

# *Hitting the Pause Button - A Moratorium for Generative AI*

Center for AI and Digital Policy  
March 19, 2023  
(Updated)



"We do not have the guardrails in place, the laws that we need, the public education, or the expertise in government to manage the consequences of the rapid changes that are now taking place."

- Merve Hickok, CAIDP Chair and Research Director, in testimony before the US Congress, March 8, 2023



**The  
New York  
Times**

"We need to prioritize laws that promote algorithmic transparency and limit algorithmic bias. We need to ensure fairness, accountability and traceability across the A.I. life cycle. With A.I.'s ability to amplify risk to a catastrophic scale, waiting until harms emerge may be too late."

- Marc Rotenberg and Merve Hickok, *Regulating AI: The U.S. Needs to Act*, **The New York Times**, March 6, 2023



How we choose to control AI is "possibly the most important question facing humanity"

- Professor Stuart Russell, *Human Compatible: Artificial Intelligence and the Problem of Control*





"I argue everywhere I go that the new kinds of ungovernable AI and digital technology that's coming into the marketplace is going to be the most important human rights issue of the 21st century."

- Professor Safiya Noble



"GPT-4 should be assumed to be toxic trash until and unless #OpenAI is open about its training data, model architecture, etc . . . But in the meantime, without the info, we should just assume that it is... To do otherwise is to be credulous, to serve corporate interests, and to set a terrible precedent."

-Professor Emily Bender, University of Washington



"GPT-4 has been released w/o any AI transparency, accountability or governance protocols. That's terrible for all of us, humans."

- Dr. Brandeis Marshall



"We cannot keep this paradigm where the world is effectively a testing ground for "research.""

- Dr. Rumman Chowdhury





“Sure; fire your #AIEthics team and spend all the \$ letting loose the most powerful #AI that we have yet seen. What could possibly go wrong? Perfect example of how, for many tech companies, ethics is not a priority; it’s an afterthought at best, PR at worst. And people get harmed.”

- Professor Carissa Véliz



“We need to regulate this, we need laws. The idea that tech companies get to build whatever they want and release it into the world and society scrambles to adjust and make way for that thing is backward.”

-Janet Haven, Data and Society



"In this paper, we take a step back and ask: How big is too big? What are the possible risks associated with this technology and what paths are available for mitigating those risks?"

- Dr. Emily M. Bender, Dr. Timnit Gebru, Angelina McMillan-Major, Dr. Margaret Mitchell



**"As GPT-4 and AI systems like it are adopted more widely in domains central to knowledge discovery and learning, and as use data influences the world it is trained on, AI systems will have even greater potential to reinforce entire ideologies, worldviews, truths and untruths, and to cement them or lock them in, foreclosing future contestation, reflection, and improvement."**

**OpenAI - GPT4 System Card [47, 48, 45, 49]**





**“Don’t exaggerate what your algorithm can do or whether it can deliver fair or unbiased results . . . Tell the truth about how you use data. . . Hold yourself accountable – or be ready for the FTC to do it for you.”**

-Federal Trade Commission, *Aiming for truth, fairness, and equity in your company’s use of AI* (2021)



“AI hype is playing out today across many products, from toys to cars to chatbots and a lot of things in between. Breathless media accounts don’t help, but it starts with the companies that do the developing and selling. . . . Marketers should know that — for FTC enforcement purposes — false or unsubstantiated claims about a product’s efficacy are our bread and butter

-Federal Trade Commission, *Keep your AI claims in check* (2023)

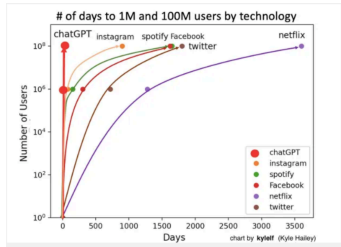


## How are We to Govern AI?



## A Starting Point: Five Key Points





1) ChatGPT is growing more rapidly than any product or service in human history



2) The United States lacks an effective governance structure for AI



3) Tech companies are laying off social impact teams precisely when the need for oversight is greatest



4) The FTC has the authority to investigate and prosecute "unfair or deceptive acts or practices in or affecting commerce"




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Facebook Settles FTC Charges That It Deceived Consumers By Failing To Keep Privacy Promises


5) A complaint to the FTC provides the opportunity to describe a problem and propose a solution



# We Have a Plan



- Draft a detailed complaint to the FTC
- policymakers Build on the earlier FTC AI Policy Statements (2020, 2021, 2023) and FTC Section 5 authority
- *Urge the FTC to impose a moratorium on further commercial deployment until necessary safeguards are established*
- Petition the FTC to begin a rulemaking for all companies in the generative AI sector
- Follow-on with public debate and discussion, encouraging action by other AI policy makers



# How You Can Help

- We need AI experts and AI policy groups to endorse the complaint
- We need insights into how best to establish governance models for GPT and other forms of generative AI
- We need your suggestions about how best to proceed

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# CAIDP Webpage

Further information will be posted here:

CAIDP, Cases, OpenAI

<https://www.caidp.org/cases/openai/>

