

June 10, 2024

On behalf of the Information Technology and Innovation Foundation (ITIF), we are writing to express our support for the “Expanding Partnerships for Innovation and Competitiveness Act,” which would create a Foundation for Standards and Metrology in the National Institute of Standards and Technology (NIST). A foundation would help NIST do even more to ensure the United States is at the forefront of global conversations on safe, responsible, and innovative artificial intelligence (AI) and other new and emerging technologies.

Technical standards are an increasingly important part of geotech competition between the United States, China, the European Union, and others. The United States is a global leader in advanced technology in part due to NIST’s role in supporting U.S. industry and other stakeholders’ engagement in developing technical standards. Alongside the AI Safety Institute and NIST’s AI Risk Management Framework, the Foundation would become another tool the United States could use in this global competition to develop technical and appropriately targeted frameworks and standards for the governance of new technologies.

A foundation would complement NIST’s increasingly important work with U.S. stakeholders and international partners, as it’d be able to attract funding to support more U.S. stakeholders to engage in international metrology and technical standards discussions. The Foundation’s ability to raise funds and run grant programs to help even more U.S. experts engage in discussions on technical standards is a great idea as it costs a lot (in terms of salaries and expenses) for experts to engage for years at a time to develop technical standards. The Foundation could use funds as part of a grant process to help experts from small and medium sized firms, academia, and elsewhere to engage in these discussions. For support to be effective, the Foundation will need to ensure it only supports individuals that are truly experts in the relevant technology and can engage on the technical merit of the submissions being debated and discussed at standards development organizations.

The Foundation’s ability to raise outside funding should not detract from the clear and pressing need for Congress to appropriate more funds for NIST. Despite Congress and the Biden Administration’s tasking of NIST, it has not received anywhere near the appropriations it needs. In fact, NIST saw its FY 2024 funding drop by 8 percent (to \$1.16 billion) from the prior year, putting it 11 percent below targets when the CHIPS and Science Act was passed.

The legislation recognizes that good governance is critical to ensuring the NIST Foundation is successful. The legislation outlines a broad and important mission for the foundation, including to help commercialize federally funded research, engage in education and outreach, and to directly support NIST and other stakeholders engaged in standards activities. Learning from other successful U.S. government foundations, such as the Foundation for the National Health Institutes and the new the Foundation for Energy Security

and Innovation (FESI), this legislation includes appropriate administrative arrangements to manage appointments to the board and sets out their duties, board term limits, and financial conflicts of interests.

The Foundation will help NIST and other agencies support the open, voluntary, industry-led, and consensus-based standards system that is the secret sauce that translates U.S. technological innovation and ingenuity into standards power. The United States is the global leader in advanced technologies, but it faces serious challenges from competitors abroad, including China and the European Union, who seek to manipulate how standards are made to handicap U.S. firms and products in favor of local ones. The Expanding Partnerships for Innovation and Competitiveness Act positions the United States to retain its early advantages in AI and other new and emerging technologies by providing additional resources and opportunities for collaboration and engagement on associated technical standards.

The United States needs to do more to address other challenges raised by new and emerging technologies, such as access to computing resources, workforce development, and widespread adoption of AI by both the public and private sectors. However, the Expanding Partnerships for Innovation and Competitiveness Act addresses part of the challenge as it sets out an appropriately targeted mission that will complement what NIST, the Department of Commerce, and other U.S. government agencies, as well as the U.S. private sector, already do so well in using the open international standards system to support U.S. innovation and competitiveness, and by extension, national and economic security.

Sincerely,

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Information Technology and Innovation Foundation