INDEX OF EXHIBITS

Exhibit A

Press Release

National Security Commission on Artificial Intelligence Holds Inaugural Meeting

Press Release | March 12, 2019

WASHINGTON, DC - The National Security Commission on Artificial Intelligence, a federally appointed Commission tasked with advising the federal government on artificial intelligence, held its inaugural meeting on March 11 in Washington, DC. The bipartisan Commission was established by the National Defense Authorization Act for Fiscal Year 2019 and is comprised of 15 Commissioners including a Chairman and Vice Chairman.

The Commission will review and advise on the competitiveness of the United States in artificial intelligence, machine learning, and other associated technologies, including matters related to national security, defense, public-private partnerships, and investments.

"I'm honored to lead this talented group of Commissioners as we take on this important effort," said Eric Schmidt, Chairman of the Commission. "I want to thank the Senate and House Armed Services Committees and Senate and House AI Caucuses for their support and look forward to presenting our findings in the future, and particularly Senator Martin Heinrich and Representatives Elise Stefanik and Jerry McNerney, who joined us to discuss Congressional intent and expectations. We have a tremendous opportunity to help our government understand the state of artificial intelligence and offer ideas on how to harness this transformative technology to benefit both our economic and national security interests."

At yesterday's AI Orientation Seminar, the Commissioners received briefs from the Defense and Commerce departments, the intelligence community, and Members of Congress.

In close collaboration with the White House, Interagency, and Congress the Commission intends to conduct plenary sessions with the Commissioners throughout the year with subordinate working groups meeting more often.

About the National Security Commission on Artificial Intelligence:

H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019, section 1051, establishes the National Security Commission on Artificial Intelligence (the Commission) to review advances in artificial intelligence, related machine learning developments, and associated technologies including recommendations to more effectively organize the Federal Government.

The Commissioners:

Commissioners were appointed by the secretaries of Defense and Commerce, as well as the top Republicans and Democrats on congressional armed services, commerce and intelligence committees.

Chairman

- Dr. Eric Schmidt, Technical Advisor to Alphabet

Vice Chairman

- Hon. Robert Work, Senior Counselor for Defense at Center for a New American Security

Other Commissioners:

- Ms. Safra Catz, CEO of Oracle
- Dr. Steve Chien, Technical Group Supervisor of AI Group and Senior Research Scientist at California Institute of Technology's Jet Propulsion Lab
- Ms. Mignon Clyburn, Open Society Foundation Fellow and former FCC Commissioner
- Chris Darby, CEO of In-Q-Tel
- Dr. Kenneth Ford, CEO of the Florida Institute for Human and Machine Cognition
- Dr. Jose-Marie Griffiths, president of Dakota State University
- Dr. Eric Horvitz, director of Microsoft Research Labs
- Mr. Andy Jassy, CEO of Amazon Web Services
- Mr. Gilman Louie, partner at Alsop Louie Partners
- Dr. William Mark, director of SRI's Information and Computing Sciences Division
- Dr. Jason Matheny, founding director of the Center on Security and Emerging Technology
- Hon. Katharina McFarland, consultant at Cypress International and former Assistant Secretary of the Army (Acquisition, Logistics & Technology)
- ⓘ . Andrew Moore, VP of Engineering and head of Google Cloud AI

Senators Martin Heinrich (D-NM) and Rob Portman (R-OH)

House Artificial Intelligence Caucus Co-Chairs:

Representatives Jerry McNerney (D-California) and Pete Olson (R-Texas)

The National Security Commission on Artificial Intelligence | The United States of America

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Exhibit B

Press Release

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Second Plenary Meeting

Press Release | May 29, 2019

WASHINGTON, DC - The National Security Commission on Artificial Intelligence (NSCAI) met for the second time on May 20 in Cupertino, California.

The bipartisan commission received classified briefs on the status of the U.S. government's artificial intelligence strategies and examined overseas trends. Commissioner Safra Catz, CEO of Oracle, said the Commission's work was urgent, "There is a race on, someone is running it, and we are still stretching. We must get serious about artificial intelligence as a national security priority."

The NSCAI was created by the 2019 National Defense Authorization Act to examine the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies by the United States to comprehensively address the country's national security and defense needs. Within its broad mandate, the Commission is focusing its efforts on how the United States can maintain global leadership in research and development, adopt AI applications for national security, prepare American citizens for an AI future, and ensure the United States continues to compete and cooperate to shape AI ethics, standards, and norms in the international arena.

To date, the Commission has received more than 50 classified and unclassified briefings in the working groups since it began its work over two months ago. The Commission's Vice Chair and former Deputy Secretary of Defense Robert Work explained that the Commission is working closely with Congress and with the Department of Defense's ongoing AI efforts, "In an era of great power competition, the Pentagon and others in the national security community must take on the AI challenge with a sense of purpose and clear objectives."

The Commission is an independent federal entity, but Mr. Work affirmed the Commissioners want their work to complement and strengthen ongoing work in the executive branch and Congress, while also making additional recommendations to integrate artificial intelligence into national security programs.

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The National Security Commission on Artificial Intelligence | The United States of America

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Exhibit C

Press Release

Plenary Meeting

Press Release | July 12, 2019

WASHINGTON, DC - The National Security Commission on Artificial Intelligence (NSCAI) held its third plenary session yesterday in Cupertino, California.

The Commission examined the AI landscape, and focused on advancing its legislative mandate to "consider the methods and means necessary to advance the development of artificial intelligence, machine learning and associated technologies to comprehensively address the national security and defense needs of the United States." Commissioners received classified briefings on counterintelligence threats and challenges to the United States as well as opportunities to advance U.S. leadership in artificial intelligence. Commissioner Andy Jassy, CEO of Amazon Web Services, said "the session advanced the Commission's understanding of the nature and challenges facing the United States."

The Commission also received an update from each of the working groups established to examine how the United States can maintain global leadership in artificial intelligence research and national security applications, how to prepare American citizens for an AI future, and how the United States can maintain its competitive advantage in artificial intelligence. Gilman Louie, Partner at Alsop Louie Partners, said "as we discuss how we are going to protect U.S. national security, we are also continuing discussions with our global partners on how to cooperate in artificial intelligence."

The Commission has received more than 100 classified and unclassified briefings in the working groups and the in the three plenary sessions since it began its work in March. The commission is an independent federal entity, and its goal is to complement and strengthen ongoing efforts in the executive branch and Congress, while also making additional recommendations to integrate artificial intelligence into national security programs.

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The National Security Commission on Artificial Intelligence | The United States of America

Exhibit D
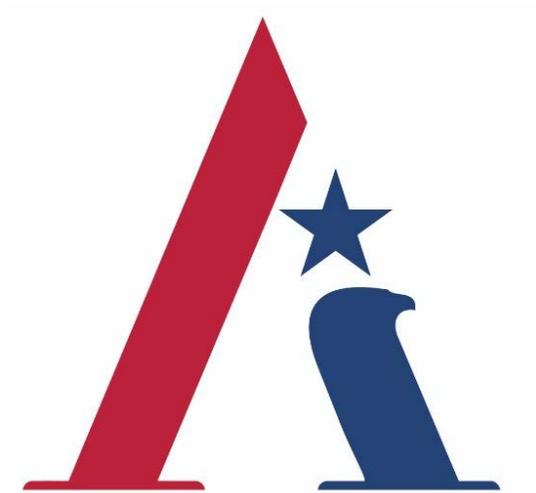
National Security Commission on Artificial Intelligence

Initial Report

July 2019

July 31, 2019

The Honorable Nancy Pelosi
United States House of Representatives
H-204, United States Capitol Building
Washington, DC 20515

The Honorable Kevin McCarthy
United States House of Representatives
H-329, United States Capitol Building
Washington, DC 20515

The Honorable Chuck Schumer
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Mitch McConnell
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

Dear Speaker Pelosi, Majority Leader McConnell, Minority Leader McCarthy, and Minority Leader Schumer:

In accordance with the Fiscal Year 2019 John S. McCain National Defense Authorization Act (P.L. 115-232), we hereby submit the initial report of the National Security Commission on Artificial Intelligence.

The mandate given to this independent federal commission presents a significant opportunity "to consider the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies by the United States to comprehensively address the national security and defense needs of the United States."

This initial report, delivered in response to the request in P.L. 115-232, Sec. 1051(c)(1), provides a summary of the Commission's activities to date and a plan for the next phases of our work. Our interim report this fall will offer early substantive assessments, and our final report will lay out the Commission's full findings and recommendations.

We thank you for the honor and opportunity to serve our country on an issue of utmost importance to the future of U.S. national security and defense.

Respectfully submitted,

Eric Schmidt
Chairman

Robert O. Work
Vice Chairman

NSCAI Update to Congress — July 2019

The National Security Commission on Artificial Intelligence (NSCAI) was established by the *John S. McCain National Defense Authorization Act for Fiscal Year 2019*. In that legislation, Congress requested an initial report from the Commission within 180 days of the NDAA's enactment.[1] The following update responds to that request.

Background

The NSCAI is comprised of fifteen Commissioners, led by Chairman Eric Schmidt and Vice Chairman Robert Work.[2] Commissioners were appointed by Members of Congress and by the Secretaries of Defense and Commerce. The Commission is bipartisan and Commissioners are drawn from across the country. They bring broad and deep expertise in the private sector, academia, and government. The NSCAI mandate is to "consider the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies by the United States to comprehensively address the national security and defense needs of the United States."[3] All Commissioners and Commission staff are committed to collaborating with, and providing timely recommendations to, Congress and the executive branch.

Initial Activities

The Commissioners met and began to work in earnest in March 2019. Most of the Commission staff was appointed by late April. During these early months, the Commissioners and staff have focused on surveying the AI landscape, and have held three plenary meetings:

- Plenary #1: The Commission's first meeting was held on March 11 in Arlington, VA. Senator Martin Heinrich and Representatives Elise Stefanik and Jerry McNerney participated. They laid out their expectations and recommendations for the Commission, and expressed strong support for our mandate. Commissioners received briefings from the Defense and Commerce Departments and from the Intelligence Community.

- Plenary #2: The Commission convened on May 20 in Cupertino, CA. Commissioners were briefed on U.S. Government policies and perspectives, including from the White

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[1] P.L. 115-232, Sec. 1051(c)(1).

[2] Other commissioners include Safra Catz, Steve Chien, Mignon Clyburn, Chris Darby, Ken Ford, José-Marie Griffiths, Eric Horvitz, Andy Jassy, Gilman Louie, William Mark, Jason Matheny, Katharina McFarland, and Andrew Moore.

[3] P.L. 115-232, Sec. 1051(b)(1).

House Office of Science and Technology Policy, the National Security Council, and the Defense Department's Office of Net Assessment.

- <u>Plenary #3</u>: The third meeting on July 11, also held in Cupertino, CA, featured briefings from the Intelligence Community, the Federal Bureau of Investigation, and the National Security Council.

At the first meeting, Commissioners decided to meet in plenary every other month, and organize themselves into four working groups focused on key areas to examine in detail. Each working group meets monthly, and will enumerate objectives, assess current challenges, and develop recommendations for consideration by the entire Commission. The preliminary results of the working group assessments will form the basis of the Commission's Interim Report to Congress in fall 2019.

- <u>Working Group #1   Maintaining U.S. Global Leadership in AI Research</u>. The first group is focused on how the U.S. Government, through policy reforms, incentives, or appropriations, can help accelerate academic research and commercial innovation in AI.

- <u>Working Group #2   Maintaining Global Leadership in AI National Security Applications</u>. The second group is focused on how the U.S. Government can adopt AI applications at speed and scale to protect U.S. national security, including through policy, process, governance, and organizational reforms.

- <u>Working Group #3   Preparing Our Citizens for an AI Future</u>. The third group is focused on how to overcome challenges and develop incentives to build a world-class, AI-ready national security workforce.

- <u>Working Group #4   International Competitiveness and Cooperation in AI</u>. The fourth group is considering ways to enhance U.S. global competitiveness, leverage our alliances, and establish norms that advance U.S. values and interests.

Commissioners have also decided to pursue Special Projects on three cross-cutting issues: 1) harnessing AI through public-private partnerships, 2) pursuing the responsible and ethical use of AI for national security, and 3) managing data to support AI applications.

As of July 11, 2019, the Commission has held nine working group meetings. From March to July, the Commissioners and staff have received over 100 briefings, both unclassified and classified, on a wide range of government, academic, and commercial topics related to AI.

Relationship to Ongoing USG Efforts

The Commission's Chair and Vice Chair held informative initial engagements with House and Senate staff members on June 28, and will seek further opportunities to consult with Congress throughout the course of the Commission's work.

The Commission is also working in close collaboration with the White House, the National Security Council, the Office of Science and Technology Policy, and executive departments and agencies, to ensure that the many ongoing U.S. Government efforts in AI are complementary and reinforcing. Ultimately, these efforts should produce a comprehensive and enduring national approach to maintaining America's AI advantages in the realm of national security. The Commission has enjoyed exceptional cooperation from other U.S. Government offices working on issues relevant to the Commission's work.

Other major U.S. Government efforts include: the February 2019 Executive Order on Maintaining American Leadership in Artificial Intelligence;[4] the National Security Presidential Memorandum on Protecting the United States Advantage in Artificial Intelligence and Related Critical Technologies; the National Science and Technology Council's National Artificial Intelligence Research and Development Strategic Plan 2019 Update;[5] the Department of Defense's 2018 AI Strategy;[6] the Office of the Director of National Intelligence's AIM Initiative;[7] and the Department of Energy's AI initiatives.

Relationship with Industry and Academia

The Commission is committed to understanding a range of perspectives from outside of government. Given the central role of universities, research centers, and private enterprises in AI innovation, the NSCAI will ensure that expertise and insights from these arenas are integrated into the Commission's work. Toward that end, the Commission has held engagements with a wide range of academic and private sector groups, and we have enlisted leading figures in the AI field to serve as advisors or to offer their perspectives to the Commission.

Ethics and Responsible Use

The Commission is firmly committed to integrating ethical considerations into all components of its analysis and research. The Special Project on AI ethics will convene experts across the range

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[4] E.O. 13859, available at https://www.govinfo.gov/content/pkg/FR-2019-02-14/pdf/2019-02544.pdf.

[5] https://www.nitrd.gov/pubs/National-AI-RD-Strategy-2019.pdf.

[6] https://media.defense.gov/2019/feb/12/2002088963/-1/-1/1/summary-of-DoD-AI-Strategy.pdf.

[7] https://www.dni.gov/files/ODNI/documents/AIM-Strategy.pdf.

of ethicists in the private sector, academia, and within government, and is working closely with the Defense Innovation Board's AI Principles Project.

Commission Staff

The Commission is supported by a professional staff of about 20, including direct hires and detailees from the military services and government agencies. The staff is organized into three teams, focused on research and analysis, outreach and engagement, and operations. The staff frames questions, convenes experts, manages day-to-day relations with counterparts in and out of government, and prepares the commissioners for their regular meetings as the NSCAI moves toward its Final Report.

Next Steps

- The Commission will continue to carry out the assessment phase of its work, which should be complete by November 2019. At that time, the Commission will submit an Interim Report to Congress on its initial findings and judgments.
- The delivery of the Interim Report will mark the shift to the Commission's analysis phase, which will take up much of 2020. The analysis phase will be followed by a final phase of work focused on consolidating the Commission's findings and refining its final recommendations.

NATIONAL
SECURITY
COMMISSION
ON ARTIFICIAL
INTELLIGENCE

Exhibit E

epic.org

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🌐 https://epic.org

VIA E-MAIL

September 11, 2019

National Security Commission on Artificial Intelligence
Washington, D.C.
inquiry@nscai.gov

Dear FOIA Officer/Designated Federal Officer:

This letter constitutes a request under both the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(a)(3), and the Federal Advisory Committee Act ("FACA"), 5 U.S.C. app. 2, and is submitted on behalf of the Electronic Privacy Information Center ("EPIC") to the National Security Commission on Artificial Intelligence ("AI Commission").

EPIC seeks (1) records arising from and related to the AI Commission, and (2) advance notice of, and access to, all future meetings of the AI Commission.

FOIA Request

Documents Requested

All records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by the National Security Commission on Artificial Intelligence or any subcomponent thereof.

Background

The Formation and Structure of the AI Commission

The National Security Commission on Artificial Intelligence was created by Congress through the John S. McCain National Defense Authorization Act for Fiscal Year 2019 ("NDAA"), signed into law on August 13, 2018.[1] Section 1051 of the NDAA establishes the AI Commission "to review advances in artificial intelligence, related machine learning developments, and associated technologies."[2]

Congress created the AI Commission as "an independent establishment of the Federal Government" that is "in the executive branch."[3] Because the AI Commission constitutes an "establishment in the executive branch of the Government," it is an agency within the meaning

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[1] Pub. L. No. 115-232, § 1051, 132 Stat. 1636 (2018) [hereinafter NDAA].
[2] NDAA § 1051(a)(1).
[3] NDAA § 1051(a).

of the FOIA.[4] Accordingly, the AI Commission is fully subject to the FOIA and must "make . . . records promptly available to any person" upon request.[5]

The AI Commission is to be funded by "not more than $10,000,000" taken from "the amounts authorized to be appropriated by [the NDAA] . . . for the Department of Defense[.]"[6] In December 2018, the Department of Defense made the required transfer of appropriations to fund the AI Commission.[7]

The AI Commission "shall be composed of 15 members" appointed "for the life of the Commission" by the Secretary of Defense, the Secretary of Commerce, and the chairs and ranking members of seven relevant congressional committees.[8] The "members of the Commission shall be deemed to be Federal employees,"[9] but "[t]he Commission shall terminate on October 1, 2020."[10]

On December 19, 2018, EPIC sent a statement to the Congressional committee chairs responsible for naming members of the AI Commission.[11] EPIC urged the chairs "to nominate to the Commission computer scientists and public interest representatives who have endorsed the Universal Guidelines for Artificial Intelligence,"[12] which are a set of principles "intended to maximize the benefits of AI, minimize the risk, and ensure the protection of human rights."[13]

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[4] 5 U.S.C. § 552(f)(1) (defining the "agenc[ies]" subject to the FOIA to include any "establishment in the executive branch of the Government"); *see also Energy Research Found. v. Def. Nuclear Facilities Safety Bd.*, 917 F.2d 581, 583 (D.C. Cir. 1990) (holding that the Defense Nuclear Facilities Safety Board is an agency subject to the FOIA because "[i]t would be a tall piece of statutory construction for a court to say that an 'establishment in the executive branch' as used in [the Board's organic statute] is not an 'establishment in the executive branch' within the meaning of § 552(f)").

[5] 5 U.S.C. § 552(a)(3)(A).

[6] NDAA § 1051(d).

[7] Memorandum from Michele Bail, Dir., Program & Fin. Control, Dep't of Def., to Asst. Sec. of the Army, Fin. Mgmt. & Comptroller, et al. (Dec. 26, 2018), https://comptroller.defense.gov/Portals/45/Documents/execution/reprogramming/fy2019/letter/19-05_LTR_DoD_Directed_Transfer_Commission_Artificial_Intelligence.pdf.

[8] The relevant congressional committees are the Senate Committee on Commerce, Science, and Transportation; the House Committee on Energy and Commerce; the Senate Committee on Armed Services; the House Committee on Armed Services; the Senate Select Committee on Intelligence; and the House Permanent Select Committee on Intelligence. NDAA § 1051(a)(4).

[9] NDAA § 1051(a)(7).

[10] NDAA § 1051(e).

[11] *E.g.*, Statement from EPIC to Richard Burr, Chairman, Senate Select Comm. on Intelligence (Dec. 19, 2018), https://epic.org/privacy/ai/EPIC-AICommittee-Dec2018.pdf.

[12] *Id.*

[13] *Universal Guidelines for Artificial Intelligence*, The Public Voice (Oct. 23, 2018), https://thepublicvoice.org/AI-universalguidelines.

The roster of AI Commission members was finalized by January 2019.[14] The Commission is chaired by Eric Schmidt, former CEO of Google and Alphabet, and vice chaired by Robert O. Work, former Deputy Secretary of Defense.[15] The Commission also includes:

- Safra Catz, CEO of Oracle
- Steve Chien, supervisor of the Artificial Intelligence Group at Caltech's Jet Propulsion Lab
- Mignon Clyburn, Open Society Foundation fellow and former FCC commissioner
- Chris Darby, CEO of In-Q-Tel
- Ken Ford, CEO of the Florida Institute for Human and Machine Cognition
- Jose-Marie Griffiths, president of Dakota State University
- Eric Horvitz, director of Microsoft Research Labs
- Andy Jassy, CEO of Amazon Web Services
- Gilman Louie, partner at Alsop Louie Partners
- William Mark, director of SRI International's Information and Computing Sciences Division
- Jason Matheny, director of the Center for Security and Emerging Technology and former Assistant Director of National Intelligence
- Katharina McFarland, consultant at Cypress International and former Assistant Secretary of Defense for Acquisition
- Andrew Moore, head of Google Cloud AI[16]

The Commission is "supported by a professional staff of about 20, including direct hires and detailees from the military services and government agencies. The staff is organized into three teams, focused on research and analysis, outreach and engagement, and operations."[17]

Under the NDAA, the AI Commission is charged with "consider[ing] the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies by the United States to comprehensively address the national security and defense needs of the United States."[18] Specifically, the Commission must review:

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[14] *See* Tajha Chappellet-Lanier, *Alphabet, Microsoft leaders named to National Security Commission on Artificial Intelligence*, FedScoop (Nov. 14, 2018), https://www.fedscoop.com/alphabet-microsoft-leaders-named-national-security-commission-artificial-intelligence/; Sam Shead, *Ex-Google CEO To Lead US Government AI Advisory Group*, Forbes (Jan. 24, 2019), https://www.forbes.com/sites/samshead/2019/01/24/ex-google-ceo-to-lead-ai-us-government-ai-advisory-group/.

[15] *Commissioners*, National Security Commission on Artificial Intelligence (2019), https://www.nscai.gov/about/commissioners.

[16] *Id.*

[17] National Security Commission on Artificial Intelligence, *Initial Report* 4 (July 2018) [hereinafter *Initial Report*], *available at* https://epic.org/privacy/NSCAI-initial-report-073119.pdf.

[18] NDAA § 1051(b)(1).

(A) The competitiveness of the United States in artificial intelligence, machine learning, and other associated technologies, including matters related to national security, defense, public-private partnerships, and investments.

(B) Means and methods for the United States to maintain a technological advantage in artificial intelligence, machine learning, and other associated technologies related to national security and defense.

(C) Developments and trends in international cooperation and competitiveness, including foreign investments in artificial intelligence, related machine learning, and computer science fields that are materially related to national security and defense.

(D) Means by which to foster greater emphasis and investments in basic and advanced research to stimulate private, public, academic and combined initiatives in artificial intelligence, machine learning, and other associated technologies, to the extent that such efforts have application materially related to national security and defense.

(E) Workforce and education incentives to attract and recruit leading talent in artificial intelligence and machine learning disciplines, including science, technology, engineering, and math programs.

(F) Risks associated with United States and foreign country advances in military employment of artificial intelligence and machine learning, including international law of armed conflict, international humanitarian law, and escalation dynamics.

(G) Associated ethical considerations related to artificial intelligence and machine learning as it will be used for future applications related to national security and defense.

(H) Means to establish data standards, and incentivize the sharing of open training data within related national security and defense data-driven industries.

(I) Consideration of the evolution of artificial intelligence and appropriate mechanism for managing such technology related to national security and defense.

(J) Any other matters the Commission deems relevant to the common defense of the Nation.[19]

Within 180 days of the passage of the NDAA—*i.e.*, by February 9, 2019—the AI Commission was required to "submit to the President and Congress an initial report on the findings of the Commission and such recommendations that the Commission may have for

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[19] NDAA § 1051(b)(2).

action by the executive branch and Congress[.]"[20] The Commission was also required to submit an annual "comprehensive report on the [Commission's] review" by August 13, 2019, and the Commission's final report is due by August 13, 2020.[21] Notably, reports submitted by the Commission "shall be made public[ly] available, but may include a classified annex."[22]

The Activities of the AI Commission

Despite holding thirteen meetings and receiving more than 100 briefings over the past six months,[23] the AI Commission has operated almost entirely in secret. The Commission has conducted all of its proceedings behind closed doors and has failed to publish any meeting notices, agendas, minutes, or materials.

On February 7, 2019—a month before the Commission's work began "in earnest"[24]— EPIC sent a letter to members of the AI Commission urging the Commission "to provide opportunities for public input, including public hearings" and to "issue no reports until there has been a meaningful opportunity for public participation."[25] EPIC noted "that many governments, including Japan, Canada, Germany, and the European Commission, have hosted important public events to solicit public opinion to ensure a national policy on AI that reflects the public interest."[26] EPIC received no substantive response from the AI Commission.

Two weeks later, on February 22, 2019, EPIC sent a FOIA and FACA request to the Department of Defense seeking "records arising from and related to the National Security Commission on Artificial Intelligence" and "[a]ccess to, and advance Federal Register notice of, all meetings of the [Commission] and any subcomponent thereof."[27] The Department of Defense has yet to provide a substantive response to EPIC's request.

On March 11, 2019, the AI Commission held its first plenary meeting in Arlington, VA.[28] The Commission did not publish a notice in the Federal Register or otherwise provide the public with an opportunity to participate in the meeting. Only after the fact—in a March 12, 2019 press release—did the Commission even acknowledge that the meeting had occurred.[29]

Little is publicly known about the substance of the AI Commission's March 11 meeting. The Commission has reported that it "received briefs from the Defense and Commerce

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[20] NDAA § 1051(c)(1).
[21] NDAA § 1051(c)(2).
[22] NDAA § 1051(c)(3).
[23] *Initial Report*, *supra* note 17, at 1–2.
[24] *Id.* at 1.
[25] Letter from EPIC to Eric Schmidt, Chairman, Nat'l Sec. Comm'n on Artificial Intelligence, et al. at 1 (Feb. 7, 2019),
[26] *Id.*
[27] FOIA Request from EPIC to Dep't of Defense at 1, 6 (Feb. 22, 2019), https://epic.org/foia/dod/EPIC-19-02-22-DOD-FOIA-20190222-Request.pdf.
[28] *Initial Report*, *supra* note 17, at 1.
[29] Press Release, Nat'l Sec. Comm'n on Artificial Intelligence, National Security Commission on Artificial Intelligence Holds Inaugural Meeting (Mar. 12, 2019), https://www.nscai.gov/press/press-releases/press-release-20190312.

departments, the intelligence community, and Members of Congress,"[30] including Sen. Martin Heinrich, Rep. Elise Stefanik, and Rep. Jerry McNerney.[31] Commissioners also "organize[d] themselves into four working groups focused on key areas to examine in detail":

- Working Group #1, which "is focused on how the U.S. Government, through policy reforms, incentives, or appropriations, can help accelerate academic research and commercial innovation in AI";
- Working Group #2, which "is focused on how the U.S. Government can adopt AI applications at speed and scale to protect U.S. national security, including through policy, process, governance, and organizational reforms";
- Working Group #3, which "is focused on how to overcome challenges and develop incentives to build a world-class, AI-ready national security workforce"; and
- Working Group #4, which "is considering ways to enhance U.S. global competitiveness, leverage our alliances, and establish norms that advance U.S. values and interests."[32]

According to the AI Commission, these working groups "meet[] monthly, and will enumerate objectives, assess current challenges, and develop recommendations for consideration by the entire Commission."[33] Although the working groups have held at least nine meetings to date,[34] the Commission has failed to disclose any information about the membership of the groups, the dates and locations of their meetings, or the content of their proceedings.

The AI Commission has also "decided to pursue Special Projects on three cross-cutting issues: 1) harnessing AI through public-private partnerships, 2) pursuing the responsible and ethical use of AI for national security, and 3) managing data to support AI applications."[35] No information is publicly available about the direction or progress of these projects.

On May 20, 2019, the AI Commission held its second plenary meeting in Cupertino, CA.[36] Again, the Commission did not publish a notice in the Federal Register or otherwise announce the meeting in advance. Only nine days after the fact—in a May 29, 2019 press release—did the Commission acknowledge that the meeting had occurred.[37]

The details of the AI Commission's May 20 are also unknown to the public. The Commission has stated only that it "received classified briefs on the status of the U.S.

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[30] *Id.*

[31] *Initial Report*, *supra* note 17, at 1.

[32] *Id*. at 2.

[33] *Id*.

[34] *Id*.

[35] *Id*.

[36] *Id*. at 1–2.

[37] Press Release, Nat'l Sec. Comm'n on Artificial Intelligence, National Security Commission on Artificial Intelligence Holds Second Plenary Meeting (May 29, 2019), https://www.nscai.gov/press/press-releases/press-release-20190529.

government's artificial intelligence strategies and examined overseas trends,"[38] and that it was "briefed on U.S. Government policies and perspectives, including from the White House Office of Science and Technology Policy, the National Security Council, and the Defense Department's Office of Net Assessment."[39]

On July 11, 2019, the AI Commission held its third plenary meeting in Cupertino, CA.[40] Once again, the Commission did not publish a notice in the Federal Register or otherwise announce the meeting in advance. Only after the fact—in a July 12, 2019 press release—did the Commission acknowledge that the meeting had occurred.[41]

The AI Commission has publicly described its July 11 meeting in only the vaguest terms. The Commission said that it "examined the AI landscape" and "received classified briefings on counterintelligence threats and challenges to the United States as well as opportunities to advance U.S. leadership in artificial intelligence."[42] The meeting "featured briefings from the Intelligence Community, the Federal Bureau of Investigation, and the National Security Council."[43]

On July 15, 2019, C4ISRNET published an article calling attention to the AI Commission's lack of transparency.[44] "Absent from the [Commission's July 12 press] release is any information about the specifics of the reports, assessments, working group evaluations or briefings," staff writer Kelsey D. Atherton wrote.[45] "Companies or members of the public interested in learning how the Commission is studying AI are left only with the knowledge that appointed people met to discuss these very topics, did so, and are not yet releasing any information about their recommendations."[46]

Two days later, on July 17, 2019, Eric Schmidt and Robert O. Work—chair and vice chair of the AI Commission—co-published an article about the Commission in *War on the Rocks*, a privately-run publication focused on foreign policy and national security issues.[47] The article revealed, for the first time publicly, that the Commission "includes four working groups and three special projects" and that the "[t]he three special projects address ethics, data, and

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[38] *Id.*

[39] *Initial Report*, *supra* note 17, at 2.

[40] *Id*.

[41] Press Release, Nat'l Sec. Comm'n on Artificial Intelligence, National Security Commission on Artificial Intelligence Holds Plenary Meeting (July 12, 2019), https://www.nscai.gov/press/press-releases/press-release-20190712.

[42] *Id.*

[43] *Initial Report* at 2.

[44] Kelsey D. Atherton, *Why won't the National Security Commission share its thoughts on AI?*, C4ISRNET (July 15, 2019), https://www.c4isrnet.com/artificial-intelligence/2019/07/15/national-security-commission-on-ai-meets-again/.

[45] *Id.*

[46] *Id.*

[47] Robert Work & Eric Schmidt, *In Search of Ideas: The National Security Commission on Artificial Intelligence Wants You* (July 18, 2019), https://warontherocks.com/2019/07/in-search-of-ideas-the-national-security-commission-on-artificial-intelligence-wants-you/.

public-private partnerships."[48] The article also called for papers in response to one of five "prompts" determined by the Commission—but only papers consistent with the lengthy submission guidelines of *War on the Rocks*.[49] The article contained no details about future meetings of the Commission and made no provision for public comments on other subjects.

On July 31, 2019, the AI Commission submitted its Initial Report to Congress (more than five months after the February 9 statutory deadline). The four-page document briefly summarized the "[i]nitial [a]ctivities" of the AI Commission; broadly described the relationship of the Commission to industry, academia, and other federal AI efforts; and included two bullet points on the Commission's "[n]ext [s]teps."

The Initial Report was published contemporaneously with the launch of the Commission's website, which consists almost exclusively of Commission member biographies, post-hoc press releases about Commission meetings, and a copy of the Initial Report.[50] The website contains no meeting notices, agendas, minutes, or materials.

On August 13, 2019, the statutory deadline for the AI Commission's first "comprehensive report" came and passed.[51] The Commission has yet to issue that report. The AI Commission has also not disclosed the dates, locations, or subject matter of its future plenary sessions. However, if the Commission continues to "meet in plenary every other month," meetings will be held in September 2019 and November 2019—the same month that the Commission has promised to issue its first comprehensive report. [52]

Request for Expedition

This request warrants expedited processing under the FOIA because there is a "compelling need" for disclosure of the requested records.[53] Specifically, this request is entitled to expedited processing because there is an "urgency to inform the public about an actual or alleged Federal Government activity," and because the request is "made by a person who is primarily engaged in disseminating information."[54]

First, the activities of AI Commission are an "actual . . . Federal Government activity" because the AI Commission is established by statute and is funded through DOD appropriations. The AI Commission is also part of the executive branch, and members of the Commission are deemed federal employees.

It is "urgen[t] to inform the public" about the activities of the AI Commission[55] because the Commission has disclosed extremely scant information about its proceedings—even as the

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[48] *Id.*

[49] *Id.*

[50] *National Security Commission on Artificial Intelligence* (2019), https://www.nscai.gov/.

[51] NDAA § 1051(c)(2).

[52] *Initial Report*, *supra* note 17, at 1, 4.

[53] 5 U.S.C § 552(a)(6)(E)(v)(II).

[54] *Id.*

[55] *Id.*

Commission continues to issue reports, formulate recommendations, hold meetings, and receive briefings. Indeed, although the Commission claims that it will issue its first comprehensive report in just over two months, it has failed to release a single page of meeting minutes, agendas, or materials to date. It is urgent that the requested information be released to the public before the Commission's next scheduled meeting and the issuance of its first comprehensive report.

Moreover, the AI Commission—comprised of prominent technologists, executives of major technology firms, and former federal officials—is operating during the "American AI Initiative," the White House's artificial intelligence policy project.[56] The Commission's findings and recommendations, which must by law be delivered to the President and Congress, will have significant influence on the White House's initiative and on AI policy generally. Thus, the public urgently needs to be informed of the activities of the AI Commission.

Second, EPIC is an organization "primarily engaged in disseminating information."[57] As the Court explained in *EPIC v. DOD*, "EPIC satisfies the definition of 'representative of the news media'" entitling it to preferred fee status under FOIA. 241 F. Supp. 2d 5, 15 (D.D.C. 2003). EPIC certifies that it is currently engaging in the same activities the District Court found sufficient for news media fee status in 2003. EPIC conducts research on emerging privacy and civil liberties issues, analyzes and turns this raw material into a distinct work, and distributes that work to a wide audience through EPIC's website and publications. Every two weeks for the past 25 years, EPIC has published and disseminated its newsletter, the *EPIC Alert*, to the public.[58] EPIC's work is also consistently featured in publications such as *Politico*, *Law 360*, the *Washington Post*, the *New York Times*, *NPR*, the *Wall Street Journal*, *The Hill*, *CBS*, and *USA Today*.[59]

In submitting this request for expedited processing, EPIC certifies this explanation is true and correct to the best of its knowledge and belief.[60]

Request for "News Media" Fee Status and Fee Waiver

EPIC is a "representative of the news media" for fee classification purposes. *EPIC v. DOD*, 241 F. Supp. 2d 5, 15 (D.D.C. 2003). Based on EPIC's status as a "news media" requester, EPIC is entitled to receive the requested record with only duplication fees assessed.[61]

Further, any duplication fees should also be waived because (i) "disclosure of the requested information is in the public interest because it is likely to contribute to the public understanding of the operations or activities of the government" and (ii) "disclosure of the information is not primarily in the commercial interest" of EPIC, the requester.[62]

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[56] Exec. Order No. 13,859, 84 Fed. Reg. 3,967 (2019).
[57] 5 U.S.C § 552(a)(6)(E)(v)(II).
[58] *See* EPIC, *EPIC Alert*, https://www.epic.org/alert/.
[59] *See* EPIC, *EPIC in the News*, https://epic.org/news/epic_in_news.php/.
[60] 5 U.S.C. § 552(a)(6)(E)(vi).
[61] 5 U.S.C. § 552(a)(4)(A)(ii)(II).
[62] 5 U.S.C. § 552(a)(4)(A)(iii).

(1) Disclosure of the requested information is likely to contribute to the public understanding of the operations or activities of the government.

Disclosure of the requested documents is "in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government."[63] First, the subject of the request concerns "operations or activities of the federal government." The AI Commission was established by statute; is funded through Department of Defense appropriations; is required to submit reports and recommendations to guide the federal government in AI policymaking; and is composed of members who are deemed federal government employees.

Second, disclosure of the requested documents will contribute significantly to an increased understanding of government operations and activities. Specifically, disclosure will educate the public about the activities of the AI Commission and the reports that the Commission is required to submit to the President and Congress. Although the Commission has been active for six months, little is known about the Commission's past and future meetings, and no agendas, minutes, or meeting materials have been released.

Third, disclosure will contribute to the understanding of a reasonably broad audience of persons interested in the subject because EPIC is a representative of the news media. EPIC disseminates its work widely through its online publications and through traditional news media channels.

(2) Disclosure of the information is not primarily in the commercial interest of the requester

The "[d]isclosure of the information is not primarily in the commercial interest" of EPIC, the requester.[64] EPIC is a registered non-profit organization committed to privacy, open government, and civil liberties.[65] EPIC has no commercial interest in the requested records and does not use the information obtained through FOIA for commercial purposes.

The public interest is also greater than any commercial interest in disclosure. Again, EPIC is a non-profit organization with no commercial interest in the requested records and has established that there is significant public interest in the records. As a news media requester, EPIC satisfies the public interest standard and is entitled to a full fee waiver.

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[63] 5 U.S.C. § 552(a)(4)(A)(iii).
[64] 5 U.S.C. § 552(a)(4)(A)(iii).
[65] EPIC, *About EPIC*, http://epic.org/epic/about.html.

FACA Request

Documents and Access Requested

Pursuant to section 10 of the Federal Advisory Committee Act,[66] EPIC also seeks access to the records, minutes, and meetings of the National Security Commission on Artificial Intelligence. Specifically, EPIC seeks:

(1) Copies of all "records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by" the National Security Commission on Artificial Intelligence and/or any subcomponent thereof;[67]

(2) Contemporaneous access to,[68] and advance Federal Register notice of,[69] all meetings of the National Security Commission on Artificial Intelligence and any subcomponent thereof, including but not limited to the Commission's September 2019 and November 2019 plenary meetings.

The AI Commission is subject to the FACA because it is an advisory committee established by statute.[70] The FACA applies to "any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof" that is "established by statute . . . in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government[.]"[71] The AI Commission is a committee established by Congress through the NDAA, and it is required to provide advice to both the President and Congress.

The FACA requires advisory committees to (1) publish their records in a central location; (2) hold their meetings in public; and (3) keep and publish detailed meeting minutes.[72] This means that the Commission's work must be conducted in the open, and records related to its meetings and proceedings must be proactively disclosed to the public. A committee or agency "may not require members of the public or other interested parties to file requests for non-exempt advisory committee records under the request and review process established by section 552(a) of FOIA."[73]

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[66] Pub. L. No. 92-463, 86 Stat. 770 (1972) (codified as amended at 5 U.S.C. app. 2) [hereinafter FACA].
[67] FACA § 10(b); *see also* FACA § 10(c).
[68] FACA §§ 10(a)(1), (3).
[69] FACA § 10(a)(2).
[70] FACA § 3(2).
[71] *Id.*
[72] FACA § 10(a)–(c).
[73] 41 C.F.R. § 102-3.170; *see also Food Chem. News v. HHS*, 980 F.2d 1468, 1469 (D.C. Cir. 1992).

Conclusion

Thank you for your consideration of this request. EPIC anticipates your determination on its request within ten calendar days.[74] For questions regarding this request, please contact John Davisson at 202-483-1140 x120 or FOIA@epic.org.

Respectfully submitted,

/s John Davisson   */s Enid Zhou*
John Davisson   Enid Zhou
EPIC Counsel   EPIC Open Government Counsel

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[74] 5 U.S.C. § 552(a)(6)(E)(ii)(I).

Exhibit F

Hello Enid,

Thank you for your inquiry. We have forwarded your request for review. Additionally, we would like to host you for a meeting to discuss our work at the time that is convenient for you. Please let us know some dates and times.

Best Regards.

On Wed, Sep 11, 2019 at 6:14 PM Enid Zhou <zhou@epic.org> wrote:
Dear FOIA Officer/Designated Federal Officer:

Attached is a Freedom of Information Act and Federal Advisory Committee Act request to the National Security Commission on Artificial Intelligence seeking records arising from and related to the AI Commission.

Please contact me if there is an issue opening the pdf. Thank you.

Best,

Enid Zhou
EPIC Open Government Counsel
1718 Connecticut Ave, N.W.
Suite 200
Washington, DC 20009 | (202) 483-1140 x104
zhou@epic.org, FOIA@epic.org

Exhibit G

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Strength Through Innovation: The Future of A.I. and U.S. National Security Hosted by the National Security Commission on A.I.

About this Event

National Security Commission on Artificial Intelligence (NSCAI) Chair Eric Schmidt and Vice Chair Bob Work cordially invite you to attend the NSCAI's event, "Strength Through Innovation: The Future of A.I. and U.S. National Security." The November 5 event, held in conjunction with the submission of NSCAI's interim report to Congress, will bring together members of Congress and leaders from industry, academia and government to discuss the Commission's initial assessments on the state of A.I. and U.S. national security outlined in the report and develop concepts for the way ahead.

"Strength Through Innovation: The Future of A.I. and U.S. National Security," will be an all-day event at the Liaison Hotel on Capitol Hill comprised of four panel discussions, a fireside chat over lunch, and opening/closing speakers. Please visit our website at www.nscai.gov for the latest information on panelists, speakers and additional information about the National Security Commission on Artificial Intelligence and its Commissioners. You can also submit your questions prior to the conference during registration.

Exhibit H

Home   About ⌄   Conference   Reports   Press   Contact

Press Release

Press Release | October 24, 2019

WASHINGTON, DC - The National Security Commission on Artificial Intelligence (NSCAI) held its fourth plenary session today in Washington, DC and via teleconference.

The Commission's focus for this plenary was to review and finalize its interim report. The report is informed by the legislative mandate to "consider the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies to comprehensively address the national security and defense needs of the United States." After reviewing the report, the commissioners voted unanimously to approve the report that will be delivered to Congress in November. Commissioner Safra Catz, also CEO of Oracle, said "as we prepare to submit our interim report to Congress in November, we continue to think about the next steps in incorporating feedback and developing recommendations for the final report."

The interim report is set to be released in conjunction with a full-day conference that will include panelists from academia, industry, and government. Commissioners will participate in or moderate panels, including discussing the Commission's assessments to date. Commissioner Jason Matheny, who is also Director of the Center for Security and Emerging Technology at Georgetown University, said "releasing the interim report in conjunction with the conference will enable us to share with industry, academia, government, and the public our initial assessments, and in turn receive feedback from them."

The Commission is an independent federal entity, and its goal is to complement and strengthen ongoing AI-related efforts in the executive branch and Congress, while also making additional recommendations to integrate artificial intelligence into national security programs. The Commission and its staff have received more than 170 classified and unclassified briefings since the Commission began work in March 2019 and they will continue to reach out to academia, industry, non-profits, associations, and government to formulate recommendations for the final report.

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The National Security Commission on Artificial Intelligence | The United States of America

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Exhibit I

Press Release

NSCAI Releases Interim Report to Congress

Press Release | November 4, 2019

WASHINGTON, DC - The National Security Commission on Artificial Intelligence (NSCAI) released its Interim Report to Congress today and will share its initial assessments from the report with Congress, government, industry, academia, non-profits, associations, and the public tomorrow in a conference titled, "Strength Through Innovation: The Future of AI and National Security."

The 15 members bring to the Commission a diverse set of views from academia, private sector, and government. The Commission issued its Interim Report today and it reflects the consensus view of all Commission members. The Commissioners agreed to seven principles and 27 initial judgements to guide their work going forward. The full report is located here.

"As NSCAI's report conveys, U.S. leadership in promoting trust and innovation in artificial intelligence is imperative to the future of our nation's security and economy. Through the President's American AI Initiative, in collaboration with the private sector, academia, the public, and like-minded international partners, the Administration is executing a whole of government approach to ensure continued U.S. leadership in AI. This includes efforts underway to promote AI research and development, prepare the workforce of the future, develop technical standards for reliable, robust, and trustworthy AI, and remove regulatory barriers to AI innovation. We thank the NSCAI for its contributions and look forward to continuing this important conversation," said Michael Kratsios, Chief Technology Officer of the United States.

The Commissioners have held 17 working group meetings and 4 plenary sessions in the past 8 months, and the Commission's staff has held more than 200 engagements with industry, academia, the government, and civil society groups. The NSCAI is committed to collaborating with, and providing timely recommendations to Congress and the executive branch.

competitors, and between commercial and national objectives, all the while balancing short and long-term considerations," said NSCAI Chair Dr. Eric Schmidt. "We are a pro-America Commission, and the final report will say how we will win this competition."

The Commission is an independent federal entity, and its goal is to complement and strengthen ongoing AI-related efforts in the executive branch and Congress, while also making additional recommendations to integrate artificial intelligence into national security programs. The Commission and its staff have received more than 200 classified and unclassified briefings since the Commission began work in March 2019 and they will continue to reach out to academia, industry, non-profits, associations, and government to formulate recommendations for the final report.

The National Security Commission on Artificial Intelligence | The United States of America

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Exhibit J

Press Release

National Security Commission on Artificial Intelligence Holds Plenary Session

Press Release | January 16, 2020

WASHINGTON, DC - The National Security Commission on Artificial Intelligence (NSCAI) held its fifth plenary session yesterday in Washington, DC. As part of the plenary, the Commission also participated in a table top exercise hosted by the Department of Defense's Joint Staff designed to push participants to react to national security challenges posed by artificial intelligence and seek ways to resolve them.

Following the table top exercise, Commissioners reviewed the draft classified annex to the Commission's November 2019 interim report, approved the staff recommended working group realignment proposal, and discussed opportunities for public engagement.

The Commission is an independent federal entity, and its goal is to complement and strengthen ongoing AI-related efforts in the executive branch and Congress, while also making additional recommendations related to the Federal government's integration of artificial intelligence into national security programs. The Commission and its staff have received more than 200 classified and unclassified briefings since the Commission began work in March 2019 and they will continue to reach out to academia, industry, non-profits, associations, and government to formulate recommendations for the final report.

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Exhibit K

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The Daily Journal of the United States Government

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🇳 **Public Forum**

by the Privacy and Civil Liberties Oversight Board on 02/13/2019.

... • Jason Matheny—Commissioner on the National Security Commission on Artificial Intelligence (AI) and former Director of ...

Exhibit L

M E E T I N G S

Plenary Session #3: The AI Landscape: Threats, Challenges, and Opportunities

Plenary Session #2: AI, the Global Environment, and U.S. Government Strategies

Plenary Session #1: Setting the Business Rules, Initial Briefings

Additional Materials

Opportunities

The Commissioners met for the third plenary session on July 11, 2019, in Cupertino, California.

During their day-long meeting, they received presentations from the Intelligence Community, the National Security Council, and the Department of Defense on threats to AI research and development in the United States, and the White House's progress in developing an action plan to implement the National Security Presidential Memorandum on AI.

The working group chairs provided readouts from their working group meetings. Commissioners reviewed, discussed, and approved the draft Initial Report to Congress due at the end of July, and then discussed the path forward for submitting the Interim Report to Congress in November. They concurred and approved the Commission staff's recommendation to organize a public conference that mirrored the Commission's working group structure, making it a total of four panels with opening, lunch, and closing speakers. Each panel will include leaders from academia, industry, and government. The Commissioners agreed that the public conference is a great way to engage a wider audience and solicit feedback on the Commission's initial assessments. The purpose of the conference is to build upon the ongoing public discourse around AI and focus on the AI-related national security issues as detailed by Congress in the legislation that created the Commission. The Commissioners selected November 5, 2019 for the date to hold the conference. At the end of the day, the Commissioners received a briefing from a subject matter expert on international workforce and talent trends.

As the next couple months would be focused on the Interim Report, the Commissioners agreed to hold their fourth plenary session in Washington, DC in October.

📁 Plenary 3 for Public.pdf

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Government Strategies

On May 20, 2019, AI experts from the White House Office of Science and Technology Policy, the National Security Council, and the Defense Department's Office of Net Assessment briefed the Commissioners on their current strategies and views on AI-related national security issues from foreign policy, security, and defense-related perspectives.

After receiving briefings, the Commissioners met in their working groups with staff to discuss progress on the staff's research and analysis. During its executive session of all Commissioners, they agreed that there should be three phases to get the Commission to its final report: the assessment phase, where Commissioners and staff will be in listening mode, gathering information from a variety of experts; the analysis phase, where Commissioners and staff develop initial judgements; and the findings phase, where Commissioners and staff refine their assessments into the final recommendations to Congress. These phases will meet the suggested reporting deadlines to Congress--an Initial Report due in July, an Interim Report due in November, and a Final Report due in March 2021.

The working group chairs provided readouts from their working group meetings. After previously organizing themselves into five working groups, the Commissioners agreed to streamline their focus areas into four working groups. They also endorsed the staff's recommendation to establish three staff-led Special Project Groups that will focus on cross-cutting issues important to all of the working groups: public-private partnerships, ethical development and use of AI, and data for national security.

The Commissioners asked the staff to present a draft of the Initial Report for discussion and approval at the next plenary meeting, and they agreed their next meeting would be in July. Before closing, the Commissioners received a briefing on the AI tech landscape.

🔺 Plenary 2 for Public.pdf

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Newly-elected Chair Eric Schmidt and Vice Chair Bob Work called to order the first plenary session of the National Security Commission on Artificial Intelligence on March 11, 2019 in Arlington, VA. The Chair and Vice Chair opened the meeting by outlining the objectives of the first plenary session. First, Commissioners needed to agree on an operating plan and responsibilities, and second, agree on an approach to Congress' detailed scoping of the Commission's review as it researches, analyzes, and considers legislation, policy and outreach opportunities to advance the goals of the Commission.

The Commissioners received presentations from the Department of Defense, Department of Commerce, the Intelligence Community, Members of Congress, and Congressional staff on their perspectives on AI threats, the National Defense Strategy, the role of Congress, the Defense Department's AI organization, export controls, and best practices from past commissions. The newly appointed Executive Director and Chief of Staff briefed the Commission on their plans to stand up the office and the work completed to date.

Commissioners voted in favor of holding plenary sessions every other month. Each plenary will be a full day. They approved establishing five working groups structured around broad categories. Each working group plans to meet on alternate months, and will be comprised of a subset of the Commission's members and staff. The Commissioners self-selected the working groups on which they would serve. Commissioners agreed that the working group categories will be AI research; national security applications for AI; AI for the betterment of citizens and the economy; preparing citizens and the workforce for AI; and ensuring international competitiveness and cooperation in AI.

Commissioners agreed to rotate meeting locations to maximize convenience and to allow the Commission to engage with AI communities around the country. They agreed to hold their next plenary meeting in Cupertino, California on May 20, 2019.

📁 Plenary 1 Agenda for Web.pdf

Additional Materials

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