

# United States Senate

WASHINGTON, DC 20510

December 3, 2024

The Honorable Gene L. Dodaro  
Comptroller General of the United States  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, D.C. 20548

Dear Comptroller General Dodaro,

We write today to request information regarding the ability of existing U.S. export controls to manage artificial intelligence (AI)-related national security risks and human rights concerns.

As you know, AI has the potential to revolutionize entire industries, including the security sector. AI offers potential benefits to U.S. national security, such as the ability to identify security threats more quickly. It also, however, poses potential drawbacks: for example, AI could be used by U.S. adversaries to develop advanced military capabilities and commit cyberattacks. In addition, foreign governments could also use AI-enabled technologies such as facial recognition to surveil their populations, raising human rights concerns.

The U.S. has been an early leader in AI innovation and has a stated policy of maintaining as large a lead as possible over competitor countries in certain technologies necessary for AI development. As part of maintaining this leadership, the U.S. may authorize exports of AI technologies to foreign partners in both the public and private sectors. These transactions are subject to existing U.S. government export controls, which are designed to mitigate risks associated with exporting sensitive items while ensuring that legitimate trade can occur. For example, the Department of State implements export controls for defense articles and services. The Department of Commerce, meanwhile, implements export controls for “dual-use” items and technologies that may have benign commercial applications but could also be misused to undermine U.S. national security or violate human rights. Though these export controls can be effective, potential gaps may pose vulnerabilities.

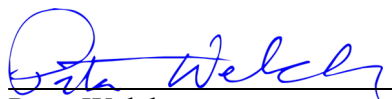
As AI continues to accelerate, it is imperative for Congress to understand the adequacy of U.S. export controls in managing national security risks and human rights concerns. Therefore, we request that GAO examine the following questions and any other issues deemed appropriate:

1. To what extent do current U.S. export controls cover AI systems and technologies or services necessary for their development and deployment, including but not limited to cloud computing services and high-risk training data?
2. To what extent do U.S. agencies assess the efficacy of their export controls on AI-related technologies and what are the findings?

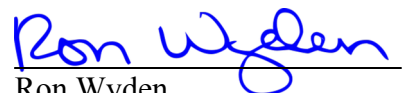
3. What controls exist to ensure that foreign recipients of U.S. origin AI technologies adhere to international humanitarian law (IHL) and international human rights obligations? How, if at all, do agencies assess the efficacy of these controls?
4. To what extent are IHL-related controls used and capable of effectively tracking changes in how U.S. origin AI technologies are deployed by foreign actors and militaries, especially as either the technology or deployment context evolves over time?
5. To what extent are human-rights related controls used to effectively track changes in how U.S. origin AI technologies are used by foreign security and intelligence agencies - particularly for surveillance, censorship, and forms of social controls - especially as either the technology or applications of the technology evolve over time?
6. In what situations might an agency revoke a license authorizing the export of AI-related technologies and services? Are revocations able to quickly and clearly address changes in compliance with IHL?
7. Is there any evidence that U.S. origin AI technologies or services have been used to violate IHL or to violate international human rights obligations? Please provide a list and summary of all issue areas identified.
8. For any IHL or human rights related controls identified, please describe the following:
  - a. where they are defined;
  - b. any notable gaps in their authorities or implementation; and
  - c. any legislative measures that would improve the U.S.' ability to more effectively control the risk of AI proliferation to foreign actors who do not demonstrate technology deployment aligned with IHL.

Thank you for your attention to this matter.

Sincerely,



Peter Welch  
United States Senator



Ron Wyden  
United States Senator