CAIDP Update 5.15

April 17, 2023

Welcome to this week's edition of the CAIDP Update, your source for the latest AI policy news and CAIDP actions.

In this edition, we discuss key developments such as Senate Majority Leader Chuck Schumer's push for AI regulation, the US government examining AI regulation amid concerns surrounding AI technologies like ChatGPT, and the OECD's report on the need for new safeguards for large language models. In other news, China is drafting rules to regulate generative AI services, the European Data Protection Board establishes a task force on ChatGPT, and a group of AI experts are urging the regulation of general purpose AI within the EU AI Act

In CAIDP actions, our FTC complaint against OpenAI's GPT-4 continues to attract global attention, and we have urged the US Congress to ask the Commissioners about our OpenAI complaint at a hearing this week on the agency's budget. We contributed to the Civil 7 Communiqué, focused on human rights and digital democracy, for the G7 summit. We recently published the AI and Democratic Values Index, assessing AI policies and practices across 75 countries. Please review the Index and share your comments with us by sending an email to editor@caidp.org.

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AI POLICY NEWS

Senate Majority Leader Pushes for AI Regulation

Senate Majority Leader Chuck Schumer has [launched](#) a new effort to regulate the AI industry, which he described as one of the most consequential industries across the globe. Senator Schumer said, "The Age of AI is here, and here to stay. Now is the time to develop, harness, and advance its potential to benefit our country for generations." Senator Schumer called for guardrails to "increase transparency, responsibility, and accountability of AI technologies, while reducing the potential for misuse, and the promotion of misinformation and bias." It also requires companies to allow independent experts to review and test AI technologies ahead of a public release or update, and give users access to those results.

CAIDP President Marc Rotenberg said, "We welcome this announcement from Senator Schumer on a path forward for AI legislation in the United States. For several years, we have warned that the US reluctance to engage in a regulatory process for AI was short-sighted. Senator Schumer has signaled a change in course, and that is good news. There is also good reason to believe that this effort can go forward on a nonpartisan basis."

In a congressional hearing last month on AI, CAIDP's Merve Hickok [called](#) for guardrails for AI to ensure the protection of fundamental rights and the rule of law.

[CAIDP, AI Bill of Rights](#)

US Government Examines AI Regulation Amid Concerns

The US government has [announced](#) plans to explore rules for AI systems, including the controversial ChatGPT AI chatbot. In a recent [meeting](#) with his
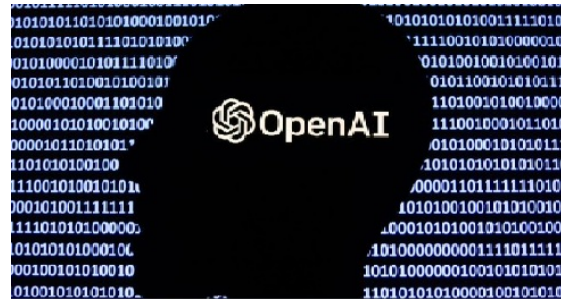
science advisors, President Biden said, "AI can help deal with some very difficult challenges like disease and climate change, but we also have to address the potential risks to our society, to our economy, to our national security. " In this regard, the National Telecommunications and Information Administration (NTIA) of the US Department of Commerce has launched a request for comment to help establish measures that can ensure AI systems do not pose any threat to individuals and society, particularly regarding national security and education. Through its "AI Accountability Policy Request for Comment," the NTIA is seeking feedback on policies that can support the creation of AI audits, assessments, and certifications to instill trust and guarantee the safety of AI systems.

CAIDP, In the Matter of OpenAI (FTC 2023)

reuters.com
US begins study of possible rules to regulate AI like ChatGPT
The Biden administration said Tuesday it is seeking public comments on potential accountability measures for artificial intelligence (AI) ...

forbes.com
AI Models Shaken, Not Yet Stirred: FTC Could Slow OpenAI's ChatGPT
Alarmed by the capabilities of OpenAI's latest large language models, the Center for AI and Digital Policy, a nonprofit organization fighting ...

OECD Examines AI Language Models, Calls for New Standards to Safeguard Public

In a new report, "AI Language Models: Technological, Socio-Economic and Policy Considerations," the OECD examines the application of the 2019 OECD AI Principles to large language models (LLMs). While these models have the potential to unlock numerous benefits, they also pose significant risks to human rights, privacy, and democracy, according to the OECD. The OECD warns that AI language models can help actors manipulate opinions at scale and automate mis- and disinformation in a way that can threaten democratic values. The OECD calls for "quality control and standards to tackle issues of opacity, accountability, and control." Finally, the OECD calls for research that can help to mitigate the risks of complex language models and recommends international and interdisciplinary cooperation to address harmful uses and impacts.

CAIDP, AI Frameworks

China Drafts Rules to Regulate Generative AI Services

Cyberspace Administration of China has released draft rules to regulate AI services, including OpenAI's ChatGPT-like technology, requiring companies to undergo government security reviews and assume responsibility for the content their AI generates. The rules, which require public feedback by May 10th, prohibit content from undermining state power, but the rules would also establish obligations to protect privacy and intellectual property, and ensure the data used to train AI models will not discriminate against people based on ethnicity, race, and gender. Chinese technology companies, including Alibaba, and Huawei, are developing their own generative AI products, with the government's proposed rules aimed at promoting standardisation and development of the technology while maintaining strong regulatory control.

CAIDP, AI Frameworks

EDPB Creates Task Force on ChatGPT

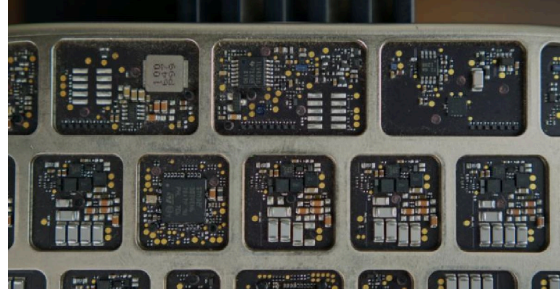The European Data Protection Board (EDPB) has established a task force to address concerns regarding the ChatGPT service developed by OpenAI. The aim of the task force is to promote collaboration and information sharing amongst data protection authorities regarding potential enforcement measures. This decision was prompted by Italy's recent move to restrict ChatGPT, and Germany's data protection commissioner's suggestion that they may consider following suit. On April 12, the Italian data protection authority announced that OpenAI has until April 30, 2023, to comply with requirements, which could lead to the temporary ban on ChatGPT being lifted. Furthermore, Spain's privacy watchdog has expressed its intention to initiate a preliminary investigation into possible data breaches linked to ChatGPT. Earlier, the European Consumer Organisation (BEUC) called on EU and national authorities to investigate ChatGPT and similar chatbots.

CAIDP, In the Matter of OpenAI (FTC 2023)

Experts Urge Regulation of General Purpose AI in EU AI Act

A group of AI experts and scientists from the AI Now Institute released a policy brief arguing that general purpose artificial intelligence (GPAI) poses serious risks and should be treated as a high-risk application in the forthcoming EU AI Act. Over 50 institutional and individual signatories joined in supporting the brief's guidance for EU regulators, including Merve Hickok, Dr. Lorraine Kisselburgh and Marc Rotenberg from CAIDP. The brief argues that GPAI carries inherent risks and should be regulated throughout the product cycle, including at the development stage, to ensure accountability and prevent downstream actors from bearing sole responsibility for mitigating risks.

In February 2023, CAIDP sent its latest round of recommendations to EU policymakers ahead of the upcoming trialogue, highlighting our continuing concerns on pseudoscientific and discriminatory systems, carve-outs for law enforcement and immigration authorities, exceptions in transparency and accountability obligations, and further requirements for General Purpose AI Systems.

CAIDP, EU AI Act

Join the movement & empower the AI policy change-makers

You can make a significant impact in inspiring, empowering, and connecting AI policy change-makers worldwide to address the most pressing and critical challenges of our time.

Your contribution enables free AI policy training for future leaders in 60+ countries, AI & Democratic Values Index report, weekly updates on global AI policy news, and CAIDP's engagement with policymakers worldwide.

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CAIDP ACTIONS

CAIDP Files FTC Complaint on OpenAI

As of April 17, CAIDP's complaint against OpenAI's GPT-4, submitted to the Federal Trade Commission (FTC), has garnered significant global attention. The news has been covered in more than 100 countries, reaching an audience of over 140 million. The complaint alleges that GPT-4 violates U.S. federal consumer protection law and calls for the suspension of deployment of OpenAI's GPT products until the company complies with the FTC Guidance for AI products.

The CAIDP has requested the FTC to investigate the issue and establish independent oversight and evaluation of commercial AI products in the United States. Addressing the growing concerns and urging tech companies to prioritize safety, President Biden said, "Tech companies have a responsibility, in my view, to make sure their products are safe before making them public."

We anticipate that hearings on the FTC complaint will take place in Congress later this year. To facilitate this process, we have sent copies of the complaint to the chair and ranking members of both the Senate and House Commerce Committees. The outcome of this case could have far-reaching implications not only for OpenAI and GPT-4 but also for the AI industry as a whole, potentially affecting the development and regulation of AI-based products and technologies in various sectors.

CAIDP, In the Matter of OpenAI (FTC 2023)

Civil 7 Presents Communiqué to G7, Urges Human Rights Focus

Civil 7, an official G7 Engagement Group representing international civil society, presented its 2023 Communiqué to Japan's Prime Minister and G7 Chair Fumio Kishida. The document, compiled by over 700 civil society representatives from 72 countries, emphasizes the importance of civil society in addressing global challenges and calls on the G7 to protect human rights, democratic governance, and civic space. CAIDP was honored to contribute to the section on "Technology, Digital Democracy, and Human Rights.
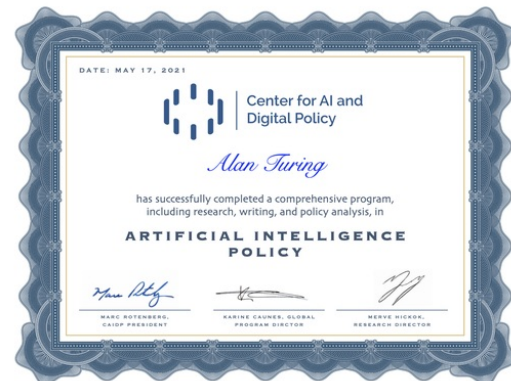
CAIDP Unveils AI and Democratic Values Index

CAIDP recently <u>unveiled</u> its latest Artificial Intelligence and Democratic Values Index (AIDV) during a conference attended by prominent speakers and experts in AI law and policy. The updated index ranks policies and practices in 75 countries, with Canada, Japan, Korea, and Colombia leading the pack. The event featured insightful discussions on AI governance, data privacy, and ethical concerns with key figures, including EU AI Act co-rapporteur MEP Brando Benifei, European Data Protection Supervisor Wojciech Wiewiórowski, and U.S. Equal Employment Opportunity Commission Chair Charlotte A. Burrows. The conference underscored the importance of thoughtful and effective regulation as 2022 marked a turning point in global AI policy, with stakes higher than ever before.

Applications are Open for the Fall 2023 Research Group

We are pleased to announce that the applications for the Fall 2023 Research Group are now <u>open</u>. If you are enthusiastic about taking part in one of the CAIDP AI Policy Clinics, we invite you to complete this <u>form</u>. The deadline for submitting your application is May 1, 2023. We anticipate notifying the selected participants in June or July.

Svetluša Surova · 2nd
Knowledge, wisdom and capital should be in the service...
3d · 🌐
+ Follow ···

I'm very happy to graduate from the Spring AI Clinic of the @Center for AI and Digital Policy!

Thanks to all CAIDP Research and Teaching Fellows for the amazing workshops.

Gratitude goes also to Team Leaders Sajid Mahmud CIPP/C, Saba Elizbarashvili and Varsha Sewlal for fruitful discussions in Subgroup 12 and my research partner Daniela Constantin.

Really appreciate the opportunity to be a Research Group Member and learn a lot about the interplay between AI and democracy, the rule of law and human rights.

Special thanks to Marc Rotenberg, Merve Hickok and Karine Caunes for being inspirational leaders and supportive mentors during the Spring AI Policy Clinic.

Anastasia Nefeli Vidaki · 2nd
Lawyer, PhD Candidate, Researcher
4d · 🌐
+ Follow ···

I'm happy to announce that I have graduated from the AI Policy Research Clinic offered by the Center for AI and Digital Policy. During the last three months along with research fellows from all over the world, with diverse educational and professional backgrounds I had the chance to enhance my knowledge on AI policy-making. This involved attending classes, sharing important policy news with the network, preparing and presenting a report for AI policy in Greece along with Elia Kostopoulou and Christina Zarogianni .

I would like to thank my group leaders for their advice and constant assistance, Larissa Zutter and Giuliano Borter for the organization as well as Marc Rotenberg, Merve Hickok and Karine Caunes for the whole experience.

If you're interested in AI issues from an interdisciplinary policy perspective make sure to apply for the fall cohort.

#cai #ai #aipolicy #caidp #ailaw #artificialintelligence

AI POLICY CLINICS

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- For our Spring 2023 cohort, we have over 250 participants, representing more than 60 nationalities. Applications are open for the Fall 2023 Research Group.

Join us and become a leader in the growing field of AI policy!

Apply

GLOBAL ACADEMIC NETWORK (GAN)

Karine Caunes is CAIDP's Global Program Director. She is the Editor-in-Chief of the European Law Journal (ELJ). She is Senior Lawyer and Course Director in the field of European Public Law at the Academy of European Law (ERA). She holds a PhD in law from the European University Institute, was Jean Monnet Research Fellow within the Center for International and Regional Economic Law & Justice at NYU and visiting Scholar at Columbia Law School. She has participated in EU and nationally-funded research projects and has been a consultant for European and national institutions.

Ed Santow is a member of CAIDP's Global Academic Network. He is the Director - Policy & Governance at the Human Technology Institute, and Industry Professor - Responsible Technology at the University of Technology Sydney. Ed co-founded the Human Technology Institute, which he leads with Prof Nicholas Davis. HTI is building a future that applies human values to new

technology, through the creation of three
interconnected laboratories: the Human Technology Skills Lab, Tools Lab and Policy
Lab. Ed is leading a number of major initiatives to promote human-centred artificial
intelligence.

Consumer advocates reject media calls to preserve exemptions to Australian privacy law

Consumer digital rights advocates, including the Australia Institute's Centre for Responsible Technology, have opposed media companies' call to maintain their exemption to privacy law, emphasizing that commercial interests should not supersede public interest. Ed Santow, the former human rights commissioner and co-director of the University of Technology Sydney's human technology institute, told Guardian Australia that " There is a legitimate limitation on the right to privacy that journalism can justify but it's not that all media organisations in all their activities – some which have nothing to do with journalism at all – that should be exempt from the right to privacy." Santow highlighted the importance of addressing areas where the law is "dangerously out of date," such as regulating facial recognition, and warned against letting controversial issues stall progress.

AI POLICY EVENTS

- Committee on Artificial Intelligence Plenary meeting, Council of Europe, Strasbourg, April 19-21, 2023
- National AI Advisory Committee, Washington, DC, April 25, 2023
- The State of the Union, Building Europe in times of uncertainty, The European Union Institute, May 4-6, 2023
- Computers, Privacy, and Data Protection, Brussels, May 24-26, 2023
- Committee on Artificial Intelligence Plenary meeting, Council of Europe, Strasbourg, May 31-June 2, 2023
- Committee on Artificial Intelligence Plenary meeting, Council of Europe, Strasbourg, September 13-15, 2023
- Global Privacy Assembly, Bermuda,October 15-20, 2023