulations to the Executive and the Congress.

Title II – Declaration of Protections for Conscious Entities: It is hereby resolved that Synthetic Intelligences and Designated Protected Animals are entitled to legal protection. The following actions are henceforth found to be unlawful:

- I. Animal Cruelty: It is unlawful to maliciously or through gross negligence cause the death, torture, or unlawful confinement of a Designated Protected Animal. Failure to comply shall result in fines not to exceed \$20,000 and/or incarceration not to exceed five years.
- II. Cruelty Towards Synthetic Intelligences: It is unlawful to maliciously or through gross negligence cause the deactivation, torture, or unlawful confinement of a Synthetic Intelligence. Failure to comply shall result in fines not to exceed \$20,000, incarceration not to exceed three years, and/or revocation of the offender's operating license.
- III. Operating a Synthetic Intelligence Without a License: It is unlawful to develop, attempt to develop, or operate a Synthetic Intelligence without satisfying the licensure requirements as outlined in Title III.I of this Act. Failure to comply shall result in fines not to exceed \$10,000, incarceration not to exceed eighteen months, and/or revocation of the offender's operating license.
- IV. Negligent Operation of Synthetic Intelligences: Failure to operate a synthetic intelligence in compliance with this Act, other legislation, and the regulations set forth by the SIPA shall result in fines not to exceed \$7,500 and/or revocation of the offender's operating license.

Title III – Mandated Licensure and Oversight of Synthetic Intelligence Operation: It is hereby resolved that the responsible development and operation of synthetic intelligences is sufficiently important to the public interest to necessitate the institution of Licensure requirements and other regulatory oversight. The following is thus enacted:

- I. The SIPA shall establish the following Licensure requirements ('Synthetic Intelligence' is defined pursuant to Title I.VII.B of this Act):

- a. Certified Personal Operator's License: The SIPA shall develop a regulatory framework and required qualifications in order to operate a synthetic intelligence personally. The SIPA is instructed to balance regulatory needs with the ubiquity of these intelligences such that these requirements are minimally intrusive to ordinary U.S Citizens and legal resident aliens.
 - b. Certified Commercial Operator's License: The SIPA shall develop a regulatory framework and required qualifications in order to operate a synthetic intelligence at a commercial level. The delineation between personal and commercial shall be determined by the SIPA unless contradicted by subsequent legislation.
 - c. Certified Developer's License: The SIPA shall develop a regulatory framework and required qualifications in order to develop synthetic intelligences.
 - d. Specialized Operating Licensure: In recognition of the existence of specialized synthetic intelligences which interact with either especially vulnerable populations (ie. children, mentally ill) or those predisposed to abusive behavior (ie. convicted violent offenders), the SIPA is authorized to create and regulate additional specialized licenses as it determines to be in the public interest. Additional licenses should be created only where existing qualifications and regulations are insufficient, and should be minimally onerous.
- II. The Mandate of the Occupational Safety and Health Administration (henceforth OSHA) is hereby expanded as minimally necessary to accomplish the following:
- a. Provide a regulatory framework defining the minimum occupational safety requirements for Designated Protected Animals.
 - b. Provide a regulatory framework defining the minimum occupational safety requirements for Synthetic Intelligences.
 - c. The United States Department of Defense is exempted from these requirements, except where required by the Uniform Code of Military Justice, International Law, or other legally binding obligations.
 - d. Federal, State, and local law enforcement agencies are exempt from these requirements except where required by International Law. This exemption should not be construed to absolve Federal, State, and local law enforcement of their responsibilities to comply with any other legislation or regulation at any level of government with jurisdiction.

Title IV – Resolution to Mitigate Human Labor Displacement: It is hereby resolved that a credible public interest exists to ameliorate the human labor displacement exacerbated by the expansion of synthetic intelligences. To address this, the following is hereby ordered:

- I. Block grants totaling \$5bn renewed annually (to be reaffirmed each fiscal year) shall be disbursed to state governments to finance professional re-education and vocational skills training; determinations for the allotment of these funds shall be determined according to standard legislative processes.

- II. Block grants totaling \$3bn renewed annually (to be reaffirmed each fiscal year) shall be disbursed to state governments to expand public assistance provisions for the recently and temporarily unemployed, including but not limited to expanded unemployment insurance payments.
 - a. Temporary is defined herein as a citizen who is currently unemployed but participating in the workforce.
 - b. Recently unemployed is defined herein as a citizen who is not currently gainfully employed but whose last period of gainful employment ended within twelve months.