



July 30, 2024

The Honorable Maria Cantwell
Chair
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

The Honorable Ted Cruz
Ranking Member
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Chair Cantwell and Ranking Member Cruz:

The U.S. Chamber of Commerce supports several bills the Committee is expected to markup that would advance American technological leadership and enhance the efficiency of domestic supply chains.

I. Artificial Intelligence

To help ensure that Congress can put the right framework in place to deal with the growing deployment of Artificial Intelligence (AI) technologies, the Chamber assembled an independent, bipartisan commission led by former Representatives John Delaney (D-MD) and Mike Ferguson (R-NJ) that proposed a regulatory framework based upon months of public comment and testimony.¹

We strongly support the AI Commission recommendation that “[b]efore drafting new laws, policymakers should evaluate existing laws for use and application to AI as a ‘level-setting exercise’ to determine next steps. Such a gap analysis would demonstrate where further regulations or clarifications may be needed.”² The Senate Bipartisan AI Working Group supported this same approach.³ The AI Commission also recommended that new AI laws be risk-based and technology neutral.

Regarding whether federal agencies may regulate AI pursuant to existing laws, we believe Congress and the Administration should take into account the Supreme Court’s recent decision in *Loper Bright Enterprises v. Raimondo*, No. 22-451 (June 28, 2024) and how it may impact judicial review of those agency actions. Doing so will help to ensure that agencies do not rely on ambiguous authorities and that future protections are durable.

The Commission did recognize an area of concern that merited more immediate legislation involving prohibiting the use of nonconsensual intimate deepfakes.⁴ Given the urgent need and lack of current authority to combat non-consensual deepfake images, the Chamber supports S.4569, the “TAKE IT DOWN Act.” We look forward to working with

¹ https://www.uschamber.com/assets/documents/CTEC_AICommission2023_Report_v5.pdf

² *Id.* at 77.

³ https://www.young.senate.gov/wp-content/uploads/Roadmap_Electronic1.32pm.pdf at 11.

⁴ *Supra* n. 2 at 30.

Senators Cruz and Klobuchar as well as the Committee to refine this legislation as the legislative process continues.

II. Broadband

Millions of Americans lack access to the internet. While the federal government has a myriad of programs to help close this digital divide, these programs are duplicative, lack coordination, and fail to address key barriers, such as permitting requirements.

The Chamber strongly supports S. 2238, “Plan for Broadband Act,” bipartisan legislation that would direct the National Telecommunications and Information Administration (NTIA) to create a national strategy to bring high-speed internet access to all Americans and improve coordination between government programs to increase broadband access.

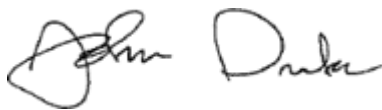
III. Transportation Security

The Department of Homeland Security (DHS) houses most critical credentialing programs key to supply chain continuity. While these programs are effective, many key supply chain workers such as truck drivers, pipeline operators, longshore workers, and warehouse managers are burdened with unnecessary duplicative paperwork for programs that require similar background checks and assessments.

The Chamber strongly supports S.3959, the “Transportation Security Screening Modernization Act.” This bipartisan legislation would codify recommendations issued by the Government Accountability Office in 2007 and DHS’s Homeland Security Operational Analysis Center in 2019 to harmonize programs that require the same background check such as the Transportation Worker Identification Credential (TWIC), Hazardous Materials Endorsement (HME), and TSA PreCheck programs. Additionally, the legislation would allow individuals to apply for enrollment in multiple security threat assessment programs at the same time under a reduced fee structure. Streamlining these programs would alleviate an unnecessary burden on the supply chain workers, reduce costs to businesses, and decrease the federal government’s workload while maintaining the same level transportation security.

Thank you for the opportunity to share our views on the Committee’s important work in these areas.

Sincerely,



John Drake
Vice President
Transportation, Infrastructure
and Supply Chain Policy



Jordan Crenshaw
Senior Vice President
Chamber Technology Engagement Center
U.S. Chamber of Commerce

cc: Members of Senate Committee on Commerce, Science, and Transportation