

AMENDMENT TO RULES COMMITTEE PRINT 119-

8

OFFERED BY MR. NEGUSE OF COLORADO

At the end of subtitle B of title II, add the following new section:

1 **SEC. 2___ . BEST PRACTICES FOR THE USE OF ARTIFICIAL**
2 **INTELLIGENCE WITHIN THE DEPARTMENT**
3 **OF DEFENSE.**

4 (a) IN GENERAL.—The Secretary of Defense shall—

5 (1) develop and implement best practices for
6 the appropriate use of artificial intelligence tech-
7 nology within the Department of Defense; and

8 (2) to the extent the Secretary determines ap-
9 propriate, share such best practices with other de-
10 partments and agencies of the Federal Government
11 to guide and inform, on an optional basis as deter-
12 mined by the respective head of the departments and
13 agencies, the use of artificial intelligence by such de-
14 partments and agencies.

15 (b) ELEMENTS.—The best practices required under
16 subsection (a) shall address, at a minimum, the following:

17 (1) Processes to ensure that the operation of
18 any artificial intelligence system used by the Depart-

1 ment of Defense is subject to the direction and con-
2 trol of a human person at all times.

3 (2) Processes to ensure that artificial intel-
4 ligence systems procured from outside the Depart-
5 ment of Defense are be accompanied by a structured
6 risk assessment that explicitly addresses the risks
7 from—

8 (A) a loss of human control over the artifi-
9 cial system, and

10 (B) the system's ability to inadvertently
11 create or enhance a weapon of mass destruc-
12 tion.

13 (3) Processes to ensure that recommendations
14 made by artificial intelligence are either human-in-
15 terpretable or clearly marked as being the result of
16 a black box algorithm using labels that are visible to
17 all relevant personnel.

18 (4) Autonomous and semi-autonomous weapons
19 systems.

20 (5) The storage of data used to train artificial
21 intelligence systems, including a process to audit the
22 data by relevant personnel.

23 (6) Processes to ensure artificial intelligence
24 systems with novel combat capabilities are designed
25 with anti-proliferation guardrails that make it dif-

1 difficult or impossible for unauthorized persons to re-
2 verse engineer those capabilities.

3 (7) Rigorous pre-deployment testing to ensure
4 that artificial intelligence systems with combat-rel-
5 evant functions operate as anticipated in realistic
6 operational environments against adaptive adver-
7 saries taking realistic and practicable counter-
8 measures.

9 (8) Monitoring processes for artificial intel-
10 ligence systems across their entire life-cycle, includ-
11 ing design, development, testing, initial deployment,
12 and post-deployment evaluations.

13 (9) Processes to disengage or deactivate artifi-
14 cial intelligence systems that demonstrate unin-
15 tended behavior.

16 (c) UPDATES.—The Secretary of Defense shall peri-
17 odically update the best practices under subsection (a) to
18 ensure such practices adequately address recent develop-
19 ments in the field of artificial intelligence.

20 (d) REPORTS.—Not later than 180 days after the
21 date of the enactment of this section, and on an annual
22 basis thereafter, the Secretary of Defense shall submit to
23 the congressional defense committees a report summa-
24 rizing the best practices developed under subsection (a).

