

AI Regulator Act

What does the bill do?

This bill is landmark legislation to create a new independent agency to regulate Big Tech, including artificial intelligence and social media platforms. It creates a bipartisan, five-member federal commission empowered to hold hearings, pursue investigations, conduct research, assess fines, and issue rulemaking to protect Americans from catastrophic AI risk, safeguard our kids online, reduce harmful market concentration, and prevent national and economic security risks.

The bill empowers the Commission to designate “systemically important digital platforms or developers” subject to heightened oversight, reporting, and regulation, based on the developer’s AI-related expenditures or the level of AI model being developed. It also creates a Technology Advisory Board of technical experts and representatives from industry and civil society to rapidly identify regulatory gaps and propose new standards for the commissioners’ consideration and potential rulemaking.

What new authorities are included in the bill?

- Ability for the Commission to require a 6 month pause on public distribution of AI models that have the potential for catastrophic risk, or until reasonable safeguards have been put in place;
- New risk mitigation, incident reporting, and transparency requirements for frontier AI developers;
- New interagency working group – chaired by the Commission – to engage in international negotiations on AI safety standards;
- New national security provisions that protect Americans’ data from foreign AI companies, require foreign firms to have U.S. subsidiaries, and identify what country a particular post is from – important for determining whether online content is being disseminated by e.g. China, Russia, or Iran;
- New whistleblower protection provisions.
- Consumer protection standards, data portability and interoperability, and transparency requirements for platforms’ terms of service (including content moderation policies); and
- Penalties for civil violations of agency rulemaking remain at 15 percent of a firm’s total global revenue in the preceding year – a real deterrent.

Why now?

The speed of AI development demonstrates just how unprepared we are to grapple with this new technology. There is no entity in the federal government charged with overseeing this technology or these companies every day. Enforcement is fragmented across the executive branch and between states and the federal government. That system will never be able to effectively account for AI's risks – and Congress will never move fast enough to regulate AI piece-by-piece.

We need an independent agency able to keep pace with the speed of innovation so that American consumers are protected and urgent national and economic security concerns addressed. We have a long history in this country of meeting the challenge posed by new technology or a new industry (aviation, energy, telecommunications) with an expert agency able to write real rules of the road. Today, we should do the same.

An independent agency staffed by experts remains the only reasonable approach to regulating Big Tech. The pace of AI development should make the urgency of meeting this moment with decisive action to protect the public clear.