

The Public Knowledge AI Regulation Framework

WHO WE ARE

Public Knowledge has a 25-year history of fighting for the Open Internet, access to information, digital rights, and protections for everyone that uses technology. The rapid advancement of AI technology presents a new focal point for every element of that mission.

OUR APPROACH

Our approach to AI is rooted in the optimistic principles that carried us into the digital age: universal access to knowledge, the right to free expression, and the importance of open technology. But we also know that technology companies have grown in power unchecked. Therefore, our approach also incorporates a resolute commitment to safety and privacy for users, enforceable regulatory oversight, limits on corporate power, support for pluralistic democracy, and dedication to equity and social justice.

This is not the first proposed framework for AI policy, and it will not be the last. It is easy to find frameworks that are blindly optimistic about innovation and pay lip service to accountability, or detailed regulatory proposals about risks and harms that lack an affirmative vision for putting us on a better path.

This framework combines the tested and enduring principles of openness and democratization with clear-eyed analysis of the risks and harms that rapidly changing technology can bring. It presents two core principles with a serious, actionable, cohesive platform for regulating the development, deployment, and adoption of AI.

These are the policies that Public Knowledge is working towards and the ones we think policymakers should adopt. We hope you will join us in pursuit of AI regulation that builds a more creative and connected future for everyone.

PRINCIPLE 01

Distribute the power of AI broadly and equitably.

Our goal is to democratize and decentralize that power through broad and equitable access, open and public alternatives, meaningful competition, and user choice, ensuring AI development and adoption serve the public interest and people rather than further concentrating power among a handful of dominant technology companies.

A. Digital Equity & Inclusion

We must close the existing digital divide and prevent a new one from forming around AI access.

- Recognize that broadband connectivity is interlinked with AI progress and adoption, and universal service is needed.
- Build AI systems and business models that support pluralistic, inclusive, and accessible adoption.

B. Open Technology

We need concerted public-private policy action to make the U.S. a leader in open source AI.

- Build the next generation of open protocols for the AI and agentic ecosystems, as we did for the internet.
- Create interoperability and data portability requirements for AI systems to prevent capture, moats, and the same problems that arose from online platforms.

C. Antitrust Enforcement

We need aggressive antitrust enforcement to combat the significant consolidation in the AI industry.

- Stop anticompetitive mergers, acquisitions, partnerships, and deals designed to evade regulatory authority.
- Prohibit self preferencing and ensure fair access to private physical and digital infrastructure.
- Investigate and pursue structural separation remedies as necessary to prevent power consolidation in AI companies.

D. Public AI

We need a paradigm of public AI development, governance, and deployment to serve the public good.

- Invest in an ambitious public infrastructure program for every layer of the AI stack, including datasets, training compute, and inference capacity.
- Leverage America's strengths of democracy and self-governance by empowering states, Tribes, and local communities to take the lead on governance of AI through their own public AI systems and services.
- Support the global Public AI movement through international partnerships to grow the idea of AI by and for the people.

E. Access to Creativity and Knowledge

We must protect access to shared creativity and knowledge by renewing norms and defending legal rights.

- Promote a flourishing digital commons online by renewing a culture of stewardship, sharing, and reciprocity.
- Protect the rights to access, read, and use information – including fair use protections for AI training on publicly accessible data, opposition to link taxes, and preserving the open web.
- Protect creativity and free expression, including AI outputs that would be noninfringing if created by a human and protecting speech from abusive takedowns.

Protect people from both new risks and documented harms posed by uncontrolled AI advances.

Deep learning systems have exploded in scale, speed of advancement, and capability. These systems pose anticipated but entirely new risks, along with risks not yet fully understood. Some of these are potentially catastrophic, and the long-term effects of rapid advances could prove to be massively disruptive. We need to plan for and protect people from those risks. But AI also preceded this paradigm, and algorithmic and other machine learning systems have well-documented patterns of harm that have never been addressed. Any comprehensive plan for AI regulation must address both sets of risks and harms.

A. Sectoral & Federal Regulation

We know AI will have far-reaching impacts and we need a holistic approach to regulatory oversight that pulls in existing expertise and fosters new capacities in government.

- Support and empower existing regulators with targeted sector-specific legislation.
- Expand federal technical capacity to support sectoral regulators, federal AI adoption, and states and localities.
- Create an independent, expert federal regulatory agency to oversee the AI industry.
- Protect federalism and local control by limiting state AI regulation preemption.

B. Civil Rights

We cannot allow new technology to become a loophole in our civil rights protections.

- Reaffirm antidiscrimination protections with explicit legislation that accounts for AI and algorithmic bias.
- Strengthen enforcement capabilities to target AI deployers and users that discriminate in consequential areas.
- Promote AI development and adoption practices that strengthen our pluralistic democracy.

C. AI Safety, Security, and Alignment

We need to recognize new and emerging risks from advanced AI and take action to mitigate them.

- Dedicate moonshot funding for safety, accountability, and interpretability research.
- Mandate researcher access, whistleblower protections, and other measures to increase research transparency and openness.
- Establish a sustainable, rules-based, expert-driven frontier AI auditing and assurance regime operable during development and after deployment.

D. Planning for Powerful AI

We need serious planning for the potential for transformative and highly disruptive capabilities from future AI advances.

- Develop contingencies to prevent concentration of power scenarios, including private or authoritarian capture of powerful AI systems.
- Conduct research and policy planning for long-term, radical, mass economic disruption from powerful AI systems.

E. Privacy

We need protections for privacy rights in this new, exceedingly intimate technological arena, and to confront how AI capabilities pose new and unacceptable risks to privacy rights.

- Demand commercial AI system defaults that exclude user data from training, and give consumers the ability to access and delete personal data from AI platforms.
- Require judicial process to protect personal AI use from government access.
- Restrict the use of AI systems to conduct mass surveillance or personal profiling, including from commercial data.

F. Consumer Protection

We need a comprehensive set of consumer protections for AI products and services.

- Require transparency for users and third-party deployers, including warnings and evaluations about AI risks, capabilities, and limitations.
- Create a duty of loyalty for AI agents and personalizable or intimate systems.
- Ensure robust user controls, billing protections, and other core consumer protections exist for AI products.
- Support FCC and FTC enforcement against AI scams and enhance consumer fraud protection.

G. Healthy Information Ecosystems

We must reverse the trends of degrading trust and vanishing access to high-quality information that are exacerbated by AI disruption.

- Revitalize newsgathering and publicly beneficial journalism to bolster high-quality and diverse information sources.
- Combat ongoing epistemic collapse through the adoption of content provenance standards designed to authenticate reliable information online and in digital archives.
- Enforce strong safeguards against deepfake fraud and abuse without degrading free expression.