

115TH CONGRESS  
2D SESSION

# S. 3502

To authorize an emerging technology policy lab within the General Services Administration, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2018

Mr. SCHATZ (for himself, Mr. GARDNER, Mr. PORTMAN, and Ms. HARRIS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To authorize an emerging technology policy lab 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 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Administration” means the Gen-  
9 eral Services Administration;

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

3           (3) the term “Board” means the advisory board  
4           established under section 4(a);

5           (4) the term “Executive agency” has the mean-  
6           ing given the term in section 105 of title 5, United  
7           States Code;

8           (5) the term “institution of higher education”  
9           has the meaning given the term in section 102 of the  
10          Higher Education Act of 1965 (20 U.S.C. 1002);

11          (6) the term “nonprofit organization” means an  
12          organization described in section 501(c)(3) of the  
13          Internal Revenue Code of 1986 and exempt from  
14          taxation under section 501(a) of that Code; and

15          (7) the term “Policy Lab” means the Emerging  
16          Technology Policy Lab described in section 3.

17 **SEC. 3. EMERGING TECHNOLOGY POLICY LAB.**

18          (a) IN GENERAL.—There is within the Administra-  
19          tion an office to be known as the “Emerging Technology  
20          Policy Lab”, which shall—

21               (1) advise and promote the efforts of the Fed-  
22               eral Government in ensuring that the use of emerg-  
23               ing technologies by the Federal Government, includ-  
24               ing artificial intelligence, is in the best interest of  
25               the public; and

1           (2) improve cohesion and competency in Fed-  
2           eral agency rule making and the use of emerging  
3           technologies.

4           (b) DUTIES.—The duties of the Policy Lab shall in-  
5           clude—

6           (1) regularly convening individuals from Execu-  
7           tive agencies, industry, Federal laboratories, non-  
8           profit organizations, institutions of higher education,  
9           and other entities to discuss recent developments in  
10          emerging technologies, including the dissemination  
11          of information regarding programs, pilots, and other  
12          initiatives at Federal agencies, as well as recent  
13          trends and relevant information on those tech-  
14          nologies;

15          (2) advising Federal Government acquisition  
16          and use of emerging technologies through technical  
17          insight and expertise, as needed;

18          (3) identifying and disseminating information  
19          regarding educational and workforce development  
20          opportunities for Executive agency employees rel-  
21          ative to emerging technology topics, and leading  
22          those opportunities, as needed;

23          (4) studying economic, policy, legal, and ethical  
24          challenges and implications related to the use of ar-  
25          tificial intelligence and other emerging technologies

1 by the Federal Government, including how the pri-  
2 vacy, civil liberties, and civil rights of individuals are  
3 or will be affected by the use of emerging tech-  
4 nologies by the Federal Government;

5 (5) working with industry to improve the lead-  
6 ership of industry in emerging technology and the  
7 ability to compete successfully in international mar-  
8 kets; and

9 (6) encouraging and assisting joint initiatives  
10 by State or local governments, regional organiza-  
11 tions, private businesses, institutions of higher edu-  
12 cation, nonprofit organizations, and Federal labora-  
13 tories.

14 (c) STAFF.—

15 (1) IN GENERAL.—The Administrator shall pro-  
16 vide necessary staff, resources, and administrative  
17 support for the Policy Lab.

18 (2) TEMPORARY OR TERM APPOINTMENTS.—  
19 The Administrator may hire temporary or term em-  
20 ployees in accordance with part 316 of title 5, Code  
21 of Federal Regulations, or any successor regulation,  
22 to serve as Policy Lab employees.

23 (3) FELLOWS.—The Administrator may, to the  
24 maximum extent practicable, appoint fellows to par-  
25 ticipate in the Policy Lab from nonprofit organiza-

1 tions, think tanks, institutions of higher education,  
2 and industry.

3 (4) DETAILS.—When appropriate, and to the  
4 maximum extent practicable, the Administrator may  
5 detail Policy Lab employees to Executive agencies on  
6 a reimbursable or non-reimbursable basis in accord-  
7 ance with section 3341 of title 5, United States  
8 Code.

9 (d) RESPONSIBILITIES OF OMB AND OSTP.—The  
10 Office of Management and Budget and the Office of  
11 Science and Technology Policy shall coordinate with the  
12 Administrator and the Board to identify policy opportuni-  
13 ties and challenges that emerging technologies, especially  
14 artificial intelligence, present in the respective domains of  
15 Executive agencies.

16 (e) REPORT TO CONGRESS.—The Administrator shall  
17 submit to Congress an annual report on the Policy Lab,  
18 which shall include, for the preceding year—

19 (1) a summary of the activity of the Policy Lab,  
20 including a description of specific projects worked on  
21 in partnership with Federal agencies;

22 (2) recommendations on ways in which Execu-  
23 tive agencies can better support the development and  
24 deployment of emerging technologies, including ini-

1       tiatives designed to promote knowledge of those  
2       technologies among the Federal workforce; and

3               (3) an identification of joint initiatives encour-  
4       aged or assisted under subsection (b)(6).

5       (f) **TRANSFER OF FUNCTIONS.**—All functions of the  
6       Emerging Citizen Technology Office of the Administra-  
7       tion, including the personnel, assets, and obligations of the  
8       Emerging Citizen Technology Office, as in existence before  
9       the date of enactment of this Act, shall be transferred to  
10      the Policy Lab.

11      (g) **DEEMING OF NAME.**—Any reference in law, regu-  
12      lation, document, paper, or other record of the United  
13      States to the Emerging Citizen Technology Office of the  
14      Administration shall be deemed a reference to the Policy  
15      Lab.

16      **SEC. 4. ADVISORY BOARD.**

17      (a) **IN GENERAL.**—The Administrator shall establish  
18      an advisory board to advise the Administrator on issues  
19      that are relevant to the mission and duties of the Policy  
20      Lab and to inform the priorities and projects worked on  
21      by the Policy Lab.

22      (b) **COMPOSITION.**—

23               (1) **CHAIRS.**—The Board shall be co-chaired by  
24      the Administrator and the Secretary of Commerce.

1           (2) OTHER MEMBERS.—The Board shall be  
2 composed of the following members:

3           (A) 1 designee from each of the following:

4                 (i) The Office of Science and Tech-  
5 nology Policy.

6                 (ii) The Office of Management and  
7 Budget.

8                 (iii) The Department of Commerce.

9                 (iv) The Administration.

10           (B) 4 designees from Federal agencies not  
11 listed in subparagraph (A), who shall be des-  
12 ignated by the Director of the Office of Man-  
13 agement and Budget once every 12 months.

14           (C) 8 members designated by the co-chairs  
15 of the Board once every 6 months, of whom—

16                 (i) 4 shall be representatives of rel-  
17 evant industries;

18                 (ii) 2 shall be representatives of insti-  
19 tutions of higher education; and

20                 (iii) 2 shall be representatives of pub-  
21 lic interest groups representing privacy and  
22 civil liberties issues.

23           (3) QUALIFICATIONS.—Each member of the  
24 Board designated under subparagraph (B) or (C) of  
25 paragraph (2) shall have demonstrated experience

1 and expertise in the field of emerging technologies or  
2 technology policy.

3 (c) MEETINGS.—The Board shall meet not less fre-  
4 quently than once every 12 months.

5 (d) ANNUAL LIST.—Each year, the Board shall pub-  
6 lish on a publicly available website a list of areas of im-  
7 provement within the Federal Government that would ben-  
8 efit from additional technical or technical policy expertise.

9 (e) COMPENSATION.—Members of the Board shall  
10 serve on the Board without compensation, except that  
11 members of the Board may be allowed travel expenses, in-  
12 cluding per diem in lieu of subsistence, at rates authorized  
13 for employees of agencies under subchapter I of chapter  
14 57 of title 5, United States Code, while away from their  
15 homes or regular places of business in the performance  
16 of services for the Board.

17 (f) DURATION.—Section 14 of the Federal Advisory  
18 Committee Act (5 U.S.C. App.) shall not apply to the  
19 Board.

20 **SEC. 5. REPORT.**

21 Not later than 6 months after the date of enactment  
22 of this Act, the Director of the Office of Management and  
23 Budget, in coordination with the Administrator, shall sub-  
24 mit to the Committee on Homeland Security and Govern-  
25 mental Affairs and the Committee on Commerce, Science,



1 and Transportation of the Senate and the Committee on  
2 Oversight and Government Reform and the Committee on  
3 Energy and Commerce of the House of Representatives  
4 a report describing—

5           (1) the strategy for investment by the Federal  
6           Government in, development of, and use of artificial  
7           intelligence; and

8           (2) how the strategy described in paragraph (1)  
9           relates to the existing data strategies of Federal  
10          agencies.

11 **SEC. 6. UPDATE OF OCCUPATIONAL SERIES FOR ARTIFI-**  
12 **CIAL INTELLIGENCE.**

13          Not later than 180 days after the date of enactment  
14 of this Act, and in accordance with chapter 51 of title 5,  
15 United States Code, the Director of the Office of Per-  
16 sonnel Management shall—

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

19           (2) establish an occupational series, or update  
20           and improve an existing occupational job series, to  
21           include positions the primary duties of which relate  
22           to artificial intelligence.

1 **SEC. 7. SUNSET.**

2       Section 3 and 4 of this Act shall cease to be effective  
3 on the date that is 5 years after the date of enactment  
4 of this Act.

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