March 5, 2025

RE: Development of an Artificial Intelligence (AI) Action Plan

APAC GATES and Digital Governance Asia are pleased to submit these recommendations to the National Science Foundation pursuant to a Federal Register request for information on the development of an AI Action Plan.

We are a US and Indo-Pacific based digital rights and intellectual property research consultancy, and associated non-profit organization, with staff in the Seattle-area and Taipei, Taiwan. We provide policy recommendations to governments across the Indo-Pacific region on AI. For further information please contact Seth Hays at seth@apacgates.com or visit our websites at https://apacgates.com and https://digitalgovernance.asia.

Securing U.S. Leadership in AI Through Innovation & Competitive Advantage

To maintain America's leadership in artificial intelligence, policy must rely on U.S. strengths in innovation ecosystems, financial markets, intellectual property, and energy resources. The United States must lead in setting AI governance framework benchmarks that uphold free, open and fair markets and democratic values, such as freedom of speech and association, that foster pro-innovation policies while countering adversarial influence, exploitation, and abuse in AI development.

We recommend the following:

- Develop the U.S. AI Success Institute (AISI) to replace the AI Safety Institute, focusing on AI-driven growth, risk mitigation, and global AI leadership.
- Establish a global AI coalition of free, open, and fair AI innovators, including governments, industry, and research bodies, in particular in countries that have deep AI and ICT industries, such as Japan, Taiwan, or South Korea, to develop interoperable AI governance, infrastructure and data ecosystems.
- Leverage the Data Free Flow with Trust (DFFT) initiative to establish trusted cross-border data flows that prioritize privacy, security, and IP protections, while protecting against abusive data practices by malign actors.
- Embed AI leadership into U.S. trade agreements, ensuring AI development is fostered in free, open and fair level regulatory playing fields.

- Dedicate resources to prevent AI-related IP theft and forced technology transfers.
- Capitalize on US energy advantages by using domestic energy surplus to power AI data centers, and support initiatives by countries that depend on energy imports to utilize US energy to build out AI compute infrastructure.
- Create a National AI Compute Fund to ensure U.S., and likeminded country partners, firms and research institutions have access to state-of-the-art AI computing resources.
- Foster development of AI licensing frameworks that incentivize fair compensation for U.S. innovators, and creators, recognizing that many datasets being used to train AI contain uncompensated copyrighted material by US copyright holders.
- Promote cyber defense initiatives tackling empirical and actual AI related harms, such as criminal enforcement against AI-powered fraud, scams, and illicit trade.

This document is approved for public dissemination. The document contains no business-proprietary or confidential information. Document contents may be reused by the government in developing the AI Action Plan and associated documents without attribution.