

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require the Secretary of Defense to manage risks relating to military use of artificial intelligence.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 4638**

To authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WELCH

Viz:

1 At the appropriate place in title XVI, insert the following:  
2

3 **SEC. \_\_\_\_ . MANAGING RISKS RELATING TO MILITARY USE**

4 **OF ARTIFICIAL INTELLIGENCE.**

5 (a) LEDGER OF USE AND DEPLOYMENT.—

6 (1) IN GENERAL.—The Secretary of Defense  
7 shall create a ledger of all uses by the Department  
8 of Defense of covered systems.

1           (2) REQUIREMENTS.—The ledger created pur-  
2           suant to paragraph (1) shall be a structured, in-  
3           dexed database.

4           (b) RISK ASSESSMENT PROCESS.—

5           (1) IN GENERAL.—The Secretary shall establish  
6           a risk assessment process that holistically evaluates  
7           each unique deployment or implementation by the  
8           Department of a covered system in the ledger re-  
9           quired by such subsection.

10          (2) ELEMENTS.—

11          (A) IN GENERAL.—The process required  
12          by paragraph (1) shall, at a minimum, cover  
13          matters relating to the following:

14                  (i) Accuracy.

15                  (ii) Cybersecurity.

16                  (iii) Privacy.

17                  (iv) Bias.

18                  (v) Bias towards escalation.

19                  (vi) Deployment span.

20                  (vii) Risk of civilian harm.

21          (B) BIAS TOWARDS ESCALATION.—For  
22          purposes of subparagraph (A)(iii), the process  
23          shall cover assessment of bias relating to wheth-  
24          er technology ever deescalates conflict situa-  
25          tions.

1 (C) DEPLOYMENT SPAN.—For purposes of  
2 subparagraph (A)(v), the process shall address  
3 changes in risk levels based on whether covered  
4 systems are deployed singularly or in clusters or  
5 swarms.

6 (3) ANNUAL ASSESSMENTS.—The Secretary  
7 shall ensure that the process required by paragraph  
8 (1) requires reevaluation of each covered system in-  
9 cluded in the ledger required by subsection (a)—

10 (A) not less frequently than annually; and

11 (B) whenever—

12 (i) the underlying foundation artificial  
13 intelligence model receives an update that  
14 notably shifts the capabilities of the cov-  
15 ered system; and

16 (ii) the Department procures any cov-  
17 ered system that has not previously been  
18 evaluated by the process.

19 (c) ANNOTATIONS REGARDING EXPORTS.—The Sec-  
20 retary shall annotate in the ledger required by subsection  
21 (a) when—

22 (1) a covered system developed or owned by the  
23 Department is shared with a foreign country, ex-  
24 ported to a foreign country, or used by any foreign  
25 person or government; and

1           (2) such sharing, exporting, or use presents ad-  
2           ditional risk covered by the risk assessment process  
3           required by subsection (b).

4           (d) SUBMITTAL TO CONGRESS.—

5           (1) IN GENERAL.—Not later than one year  
6           after the date of the enactment of this Act, the Sec-  
7           retary shall submit to Congress the following:

8                   (A) The ledger required by subsection (a).

9                   (B) A report on the findings of the Sec-  
10           retary with respect to the risk assessments con-  
11           ducted pursuant to the risk assessment process  
12           established under subsection (b).

13                   (C) The annotations made under sub-  
14           section (c).

15           (2) FORM.—Submittal pursuant to paragraph  
16           (1) shall be, to the fullest extent possible, in unclas-  
17           sified form, but may include a classified annex to the  
18           degree the Secretary considers necessary.

19           (3) PUBLIC AVAILABILITY.—The Secretary  
20           shall make available to the public the unclassified  
21           portion of the submittal under paragraph (1).

22           (e) COVERED SYSTEM DEFINED.—In this section,  
23           the term “covered system” includes the following systems  
24           that are enabled by artificial intelligence:

25                   (1) A weapon system.

- 1           (2) A targeting system.
- 2           (3) A decision support system that aids a sys-
- 3           tem described in paragraph (1) or (2).