

## Technically Optimistic

### An Emerson Collective Podcast

What might regulating AI look like? In Episode 2, Part 2 of *Technically Optimistic*, Raffi Krikorian, Emerson Collective's chief technology officer speaks with U.S. Senator Michael Bennet (D-CO); Tristan Harris, founder of the Center for Humane Technology; Congressman Jay Obernolte (R-CA); Phil Howard, Oxford professor and member of the International Panel on the Information Environment (IPIE); Ian Bremmer, author and political scientist; and Suresh Venkatasubramanian, professor of computer science. Together, they explore what it might mean to codify a regulatory system that creates safety without stifling ingenuity.

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RAFFI VO:

I'm Raffi Krikorian, and this is *Technically Optimistic*. It's the third episode of our miniseries all about artificial intelligence.

Our last episode was the first of a two-parter. Definitely check it out if you haven't heard it yet.

In part one, we went over four big risks that might be posed by AI. The risk of rushing these systems to market, the risk of losing all standards of verifiability for information, the risk of the disparate impact of these systems on minority groups... and we touched on the risk of AI leading to some civilization-wide extinction event...

But we went through these risks because we wanted to set the stage for this episode: a conversation about what we're supposed to do about all this.

CLIP

BRZEZINSKI: *Currently, there are no restrictions over using AI in political ads, and campaigns are not required to disclose when they use the technology. That has led some strategists sounding the alarm...* (fades out)

CLIP

QUESTIONER: *How hard is it going to be to wrap your arms around something that is evolving so quickly?*

LIEU: *That's a great question. I'm not even sure we would know what we're regulating at this point, because it's moving so quickly.* (fades out)

CLIP

MELBER: *It is easy to see how out of touch some politicians have been, and this is the largest tech regulation challenge I think we've ever seen.* (fades out)

CLIP

BLUMENTHAL: *We need rules and regulations in light of the really scary prospects raised by AI.*  
(echo)

RAFFI VO:

What new rules could be put in place to mitigate those risks? Or at least, what can be done to minimize the harms that AI might cause? And if we need new regulation, should it come in the form of... industry practices? New state or federal laws? Or will we have to create entirely new regulatory agencies for AI?

Is this technology too complex? Will lawmakers get it right? How can governments anticipate the future of such a rapidly-changing industry?

And... given how challenging it is to solve problems in the US alone... how likely is it that countries can work together on this?

There are a lot of questions here. And some might think they're too many, too soon. But... we're gonna ask these questions ... because ... we... are Technically Optimistic.

*Music...*

RAFFI VO:

In our last episode we highlighted the testimony given by Sam Altman, the CEO of OpenAI, to a Senate Judiciary subcommittee in May of 2023. In the weeks that followed the Altman hearings, I spoke to a couple of sitting lawmakers.

Senator Michael Bennet:

I think the advent of AI is raising real questions in Washington about how we are gonna be thoughtful about the regulation of this. And part of it is just the velocity, you know? People are like, well, how do we ever catch up to that?

RAFFI VO:

Michael Bennet is the senior US Senator from Colorado. He is also a former school superintendent, not to mention a former Presidential candidate. And he's proposed legislation to regulate AI. He calls it the Digital Platform Commission Act.

Senator Michael Bennet:

The Digital Platform Commission Act would set up a new regulatory agency. you know, kind of like the Food and Drug Administration, the FDA or the FCC, the Federal Communications Commission. Agencies that when Congress recognized that it wasn't capable of regulating new technology, which is often the case, Congress delegated that authority to an independent agency or to a regulatory agency to do that. And, in this case, what I'm saying is we ought to set up an agency to regulate the biggest, the most consequential digital

platforms in this country. By the way, that's something that I've advocated for now for years. I introduced it a couple of years ago.

Congress can't do this effectively. I mean, can you imagine? Members of the Senate? I can tell you we're not going to have any idea, any clue, what to do with that. But if we had a regulatory body that was properly staffed with real experts who understood the industry that we're talking about, because obviously I'm not calling for some lousy regulatory body, it matters whether it's good or whether it's bad. But if we had a good one, then there would be somebody to be able to help commission research by academics around the world about what the effect is on our young people, for example.

Raffi:

How do you think about future-proofing? I mean, so like, how do we make sure that what we're doing is not just for the harms we can think about right now?

Senator Michael Bennet:

I think that's really important. So, here, I think, part of the future-proofing itself is in having the agency versus having Congress do it, because Congress maybe will do one thing. You pick it. I don't know which one. Mental health. Antitrust. The economic. But then we'll say our job's done, we'll move on to something else. That's not what we ought to do and that's no way of future-proofing anything. The other thing is that there's a council that I suggest we put together as part of this commission that would be advisory. I'm conscious of wanting to avoid regulatory capture by these large platforms. But I do think it's very important for us to have people who understand the industry, who come from the industry, who are experts in the industry, who can represent the industry. And I think that's partly what this council would do. And that, combined with experts not from industry, but also who understand it, could also have the benefit of future-proofing things as the regulatory commission itself, which is going to be slower and maybe less current, considers future regulations.

Raffi:

You know, there's that trope of Silicon Valley executives asking to be regulated. Like Mark Zuckerberg did that. Sam Altman just did that. I'm curious to know your thoughts.

Senator Michael Bennet:

Hahaha!

Raffi:

You laughed. I'm curious to know your thoughts about that.

Senator Michael Bennet:

Well I'm laughing because sometimes I go home at night in DC and I turn on the TV and there's Facebook saying, please regulate us. That's the ads that have been bought in Washington, DC. It's sort of comical.

CLIP

VOICE: *I've been with Facebook for almost three years now, and I'm on the Facebook content team. We work in the spectrum of freedom of expression versus content moderation, and constantly trying to figure out where on that spectrum we should land. And I think that with improved regulation, Facebook and the broader industry can receive better guidance in where on that spectrum we should be.*

Senator Michael Bennet:

And the fact that Zuckerberg is saying that he wants regulation is of no interest to me, one way or another. I just think that... I mean, I've had conversations with Mark Zuckerberg in the past where I've been deeply disappointed, for example, I won't elaborate on this, but deeply disappointed about the way he thinks about our democracy and the way he thinks about the First Amendment. You know, I'd love to have the opportunity through this mechanism to have the American people finally express their opinions. In effect put themselves in negotiation with these largest companies. So I'll take them at their word that they wanna be regulated, but I think we need to do it in a way that's smart. Sometimes I hear people say, Michael, or Senator, you know, you're a jackass. This stuff is already out there. There's nothing, you know, you can do about it. Stop it. And there's nothing that can be done. And my answer on that is, first of all, I'm not, well I might be a jackass, but not for that reason. But second, you know, if I think about, in this country's history, you know, for example, the Cuyahoga River in Cleveland literally catching on fire because of how polluted it was. And to think about if the people standing around there that day or that week, that month, said to themselves, "Well, it's out of our control. There's nothing we can do. You know, the flames are on the water and the river's burning up. There's nothing we can do." And of course what we did do is pass the Clean Air Act and the Clean Water Act and I think it's very hard to argue that our country's not a better place for that. That's what I think we're going to be saying if we pass the Digital Platform Commission.

Raffi:

To what extent do you think this regulation, in your mind, should go? Like, would it be appropriate for us to try to literally shut down companies, to pause companies and the work they're doing?

Senator Michael Bennet:

Well, I don't know. I don't know. I think that, you know, I, just speaking for myself, some things that I could imagine would be deciding that we're going to put some age limits in place for whether or not people ought to be able to access social media. I hear parents all the time say to me, you know, "Why is it that I can turn the cartoons on on Saturday morning on my TV and my kid can watch that without my worrying about anything? And yet we have nothing like that. when it comes to social media?" That's a legitimate question. That would be an interesting thing for a commission to take up. I think that there is a lot of evidence, you know, early days still, but there is a lot of evidence that these algorithms are having a really tough

effect on our kids' mental health, you know. That agency might decide targeting kids with addictive algorithms is something we shouldn't do. Targeting kids with advertising is something we shouldn't do, the gamification of this stuff that, as Tristan Harris has talked about, maybe that's something we should consider. I could imagine huge benefits to having an agency that had the ability to engage academics around the country in the study of the platform's own data, which we're not able to do today. So those are the kinds of things that I think would be worth looking at.

*Music...*

RAFFI VO:

Senator Bennet can't help but bring up the dangers of social media when I asked him about AI. Clearly, he's seen Tristan Harris in *The Social Dilemma*. And Senator Bennet's right. As Tristan himself also says, these are the same issue.

Tristan Harris:

With social media, which we call first contact with AI, we saw what happened when you race to embed a very simple technology, which was an AI that was just maximizing for engagement and what would get people's, you know, clicks to happen. With that being slightly misaligned, that was enough to unravel democracy, unravel shared reality, cause a mental health crisis for kids, doom scrolling, addiction, loneliness, shortening attention spans. All of that fallout was the result of this first contact with AI.

We have a finite amount of attention, collective human attention, and there's always been an attention economy has always been a competition for it. But what we saw is when you supercharge that with an AI, so now you have that race to the bottom of the brain stem that was first contact with AI because we have 3 billion people who every day get their news and information from that environment.

There's an AI right here, right now. That's actually undermining society. It's a runaway AI narrowly optimizing for one goal. It's called social media. It's unraveling the social fabric. And because it's called social media and doesn't have that technical sort of cache or prestige, it's literally missing your radar, it's flying underneath the radar of genuine AI risk that's here right now.

*Music...*

RAFFI VO:

Here's Senator Bennet again.

Senator Michael Bennet:

So again, I'm not here to try to get people to agree with everything that I've thought of on the agency, I, what I would want is for people to think hard about what the alternatives are.

Because Congress will not deliver on that and the courts can't be left alone on this because without any guidance, God knows what they're going to do. And that's a reason to have a thoughtful approach. It's a reason not to panic. It's a reason to be measured and thoughtful.

RAFFI VO:

When Sam Altman was before Congress, he was asked what HIS regulatory plan for AI would be. ... He gave three basic suggestions.

CLIP

KENNEDY: *Mr. Altman, here's your shot.*

ALTMAN: *Thank you, Senator. Number one I would form a new agency that licenses any effort above a certain scale of capabilities. . ."* (fades)

RAFFI VO:

The first... form a new agency that licenses any AI effort, quote, above a certain scale. The second was to create a set of safety standards, which would be used to evaluate AIs for quote, dangerous capabilities. And the third was to require independent audits of this agency's decisions.

That all jives pretty well with Bennet's vision for the Digital Platform Commission. This commission would handle creating safety standards and overseeing compliance with those standards. And as you heard him say, he imagines an agency staffed not by members of Congress, but by "experts with a background in areas such as computer science, software development, and technology policy."

Senator Bennet's plan is inspired by agencies like the Food and Drug Administration, or the Consumer Financial Protection Bureau. Both are models for the kind of technocratic regulatory body his bill would create. But... Congressman Jay Obernolte has a very different vision for AI regulation.

Rep. Jay Obernolte:

I'm a limited government kind of guy, and I don't think it's the government's job to force investment into technologies.

RAFFI VO:

And it's not just because he's on the other side of the aisle.

Rep. Jay Obernolte:

It's a little known fact that I was on a career path to be an academic doing AI research. I got my bachelor's degrees from Caltech in computer engineering and I was at UCLA working on my doctorate in artificial intelligence doing research in some of the early days of natural language processing and computer vision.

RAFFI VO:

Yeah, that's right. Representative Obernolte is a bona fide AI research scholar in Congress.

Rep. Jay Obernolte:

What we can do is set up a regulatory landscape that we make it clear that there is a future for that investment, that investors can expect a return on their investment. And that will attract the kind of capital that we need.

Raffi:

I've had the pleasure and honor of speaking to some of your colleagues, and the Senate side as well. And I'll just be honest, it's unclear whether or not we have the capabilities inside government to help figure this out. So I'm curious to know your perspective, do you think we can as a governing body actually figure this out for us?

Rep. Jay Obernolte:

Absolutely. I mean, if the answer to that question is no, it should shake everyone's faith in representative government in general, because there are going to be a lot of complex technological regulatory problems that we have to tackle over the next decade or so. This is just the first of many.

Raffi:

Exactly.

Rep. Jay Obernolte:

So we need to be able to deal with this in the form of a representative government. The good news is that we have a lot of people who have done some very deep thinking on this issue. I think that our strength as a representative body is in our diversity. So for example, I don't know a lot about pharmacies, but when we have a pharmacy bill, I go to the pharmacists that are in our conference and I ask them what they think, because they spent a lifetime running pharmacies and they know a lot more about that than I do.

Raffi:

Fair.

Jay Obernolte:

Fortunately, we have a few of us in the house that have expertise in AI. I might be the only one with a graduate degree in the subject, but we've got some computer scientists. We could use more, but you know, we have a few. And you know, I think that we will be successful in coming up with a framework for this.

There are other... kind of ancillary avenues of regulation that are going to be required in response to this advent of artificial intelligence into our economy. I mean, particularly, there are a number of interesting judicial questions that are gonna have to be answered, especially

concerning fair use, the use of intellectual property in training generative AI models, how those copyright holders can assert their rights and their privileges, who can copyright something that's generated by a generative model and under what circumstances. You know, these are all very interesting questions that are gonna have to be answered. And perhaps not in the same conversation as AI regulation, but the more that we can answer it once, the better. We just can't let perfect be the enemy of good. You know, we're gonna have to pick the low-hanging fruit.

RAFFI VO:

One problem of regulating AI: you have to take on the big tech companies. And the U.S. Congress isn't alone in facing this massive challenge.

Phil Howard:

I think for the last few years I have seen... technology firms be less and less interested in input from outside experts, in engaging with policymakers...

RAFFI VO:

Phil Howard is a professor, social scientist, and the director of the Programme on Democracy & Technology at Oxford University.

He's also the co-founder and chair of the International Panel on the Information Environment, or IPIE.

Phil Howard:

So for me this is about trying to do more applied research, trying to fix a fairly broken system for distributing information about what's going on in public life.

We have seen, was it two months ago, the first real AI-generated attack ad, political attack ad,

Raffi:

The Republicans in the United States

Phil Howard:

Yeah targeting Biden.

CLIP

*The RNC responding to Biden's campaign launch with an attack ad imagining four more years under Biden. The ad was generated using artificial intelligence. "This just in. We can now call the 2024 presidential race for Joe Biden. This morning an emboldened China invades Taiwan. Financial markets are in freefall as 500 regional banks have shuttered their doors. Border agents were overrun by a surge of 80,000 illegal immigrants yesterday. Officials closed the city of San Francisco this morning, citing the escalating crime and fentanyl crisis. Who's in charge here? It feels like the train is coming off the tracks..." (echo)*



Phil Howard

So that's an example of something that's worrying, professionally produced. It's not clear what regulator would have anything to say about that as content. And we're not even in primary season, really. One of the reasons the US is important to public life around the world is that the presidential elections in the US are the ones where big money is spent on innovation in this area. We're talking, hundreds of millions of dollars. And innovation may not be the right word, but the things that people do to innovate in the US presidential election, eventually get carried forward to other democracies. The consultants move on and they go up to Ottawa, they go over to Canberra, they come to Brussels, then two years out they move on to Germany, they move on to Africa, and then they do end up being replicated in authoritarian countries around the world. So I think it's a global issue because some of the things that get tried and tested in democracies do get transported into other democracies.

*Music...*

RAFFI VO:

It's useful to look to the European Union as a model for regulating AI.

CLIP:

*The European Union is on the brink of becoming the first major power in the world to regulate artificial intelligence. Lawmakers are currently debating the planned law...*

RAFFI VO:

The AI Act, which has been under discussion for years, recently cleared the first of several legislative steps toward possibly becoming law. This is a sweeping bill aimed at doing several things at once... including classifying AI systems into a four-tiered level of risk...

CLIP:

*AI used in critical infrastructure such as electricity would be classed high risk and subject to compliance rules...*

RAFFI VO:

Banning some usages of AI...

CLIP:

*Uses deemed unacceptable like China's State surveillance-driven social credit system would be banned...*

RAFFI VO:

And setting rules and standards for AI in other usages, like recruiting, or medical systems.

CLIP:

*EU vice president Margrethe Vestager described how public perceptions towards AI regulation had changed. "When we started our journey I frequently got the question: 'Why are you regulating AI? This will hamper innovation. Why not just let it go?' But I think by now everyone realizes that this is the important moment..."*

RAFFI VO:

It can be tempting to see this far-ranging bill as an exemplar for the U.S. But... that's not how Congressman Obernolte sees it.

Jay Obernolte:

If you look at what the European Union is doing, they are way out over their skis on it. I mean, they have basically panicked, thrown up their hands and said, "Something must be done. We have to do something now, immediately." And so, you know, two years ago, they drafted this thing called the AI Act in the EU, and they just amended it substantially. Which took a long time because they've essentially rewritten the entire bill. And when you look at the changes that they made, you understand why, because large language models were not even a thing. They didn't even exist when the original EU-AI Act was created. So they've had to pivot suddenly to deal with these things. That's kind of a reactionary approach to what's going on. So I think it behooves us to be a little bit more thoughtful than that.

RAFFI VO:

However, others point out that the AI Act might be useful in that it would set a high bar for AI regulation by other nations. And moreover, since tech companies generally want to implement only one set of standards, if this were to become law in the EU ... it would sort of take effect even in non-EU countries.

It's what Phil Howard calls...

Phil Howard:

[the Brussels effect]... So there are several domains of policy, not just technology policy which is what the European commission does to protect its market of 450, 500 billion people. The decisions it takes has an impact on other markets, on the UK, on Canada, and on the US. And even in tech, there have been a couple of policy changes where technology firms decided that it was more cost effective to meet a new European standard across the entire platform, than to try to create one product for European customers. So, the EU and the US have very different approaches to political speech, but if the European Commission decides that there must be some change to the suite of tools that Instagram or Twitter or Facebook has, that allows for better content flagging, it's possible that they'll roll out a system of content flagging just for Europe...

Raffi:

Or they're kind of lazy, they might just do it everywhere.

Phil Howard:

Exactly. They might just do it everywhere and have an impact on political speech in the US. Now, depending on what regulation we're talking about, that could be a good impact. But it's hard to know which regulator will have what kind of clout within the US context, but there are regulators in other parts of the world that might shape this.

CLIP:

SCHAAKE: *Um, I think the impact of what the EU is trying to do can be seen in a lot of ways...*

RAFFI VO:

Marietje Schaake is a former member of European Parliament... and currently the international policy director at Stanford University's Cyber Policy Center.

CLIP:

SCHAAKE: *First of all what is significant is that it reaps the benefits of being the first mover, so as a significant market and a big geopolitical player the EU tends to set the tone and um begins to sketch out how it wants to see regulation. And as it is the first big power to do so, others inevitably will have to follow.*

Jay Obernolte:

So this is part of the problem with the European approach is that it is very prescriptive.

RAFFI VO:

Once again, Congressman Jay Obernolte.

Jay Obernolte:

It says, essentially, if you are in anything except a low risk category, then we are going to force you to come to the government and petition for our permission to use AI in doing what you do. And, by the way, we're not going to tell you exactly what the rules are because we're not smart enough, or prescient enough, to write them. So we're going to delegate that to a bureaucracy that we're going to spin up, but oh, trust us, you know, the bureaucrats are going to be experts and they're going to do a great job. You know, which has not worked out well for human society in the past. And this is one of the big problems actually that we face when we consider the regulation of AI is how do we create a framework that mitigates the harms that its government's responsibility to protect against, while at the same time as you say setting the stage for the success of the technological revolution that AI will bring. Because inevitably this revolution will be beneficial to humanity as long as we protect against the harms. If we go too far and we prevent the revolution from occurring at all, we won't reap any of the benefits and we'll be worse off as a result.

Raffi:

How do you define what is doing this in the public good? I mean, I wanna live in a world with self-driving cars. I wanna live in a world where my kids have the best possible teachers, tutors, computer agents, helping them learn as much as they possibly can so that we can also be competitive in the future as a society. How should we be thinking about that balance of there clearly are risks, but at the same time there are clearly huge upsides. How do we thread that needle?

Jay Obernolte:

The way I look at it is, is what we're doing going to make the world better for the average person?

Raffi:

Mm-hmm.

Jay Obernolte:

You know, for most people, you know, the needs of the many versus the needs of the few. So we are all about advancing and protecting the needs of the many. So you take the median person, the person that's in the middle, and you ask, what are the risks that AI poses and does AI make life better for this person? And it's important to look at it that way, because one of the things that the economic disruption surrounding AI will bring is more inequality, economic inequality. The technological revolutions always do.

Raffi:

Mm-hmm.

Jay Obernolte:

We're going to run into a situation where AI enables an explosion in potential human productivity. So the people that are willing to expend the effort in learning about AI and learning how to integrate it into their workflows are going to reap the benefits of that extra productivity. And the people that are not willing to do that or cannot do that are not. That's a problem, right? That's something that we're going to have to deal with. And it's important to look at, I mean, this fits into our overall societal discussion about income inequality. No one looks at income inequality and points at it and says, oh, that's a good thing. But it is kind of a feature of free markets.

Raffi:

Yeah.

Jay Obernolte:

When you have a free market, you know, and you have someone, you know, when we first started, you know, trading livestock for agricultural products, right? Hey, I'm good at growing corn, you're good at raising cattle. Now, why don't you let me grow the corn, you know, you grow the, raise the cattle, we'll have specialization of labor and we both do better, right? Well,

if we've got three of us that grow corn and you grow corn a lot better than I do, you're going to reap more benefit than I will. And, you know, some people are going to point to that and say that's not fair, right? So this is the dilemma that we've been dealing with, and there's no right answer.

Raffi:  
Yeah.

Jay Obernolte:

We're going to have exactly the same dilemma with AI. So we've got to thread this needle where we enable the beneficial uses of AI. We can't say, "oh, you shouldn't use AI in your workflows." But at the same time, we have a responsibility to the people who get left behind. We've got to have a robust safety net. We've got to do retraining. We've got to teach people how to integrate AI into their workflows, how to get to realize the benefits that AI brings. We're going to have to, I think, completely revamp the way that we think about education so that we prepare our children for life in a new century where AI is a part of most everything that they do. We have to do all of those at the same time, you know, without saying... being willing to say, no, we're going to ban the use of AI because we fear some of those effects.

*Music...*

RAFFI VO:  
We'll be right back... after a quick break.  
MIDROLL  
*Music...*

RAFFI VO:  
Welcome back to Technically Optimistic. I'm Raffi Krikorian, we are in the weeds talking about AI regulation.

And we just heard from Representative Jay Obernolte, of California's 23rd district. He's got a graduate degree in AI, and he stressed the importance of "threading the needle": Taking some actions to make sure we minimize harms, on the one hand... but making sure we don't stamp out innovation, on the other hand. And that balancing act is already going to be very hard.

And yet... there are even other challenges built into regulating AI.

Ian Bremmer:  
If you think about military power globally, governments dominate that...

RAFFI VO:

Ian Bremmer is a political scientist, and the founder and president of the Eurasia Group, a political risk research and consulting firm.

Ian Bremmer:

If you think about economic power globally, governments dominate that. The setting of rules, the authority, the legitimacy, the creation of institutions. In the digital world, we don't really have rules yet. We don't really have institutions yet. The power is held by the technology companies that are driving and rolling out these algorithms that are collecting, surveilling, deploying, selling the data. And the implications of that for governance, for society, for political stability, and for just humanity, how we interact with other people, I think is unprecedentedly important.

Raffi:

How do we think about responsibility then in this world? Right, like, you know, I drive a Tesla, but like there's all these reports recently of Tesla in full self-driving mode...

CLIP:

*We now have video of the moment that a Tesla in self-driving mode started breaking unexpectedly on the Bay Bridge, causing 8 cars to pile up. It was a mess... (fade out)*

RAFFI:

How do we think about whose responsibility this is as it rolls out?

Ian Bremmer:

Well, Tesla, I think, is a very, very different thing in the sense that we all know that before we're going to allow a rollout of fully autonomous vehicles, there's an enormous amount of testing that has to occur. And yes, people are getting injured and dying because of autonomous vehicles. The number of people that are dying per vehicle mile compared to cars with human drivers is enormously small. And insurance companies will, of course, rush to take advantage of that, and governments will eventually get there. We had this issue before; the science behind having driverless elevators was proven for decades before people actually were comfortable with it. But, you know, you just had to create both the regulatory authority and deal with the pushback around social acceptance. In the case of AI algorithms, we are rolling these out and testing them on human beings, and testing them on kids real time. And we're not testing them to see what the negative implications for their social development might be. We're actually testing them on the basis of how profitable they're able to make the human beings as products.

Raffi:

Yeah.

Ian Bremmer:

We're testing them in terms of how addictive they are. And I have to say that this strikes me as the single most insane thing that I've ever witnessed as a human being. You know, we are the product of our families, of our communities, but suddenly we're gonna have a generation of kids that are the product of these algorithms. That's the way they're gonna think, they're gonna interact with other human beings and with bots. That's a profoundly dehumanizing trend, and we have literally no idea what it's gonna do to society. We wouldn't give a vaccine to someone even in the middle of a pandemic without doing some testing around it, yet that's precisely what we're doing to the brains of our kids.

Raffi:

But I mean, at some point, is this a question of value alignment then? Like, we need to make sure that we are aligned on what values we have before these types of systems get rolled out.

Ian Bremmer:

Raffi, it's an interesting question. I mean, I don't think that the people that are running tech companies have values that are so different from you and me.

Raffi:

Hmm. Okay.

Ian Bremmer:

I mean, I have a pretty entrepreneurial mindset. I started my own company. So did you, Raffi. But the point is that if you are a tech titan, you are by definition spending almost 99% of your effort, of your resources, of the labor that people are working for you, with you, towards trying to make sure that you still have a business model and that you're going to get to the next step before other people crush you. Because it is the most intense, hard-driving, creative destruction environment out there. So whatever your values are, the fact is that you are spending your time and effort trying to do that. And that means that you are not trying to figure out what the impact on society is. You are not trying to figure out how you should be regulated. Now, you and I could have a debate of, is the very fact that people are spending all of their time doing that as capitalists problematic in terms of their values? There is a level of revealed preference that you and I might question about some of their life choices, but that's also kind of unfair of us to do. I mean, the point is that you need to be in a system where the regulators are actually like arbiters.

Raffi:

Hmm.

Ian Bremmer::

They uphold rule of law, they care about citizens, they help ensure that negative externalities

are paid for. I'm a big enthusiast on AI. I think it's gonna be incredibly productive and powerful. I don't want to destroy technology companies. I know these people, I want the jobs, I don't want the Chinese to take over. I'm sympathetic to all those arguments, but I want the negative externalities to be paid for, and I don't want them paid for by our children. I want them paid for from the profits that are being made by all these tech companies. That's what I want.

Raffi:

So basically what you're saying is like, it's not necessarily the creators. It's the incentive system that they're operating within, which is sort of pushing them in this direction. But then I have to be curious, how does this play out globally?

I mean, what's the next few moves in the chess game?

Ian Bremmer:

Look, there's so many different components of this. First of all, the next one to three years, it's very clear that the overwhelming number of moves that are being made on the chessboard will be made by the technologists. And that's because the government officials are just starting to get up to speed. I mean, every head of state, every major minister that I speak with, until six months ago, they were not asking me about AI.

Raffi:

Hmm.

Ian Bremmer:

Now they almost all are. So we don't have the institutions, we don't have the expertise, and they're just getting up to speed, and governments move slowly. And meanwhile, the corporations and the entrepreneurs have hundreds of billions of dollars that they're deploying. So let's be clear, this is out of the box fast, we're all talking about it, and in the near to medium term future, the tech companies are doing almost all of the driving. That we can be certain of. Now, beyond that, where do we think this is heading in five years time and in ten years time. I think there are a few ways to think about it. One is that the US and China are absolutely locked in a strong zero sum competition when it comes to national security. And AI is considered national security by both countries. And the US export controls, which the allies are mostly getting on board for, with a lot of American coercion, carrots and sticks. These export controls on semiconductors are a very big speed bump for the Chinese in their ability to develop AI. They need access to those chips to keep up with the Americans. The Americans are doing everything they can to contain their power. So the first thing we can say is, there is going to be a critical choke point on AI development between the West and China because... of those export controls and how they play out. The Chinese will try to develop their own capabilities inside mainland China. It will be hard for them for the next five years.



CLIP:

VOICE: *Washington has imposed sweeping controls on exports of semiconductors also known as microchips to Beijing. American companies will be restricted from selling Advanced chips to China and supplying Chinese firms with tools to make their own.*

BIDEN: *The United States has to lead the world in producing these Advanced chips. This law is going to make sure that it will.*

Ian Bremmer:

So there's that component, right? Then you have the question of disinformation and proliferation, the risks that come from all of this AI that is being used by everyone in ways that are obscuring of what truth actually is that makes it hard for a human being to know what a human being is and what a bot is. Now some of that can be intelligently regulated so that companies like Chat GPT aren't just playing whack-a-mole after the fact with people using their generative AI LLM models to do things that they didn't want the Chat GPT didn't want them to be able to do. You can do that. But let's also keep in mind that these technologies are democratized technology. So if you and I are using Chat GPT, there are lots of other people that are using GPT 3.5 on their own laptop without any of those constraints, without any of that regulation.

Raffi:

Mm-hmm.

Ian Bremmer:

Those people, some of them are tinkerers, some of them are entrepreneurs, some of them are bad actors. And no matter what the reg space says, you're gonna have people that are on the equivalent of the dark web using their own GPT models that are gonna program much more effective bio weapons and much more effective cyber weapons and malware. I mean, you've already heard that there's not a coder alive that's used GPT that would now code themselves without using it, because it's so productive, right?

Raffi:

True.

Ian Bremmer:

Every coder I know says that. So if that's true for them, I'm fairly certain that that's true for cyber criminals Right and there's no regulatory fix for that was going to require a spend that's going to require Defense spend it's the emergence of a new industry just like we saw in dealing with cyber security and we're just not there yet.

RAFFI VO:

From talking to Ian, it seemed to me more than ever like AI regulation would require real global coordination. And this is something that Phil Howard had in mind with IPIE, the International Panel on the Information Environment.

It launched this year with hundreds of leading researchers from around the world, and it represents a real effort by the global scientific community to confront AI and the disinformation problem. Phil compares it to the IPCC, the UN's Intergovernmental Panel on Climate Change.

Phil Howard:

I think there's more and more evidence that it's going to be very hard to get any progress on climate until we've sort of figured out how to get evidence from science to policymakers and to average citizens to change behavior. It's going to be very difficult to do diplomacy unless we can agree on facts, have a shared understanding of the problem. Maybe work up empathy towards solutions. And without those shared facts, without those common understanding of what's actually happened and what's true, it's just very difficult to build consensus, to build that empathy.

Raffi:

Let me make sure I understand the flow, you sort of get the consensus, you agree on the problems to be studied, you've studied these issues, presumably a bunch of sharing to make sure, similar to how the IPCC does it, sharing to make sure we all have a uniform view on it. Is your model then to provide that research to policymakers globally? Do you make policy recommendations on what to do with this data?

Phil Howard:

We will aim for policy recommendations based on the evidence that we see before us. There are a growing number of public agencies that have some teeth, right, that actually have some clout to regulate—they'll be our primary audience. For example, the European Commission has set some new standards on researcher access to data.

Raffi:

Hmm.

Phil Howard:

One of the problems is that we may think that Instagram is shaping how young people develop their sense of body image. But Instagram doesn't share data. So we have small scale experiments. We don't have a broad sense of what the impact is. If the European Commission or a regulator in the US says, it's time to share data, we need some answers. The first question to the IPIE will probably be, are the firms sharing data? And for the moment, there isn't a way that researchers around the world can come to consensus, even on that point. Now, I suspect that consensus would be, no, they're not sharing data in a way that's sufficient and satisfactory. So if we get to a policy milestone and the commission says, it's time, are the

technology firms sharing data? We'll be able to work with several other partners to say, yes, they are, no, they aren't. And that's one of the first steps in... fines or whatever else the Commission might generate as modes of inducement to share.

Raffi:

What's the time frame you think we're working on? Like how fast do we have to move?

Phil Howard:

That's an interesting one. I'd say we do have a natural moment in the next year or two before large language models and AI systems really start to roll out in a way that's totally unregulated. I think we have another year or two to fully understand how our data is being used to develop these AI systems. You know, I don't talk through the existential risk issues. For me those are far in the future. Or they end up, the existential risk discussions sometimes end up in unhelpful places for me.

Raffi:

I spoke to Tristan, obviously, and Tristan is just like existential risk is the only thing we should talk about. But then I talked to people like Meredith Broussard and others who are just like, why are we talking about this? There's this natural cadence of presidential cycles. They're about to see this massive spike. Do we need to solve it before that spike? Or is there like a longer timeframe that we need to be thinking about?

Phil Howard:

I think we are in this sensitive moment where there's a large number of elections on the horizon for the next year or two. There are multiple hot spots of conflict around the world. So getting technology into shape to help us understand problems, to help us identify solutions should be the major project for us. If we can use a sophisticated system to help us with electoral districting decisions, that might make our election system more robust. If we can use AI systems to identify the causes and consequences of poverty or to help us imagine modes of prison reform, those are exciting opportunities for us. The trick is to not just let such tools be used for political manipulation, public opinion manipulation.

Raffi:

I mean, so there are two different timeframes. There's one timeframe, which is we could reap a lot of rewards if we can just get this stuff out the door. Is there a deadline similar to like, let's draw the analogy back to the IPCC. There is a deadline. Like, the temperature will get out of control, we need to do something about it now. It'll get harder and harder as we move forward. Is there a similar analogy with the IPIE?

Phil Howard:

Raffi, that's one of the hardest questions I think I've ever been asked.

Raffi:

I win.

Phil Howard:

You win, you get the points. Is there a deadline? I think one of the things that drives the bad behavior is simply profiteering.

So for me, the deadline perhaps, or the milestone ahead is the point at which it becomes too hard to regulate that market, to bring it back under bear, to discourage people from profiteering using machine learning systems. I'm not sure where that is in the calendar, whether it's five years out or ten years out, but I'd say that many of the most interesting machine learning systems that people are playing with are being rolled out now. They're working their way into higher education. They're working their way into political campaigning. So now is the moment to come up with some good guidelines, some guide rails. I think we're well past the point of industry self-regulation. So letting the technology industry just set its own guidelines. is not a good idea.

RAFFI VO:

Regulating AI doesn't have to come in the form of big, sweeping legislation. It can also come in the form of a principled framework – the kind of thing that could either inspire future laws... or influence how companies behave.

And that's what Suresh Venkatasubramanian helped create. In 2022, working for the White House Office for Science and Technology Policy, he was on the team that drafted a blueprint for an AI Bill of Rights.

CLIP:

*VOICE: So the Bill of Rights consists of a set of five principles and with those five principles are a long list of associated practices and these are meant to guide organizations through the effective development and implementation of AI systems with particular emphasis on unintended consequences of civil and human rights abuses.*

Raffi: So now bring me back to the AI Bill of Rights. In some ways, everything it seems like you attempted to codify there is making up for the fact that the authors, historically, of these systems don't think these things through.

Suresh Venkatasubramanian: That is very true. That is very true because, this idea of a system being tested to be effective and safe, that it actually does what it claims to do. That would seem like the one-on-one level of software engineering requirements for a system: that it does what its specs say it's supposed to do. And yet there are systems out there that are not even tested before they're put out in the world and affect people.

It's ridiculous. We are doing, you know, experimental evaluation on people in real time, rather than actually testing things out first. So you are absolutely right to say that the Bill of Rights is merely, merely codifying all the things we've discovered systems fail to do and saying, 'Hey, you should at least think a little bit.' And that's why we have this technical companion that says, here, we're gonna even help you learn how to think. We're gonna tell you here, think about this, think about that. Do this test, do that test, just so that you can literally take this as a blueprint and write code based on it.

Raffi: When you helped write the blueprint, you were working for the White House, the Executive Branch. So of course you're not writing a new law. But can you say why you chose to frame this as a "bill of rights"?

Suresh Venkatasubramanian: I think you answered the question directly. First of all, we are in the executive branch. The maximum, you know, power we could have was to, um, generate an executive order, which would be contingent on what administration and could be overturned by the next one. We didn't have the power to do anything more than that.

We could work with Congress to write laws, and frankly, that's what's happening right now. But it was almost as if, and this is based on a number of conversations we had with people inside the government who are basically saying, what are the things we need to be worried about? We wanted to center people's protections. We want this to be protections for people.

We didn't care about a particular piece of tech. We noticed that even though the document says AI Bill of Rights, we don't talk about AI in the document at all. It's any technology that meaningfully impacts our civil rights, civil liberties, opportunities for advancements, access to services, is within scope for this. And so it's a bill of rights because we felt like it was important to put a line in the sand and say, "We have these rights, we should have these rights. We believe that it is important to lay these out as markers, as touchstones of what any legislation, any regulation needs to do. And we are kind of seeing that now with the legislation that's being passed in states with guidelines at the regulatory agencies, with what Congress is trying to do.

We are actually seeing people pull out elements from the, from the document. And put it, and that, that was always our vision, that this document itself was an OSTP document, a document in the White House, but that it, parts of it could be borrowed and, and taken into legislation as people saw it. So we made it out there as easy as possible for people to sort of think, okay, this is what we need to worry about.

RAFFI VO:

And speaking of worries... Here's Tristan again.

Tristan Harris:

One thing I worry about is it's kind of like it's 200 years ago and some people see this unbelievable technology called fossil fuels that are going to provide efficiencies everywhere in society. And then some people come along, let's call it the energy safety community. And the energy safety community comes along and says, wait, wait, wait, before we go off and start exploiting fossil fuels, we need to warn you, this is going to create an existential risk for humanity. This is going to bake the planet. This is going to create climate change. But then guess what happens? Some people who start adopting fossil fuels start out competing those who don't adopt fossil fuels, and then they start defusing it and their society gets more GDP and their GDP means that they start getting stronger, bigger military, start conquering the other. So you end up with, again, this race for that which conferred power. And I feel like that's where we are here with AI. It is another fossil fuel-like efficiency creator that is going to accelerate those who adopt it earlier. If we had a shared cultural understanding, viscerally understood, not in a rational way but a visceral way, that this is actually genuinely dangerous and existential and would create a Mad Max kind of society if we deploy it at the rate that we are now, then we could just collectively choose to not do it. There's nothing saying that that future isn't possible. And if you remember in our AI Dilemma presentation, we mentioned the film *The Day After*.

CLIP:

*[Ambient bombing noises with voiceover stating: "Beyond tomorrow and into The Day After..."]*

Tristan Harris:

Because that film, which was in 1983, the largest made-for-TV film in human history, 100 million Americans tuned in on a Tuesday night or something, and it was shown both in the Soviet Union and in the US saying what would happen in the event of a nuclear war.

CLIP:

*VOICE: More than 700 people packed Riverside Church tonight to watch The Day After. Many said they came here because they were afraid to watch it alone.*

Tristan Harris:

And people knew rationally what would happen, but they didn't know viscerally. They never saw images of eating canned food and skin boiling off and hair falling out and the kind of pain and suffering that you would actually be around.

CLIP:

*[Ambient bombing and horror noises]*

Tristan Harris:

And it caused Reagan, who watched the film, President Reagan, to be depressed for weeks. And that eventually led to the Reykjavik Accords...

CLIP:

REAGAN: *As most of you know I've just returned from meetings in Iceland with the leader of the Soviet Union General Secretary Gorbachev...*

Tristan Harris:

Where Gorbachev and Reagan signed the first nuclear arms reduction kind of treaty...

CLIP:

REAGAN: *We offered the complete elimination of all ballistic missiles Soviet and American from the face of the earth by 1996.*

Tristan Harris:

And the director of the film *The Day After*, who I've actually spoken to, by the way, got a note from the people who organized those accords and said don't think that your film didn't have something to do with this. And the way I see it is that that film created a trustworthy negotiation between two actors who who didn't just rationally understand that there was catastrophe at stake if they didn't coordinate but there was viscerally almost a spiritual connection to: oh my god, this is literally we're talking about the destruction of humanity if we go down this road and that's what created the basis for agreement is trust. You need to have a visceral understanding of what risks we're talking about, and what would genuinely happen if those things happened. I think that's going to be key for us to collectively choose which areas we might want to delay.

Raffi:

What's gonna be the wake up moment for people to actually go do something about this? Like, I don't know if we're gonna get a movie or if we're gonna actually have to see some kind of existential event... Maybe not existential, but some form of event. What we really need to do is to figure out how as a society figure out collectively: what are the values we care about and how do we actually properly encode those into these techno societal systems in some way.

Tristan Harris:

Mm-hmm, totally. And recognizing the coordination and the ability for trustworthy agreement is the basis of those values having relevance. Because it's not about Sam Altman being one person who has the right values. It's about the collective space of when we're coordinating. Do we all have the shared values of safety? And what the downside risks are so that we are all making the same values-based choices together: What are those shared values? And again, we have to recognize that social media has been a damaging medium for identifying what those shared values are. And I think that underneath it all, these guys are really afraid of where this is all headed. It's this terrifying weapon that prints money at you right up until the point that it kills you. But I think that they themselves are very concerned about it. We just have to pass this maturity test: the second marshmallow version of ourselves. And point our

attention collectively worried about so we can say: what can we do together? What are those shared values?

Raffi VO: What are those shared values? And how do we rally around them to act in a truly collective way? I put that question to Suresh.

Suresh, how do you think about the term “public good”? How do you define that for yourself?

Suresh Venkatasubramanian: I spent a lot of time thinking about this because I've always felt like what is my role as a computer scientist in sort of working in the public interest? What does it mean? Brown is a university that explicitly says it's part of its mission is to do scholarship in the public interest. So I think a lot about that.

I think it's, it's many things. It's, first of all, recognizing that there are many people who can speak to the public interest. I am by no means the only one, or my expertise is by no means the only expertise. I just came back from a workshop that some of us had organized talking to folks who work in communities, community advocates who are dealing with the way tech is used to surveil, supervise and govern their lives.

They have stories they tell about what tech does, which isn't great, and what tech does which could be good. And I think the public interest includes all of that. It includes not just the harm mitigation, but a reimagination of what technology could be. I talk about this idea that we have these lenses through which we view the world. For the longest time, we've had a sort of a market lens where we think of everything in terms of markets and you know, what does the market want? And we think of truth as something that emerges from the market, often, even whether that's correct or not. We think of truth that emerges from evolutionary principles as all this evolutionary psych way of thinking about the world. We've come to a point where we are thinking of truth as what emerges through algorithms.

So we said, oh, we don't know how to predict whether someone will be a good loan risk. We will let a neural network figure this out for us. Our idea of what we know is bound up in an algorithm; that is what I call the algorithmic lens. I think that's, first of all, something we need to be aware of. And then like with anything, we need to be aware of what the limits of this lens are. What are the things that cannot see as well? Our algorithm lens is distorted in some important ways, and I think of my role as working in technology, which is my expertise: how can we reimagine and how can we repair this algorithmic lens so we can change the way we frame and ask questions in computer science?

And I think of doing technology in the public interest as that: how can we change the way we ask questions is technology? Not just to do the same old, same old, but how can we use



technology to benefit all of us, especially people whose voices often don't get heard, who are not the big tech companies.

Then I think we can expand the scope of what we do in computer science and I'm, I'm really, I would like to spend a lot more time thinking about that.

RAFFI VO:

On the next episode of Technically Optimistic...

We are talking about education... in the broadest sense.

How do we educate the public about AI and its risks?

CLIP:

*They should not feel passive in terms of AI, and say that OK it's other people's business. They should jump on the scale to the active side.*

How will AI shake up the classroom?

CLIP:

*Being able to practice things with AI will actually give confidence to students.*

And how is AI being confronted on college campuses today?

CLIP: *You know we were the generation that was raised by AI, and we are also the next generation of advocates, of developers, regulators, consumers, voters.*

That's next time... in episode 4.

Technically Optimistic is produced by Emerson Collective, with original music by Mattie Safer.

For updates, additional content, and engaging discussions, follow us on social media! You can find us on Instagram, LinkedIn and Facebook ... at EmersonCollective.

I'm Raffi Krikorian. See you next week... on Technically Optimistic.