

Syncing AI and Policymaking: *U.S. Experience*

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DATA COALITION

About the Data Coalition

- The Data Coalition is America's premier voice on data policy.
- A **membership-based** business association.
- We advocate for responsible policies to make government data high-quality, accessible, and usable.

Policy Issues



Data Sharing



Evidence-Based
Decision Making



Government
Spending



Innovation &
Emerging Tech



Market & RegTech
Data



Open Data

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New Legal Authorities and Directives in the U.S.

** Designed for broad data reforms, not specifically AI. But have direct benefits for AI production capabilities*

Foundations for Evidence-Based Policymaking Act (Evidence Act):

- Established conditions in U.S. federal agencies for leadership, processes, and capacity for data governance, management, and access
- Creates new planning processes for applying insights from data
- Requires production of data inventories with appropriate metadata, presumption of open data by default
- Authorities new data sharing and linkage capabilities for certain data

Federal Data Strategy:

- Outlines broad principles and practices for effective data management and use
- Designed with annual action plans that require specific tasks – in 2020, that includes:
 - 1) launching the Chief Data Officer Council
 - 2) planning for AI research
 - 3) publishing data inventories
 - 4) identifying data needs and prioritizing assets for open data

AI-Specific Directives in U.S.

Executive Order 13859: Maintaining American Leadership in AI

“It is the policy of the United States Government to sustain and enhance the scientific, technological, and economic leadership position of the United States in AI R&D and deployment through a coordinated Federal Government strategy, the American AI Initiative (Initiative)...”

- Encourage multi-sector collaboration
- Supports technical standards to reduce barriers
- Acknowledges workforce training needs
- Prioritizes Public Trust
- Promotes “international environment” favorable to AI deployment and use

OMB Memo 21-06: Guidance for Regulation of AI Applications (Nov. 17, 2020)

- Outlines policy considerations for agencies, regulatory and non-regulatory, and encourages reduction of barriers
- ***Provides 10 principles:***
 - 1) public trust in AI,
 - 2) public participation,
 - 3) scientific integrity and info quality,
 - 4) risk assessment and management,
 - 5) benefit and cost analysis,
 - 6) flexibility,
 - 7) fairness and non-discrimination,
 - 8) disclosure and transparency,
 - 9) safety and security,
 - 10) interagency coordination

Building on Existing Capabilities in the U.S.

Select Federal Agency Resources

- Department of Defense Joint AI Center
- General Services Administration Center of Excellence on AI
- Deputy Chief Technology Officer focused on AI in White House office of Management and Budget

Select Promising Applications in U.S.

- Financial fraud detection
- COVID response
- Vendor Performance
- Natural resource management in fisheries

Deployment and Use Perspectives

1. Attention to **data governance and infrastructure** has co-benefits for AI production and use
2. Appropriate **data standards** can reduce barriers to entry and accelerate progress
3. **Open data** initiatives may enhance and accelerate AI adoption (e.g., see promising applications in U.S.)
4. **Trust, Transparency, and Credibility** essential ingredients for use
5. **Evidence and data capacity building** has net positive effects on AI capabilities, including data leaders and champions
6. **Value proposition** clarity encouraged through collaborations, incentives, and participatory processes

In Summary:

- The new U.S. regulatory and **legal environment is creating capacity** for nascent AI activities in government agencies, and new opportunities.

Much of this legal environment designed broadly for data and analytical capabilities, which benefit AI and other analytical applications simultaneously.

- Development of **international standards is a logical step**, and consistent with existing U.S. framework.

While the U.S. policies are moving quickly – international cooperation is an explicit condition in the President's AI Executive Order.

- Because of the foundational work, **rapid advances are expected** in next 1-2 years.

Risk that AI is under-prioritized given the breadth of current data reforms.

Agencies submit final AI planning documents in May 2021.