

Suspend the Rules and Pass the Bill, H.R. 2575, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
2^D SESSION

H. R. 2575

To authorize an AI Center of Excellence within the General Services Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. MCNERNEY (for himself and Mr. MEADOWS) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To authorize an AI Center of Excellence within the General Services Administration, and for other purposes.

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 “AI in Government Act
5 of 2020”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) the term “Administrator” means the Ad-
2 ministrator of General Services;

3 (2) the term “agency” has the meaning given
4 the term in section 3502 of title 44, United States
5 Code;

6 (3) the term “AI CoE” means the AI Center of
7 Excellence described in section 3;

8 (4) the term “artificial intelligence” has the
9 meaning given the term in section 238(g) of the
10 John S. McCain National Defense Authorization Act
11 for Fiscal Year 2019 (10 U.S.C. 2358 note);

12 (5) the term “Director” means the Director of
13 the Office of Management and Budget;

14 (6) the term “institution of higher education”
15 has the meaning given the term in section 101 of the
16 Higher Education Act of 1965 (20 U.S.C. 1001);
17 and

18 (7) the term “nonprofit organization” means an
19 organization described in section 501(c)(3) of the In-
20 ternal Revenue Code of 1986 and exempt from tax-
21 ation under section 501(a) of that Code.

22 **SEC. 3. AI CENTER OF EXCELLENCE.**

23 (a) IN GENERAL.—There is created within the Gen-
24 eral Services Administration a program to be known as
25 the “AI Center of Excellence”, which shall—

1 (1) facilitate the adoption of artificial intel-
2 ligence technologies in the Federal Government;

3 (2) improve cohesion and competency in the
4 adoption and use of artificial intelligence within the
5 Federal Government; and

6 (3) carry out paragraphs (1) and (2) for the
7 purposes of benefitting the public and enhancing the
8 productivity and efficiency of Federal Government
9 operations.

10 (b) DUTIES.—The duties of the AI CoE shall in-
11 clude—

12 (1) regularly convening individuals from agen-
13 cies, industry, Federal laboratories, nonprofit organi-
14 zations, institutions of higher education, and other
15 entities to discuss recent developments in artificial
16 intelligence, including the dissemination of informa-
17 tion regarding programs, pilots, and other initiatives
18 at agencies, as well as recent trends and relevant in-
19 formation on the understanding, adoption, and use
20 of artificial intelligence;

21 (2) collecting, aggregating, and publishing on a
22 publicly available website information regarding pro-
23 grams, pilots, and other initiatives led by other
24 agencies and any other information determined ap-
25 propriate by the Administrator;

1 (3) advising the Administrator, the Director,
2 and agencies on the acquisition and use of artificial
3 intelligence through technical insight and expertise,
4 as needed;

5 (4) assist agencies in applying Federal policies
6 regarding the management and use of data in appli-
7 cations of artificial intelligence;

8 (5) consulting with agencies, including the De-
9 partment of Defense, the Department of Commerce,
10 the Department of Energy, the Department of
11 Homeland Security, the Office of Management and
12 Budget, the Office of the Director of National Intel-
13 ligence, and the National Science Foundation, that
14 operate programs, create standards and guidelines,
15 or otherwise fund internal projects or coordinate be-
16 tween the public and private sectors relating to arti-
17 ficial intelligence;

18 (6) advising the Director on developing policy
19 related to the use of artificial intelligence by agen-
20 cies; and

21 (7) advising the Director of the Office of
22 Science and Technology Policy on developing policy
23 related to research and national investment in artifi-
24 cial intelligence.

25 (c) STAFF.—

1 (1) IN GENERAL.—The Administrator shall pro-
2 vide necessary staff, resources, and administrative
3 support for the AI CoE.

4 (2) SHARED STAFF.—To the maximum extent
5 practicable, the Administrator shall meet the re-
6 quirements described under paragraph (1) by using
7 staff of the General Services Administration, includ-
8 ing those from other agency centers of excellence,
9 and detailees, on a reimbursable or nonreimbursable
10 basis, from other agencies.

11 (3) FELLOWS.—The Administrator may, to the
12 maximum extent practicable, appoint fellows to par-
13 ticipate in the AI CoE from nonprofit organizations,
14 think tanks, institutions of higher education, and in-
15 dustry.

16 (d) SUNSET.—This section shall cease to be effective
17 on the date that is 5 years after the date of enactment
18 of this Act.

19 **SEC. 4. GUIDANCE FOR AGENCY USE OF ARTIFICIAL INTEL-**
20 **LIGENCE.**

21 (a) GUIDANCE.—Not later than 270 days after the
22 date of enactment of this Act, the Director, in coordina-
23 tion with the Director of the Office of Science and Tech-
24 nology Policy in consultation with the Administrator and
25 any other relevant agencies and key stakeholders as deter-

1 mined by the Director, shall issue a memorandum to the
2 head of each agency that shall—

3 (1) inform the development of policies regarding
4 Federal acquisition and use by agencies regarding
5 technologies that are empowered or enabled by arti-
6 ficial intelligence, including an identification of the
7 responsibilities of agency officials managing the use
8 of such technology;

9 (2) recommend approaches to remove barriers
10 for use by agencies of artificial intelligence tech-
11 nologies in order to promote the innovative applica-
12 tion of those technologies while protecting civil lib-
13 erties, civil rights, and economic and national secu-
14 rity;

15 (3) identify best practices for identifying, as-
16 sessing, and mitigating any discriminatory impact or
17 bias on the basis of any classification protected
18 under Federal nondiscrimination laws, or any unin-
19 tended consequence of the use of artificial intel-
20 ligence, including policies to identify data used to
21 train artificial intelligence algorithms as well as the
22 data analyzed by artificial intelligence used by the
23 agencies; and

24 (4) provide a template of the required contents
25 of the agency plans described in subsection (c).

1 (b) PUBLIC COMMENT.—To help ensure public trust
2 in the applications of artificial intelligence technologies,
3 the Director shall issue a draft version of the memo-
4 randum required under subsection (a) for public comment
5 not later than 180 days after date of enactment of this
6 Act.

7 (c) PLANS.—Not later than 180 days after the date
8 on which the Director issues the memorandum required
9 under subsection (a) or an update to the memorandum
10 required under subsection (d), the head of each agency
11 shall submit to the Director and post on a publicly avail-
12 able page on the website of the agency—

13 (1) a plan to achieve consistency with the
14 memorandum; or

15 (2) a written determination that the agency
16 does not use and does not anticipate using artificial
17 intelligence.

18 (d) UPDATES.—Not later than 2 years after the date
19 on which the Director issues the memorandum required
20 under subsection (a), and every 2 years thereafter for 10
21 years, the Director shall issue updates to the memo-
22 randum.

1 **SEC. 5. UPDATE OF OCCUPATIONAL SERIES FOR ARTIFI-**
2 **CIAL INTELLIGENCE.**

3 (a) IN GENERAL.—Not later than 18 months after
4 the date of enactment of this Act, and in accordance with
5 chapter 51 of title 5, United States Code, the Director
6 of the Office of Personnel Management shall—

7 (1) identify key skills and competencies needed
8 for positions related to artificial intelligence;

9 (2) establish an occupational series, or update
10 and improve an existing occupational job series, to
11 include positions the primary duties of which relate
12 to artificial intelligence;

13 (3) to the extent appropriate, establish an esti-
14 mate of the number of Federal employees in posi-
15 tions related to artificial intelligence, by each agen-
16 cy; and

17 (4) using the estimate established in paragraph
18 (3), prepare a 2-year and 5-year forecast of the
19 number of Federal employees in positions related to
20 artificial intelligence that each agency will need to
21 employ.

22 (b) PLAN.—Not later than 120 days after the date
23 of enactment of this Act, the Director of the Office of Per-
24 sonnel Management shall submit to the Committee on
25 Homeland Security and Governmental Affairs of the Sen-
26 ate and the Committee on Oversight and Reform of the

- 1 House of Representatives a comprehensive plan with a
- 2 timeline to complete requirements described in subsection
- 3 (a).