Fact Sheet: Memo to the President and Congress on Governance of Generative AI

Generative AI (GenAI) development is rapidly evolving, while GenAI governance mechanisms are failing to keep up. To meet this challenge, the U.S. must better leverage existing governance mechanisms, explore new domestic approaches and authorities to address unmet regulatory needs, and explore international governance mechanisms for addressing GenAI.

Domestic Election Systems

1. The National Institute of Standards and Technology (NIST) should convene industry stakeholders to establish a standard of conduct for synthetic media.

2. Congress should scale public digital literacy education and disinformation awareness by passing legislation to assign a lead agency to alert the public of falsely generated, synthetic media use in federal elections, and encouraging department and agency heads to use all available regulatory tools to build public resilience against disinformation under the guidance of the lead agency.

3. Content distribution platforms should be required to technically support a content and provenance standard to identify whether the content is GenAI generated or modified.

Domestic Regulatory Needs

1. An American approach to governing GenAI should act in accordance with SCSP's Governance Principles: (1) Govern AI use cases and outcomes by sector; (2) Empower and modernize existing regulators; (3) Focus governance on high-consequence use cases;[1] and (4) Strengthen non-regulatory AI governance.

2. The United States should continue adapting present sector-specific regulatory authorities to address issues raised by GenAI, and Congress should legislate requirements that operationalize responsible and ethical AI principles.

3. The White House Office of Science and Technology Policy, in coordination with the Office of Management and Budget, or another equivalent government entity,

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[1] For example, consider potential benefits such as "Physical Health" and "Liberty Protection" and harms such as "Physical Injury" and "Liberty Loss", and the magnitude of those impacts with respect to likelihood and scope of those impact(s) an AI system development or use poses to society.

should provide sector regulators with tools to determine which AI uses should be the focus of their regulatory efforts.

4. Congress should consider overtime establishing a centralized AI authority that can regulate AI issues that cut across sectors and fill regulatory gaps.

Digital Platforms from Countries of Concern

1. Congress should take necessary steps to consider narrow, product-specific restrictions on foreign digital platforms representing national security risks, such as TikTok.

2. The United States should develop a more comprehensive risk-based, policy framework to restrict foreign digital platforms from countries of concern.

Governing Transnational Generative AI Challenges

The United States should liaise with the United Kingdom to make a central output of the upcoming UK Global AI Safety Summit the establishment of a new multilateral and multi-stakeholder "Forum on AI Risk and Resilience" (FAIRR), under the auspices of the G20 with an aim to:

1. Prevent non-state malign GenAI use for nefarious ends,

2. Mitigate the most consequential injurious GenAI impacts on society, and

3. Manage GenAI use that infringes on other states' sovereignty.