



SIIA'S POLICY RECOMMENDATIONS FOR THE TRUMP TRANSITION TEAM

DECEMBER 2024

The Software & Information Industry Association (SIIA) is the principal trade association for companies at the intersection of technology and information. Our members include nearly 400 companies reflecting the broad and diverse landscape of digital content providers and users in academic and scientific publishing, education technology, and financial information, along with creators of software and platforms used by millions worldwide, global leaders in artificial intelligence models and applications, and companies specializing in data analytics and information services.

SIIA worked collaboratively and successfully with the last Trump Administration on many technology issues. For example, during the pandemic in 2020, the Trump Administration and SIIA successfully collaborated to ensure parents, teachers, schools and others could find high-quality technology tools to continue to connect to education no matter where they were learning. We also strongly supported the Administration's recognition that U.S. economic and national security interests are tied to continued U.S. leadership in AI innovation, accelerated AI adoption by the federal government, and U.S. leadership in the global race to shape the rules of the road. AI remains a priority for our members, and we know advancing U.S. innovation in AI will be a national security imperative for the new Trump Administration. While the United States has built a solid foundation, in line with [SIIA's recommendations](#), technological advances in China and regulatory barriers in the EU and elsewhere present challenges that require assertive action by the Administration and close partnership with industry.

In this memorandum, we provide priority policy recommendations for the incoming Administration grouped in four categories: (1) AI, (2) digital policy, (3) education, and (4) innovation.

STRENGTHEN U.S. LEADERSHIP IN AI

Advance policies that ensure U.S. leadership in AI and advance U.S. national security and competitiveness through federal R&D investment, global leadership, pro-innovation regulation, and a preemptive federal framework.

- **Supercharge Innovation through Federal R&D.** Investment by the federal government is critical to maintain leadership in AI and advanced technologies, stay ahead of China in the global competition, and bolster U.S. national security. Support continued implementation of the CHIPS and Science Act, expansion of NSF's NAIRR, cutting-edge research at DARPA, and build-out of the FASST initiative at Department of Energy as cornerstones of the U.S. innovation agenda.
- **Promote Global Harmonization.** The United States must set rules of the road that foster U.S. innovation and advance both regulatory harmonization and systems interoperability. Provide active leadership in international and multi-stakeholder forums and international standards organizations through robust interagency coordination, public-private engagement, and diplomacy with like-minded allies and partners.
- **Avoid Imposing Export Controls on AI Models and Cloud Computing.** Focus export controls efforts on restricting China's access to high-end semiconductors and semiconductor manufacturing equipment. Current regulatory and legislative efforts to establish export control restrictions on cloud services and AI models present unworkable implementation challenges and will give China a leg-up in the global AI competition.
- **Accelerate Federal AI Adoption.** Promote agile procurement practices for AI, interoperability standards, and hybrid government-commercial clouds that will support the resiliency of federal government systems and eliminate redundant implementation efforts among agencies. Retain and support Chief AI Officer roles to oversee and direct agency adoption.
- **Shape AI Governance through Voluntary Frameworks and Light-Touch Regulation.** Incentivize adoption of frameworks like NIST's AI RMF over prescriptive regulatory approaches. Continue to support the work of NIST's AI Innovation Lab to advance measurement science critical to these frameworks and continue to advance the Codes of Conduct approach.
- **Support and Clarify Voluntary AI Testing.** Support voluntary foundation model testing by Commerce with clarified roles for BIS, NIST and the AI Safety Institute designed to advance safety and national security, foster innovation, and safeguard sensitive information, with sufficient resources to avoid outsourcing testing and oversight to foreign governments.
- **Promote Sector-Based AI Oversight.** Encourage tailored, sector-specific policies to address unique challenges and opportunities in AI development and deployment.
- **Create a Uniform Field of AI Regulation.** Support federal policies that preempt a patchwork of state-level AI regulations to ensure consistency and preserve innovation.

FORTIFY THE AMERICAN DIGITAL ECOSYSTEM

Prioritize digital policy measures that support the needs of American businesses and consumers, strengthen the resiliency of our cybersecurity infrastructure, and protect the safety of users while empowering them to be active participants in the online community.

- **Pass a Federal Privacy Law.** Support a comprehensive federal consumer privacy law with strong preemption of state legislation. The law should provide a national standard and avoid curtailing restrictions that will cede U.S. advantages in AI innovation.
- **Protect Free Speech.** Support the ability of data and analytics companies to rely on publicly available information and use lawfully obtained personal information for societally beneficial speech and business purposes. Ensure enforcement agencies (FTC, CFPB) focus on malicious actors rather than the entire "data broker" industry.
- **Promote Cybersecurity Resiliency.** Recognize cybersecurity as a core national security concern and promote increased vulnerability sharing between the public and private sectors without fear of liability. Protect federal networks and systems by moving to a multi-vendor environment that ensures the federal government has the best solutions.
- **Protect the Interests of U.S. Businesses Abroad by Amending PADFAA.** The Protecting Americans' Data From Foreign Adversaries Act (PADFAA) should be amended to avoid excessive compliance costs and uncertainty for U.S. businesses from all sectors.
- **Pass a Responsible Federal Kids' Online Privacy and Safety Law.** Support a federal law on kids' online privacy and safety modeled on SIIA's principles that comports with the First Amendment and has strong preemption to avoid onerous and unworkable state legislation and flawed federal proposals like KOSA.
- **Support Policies Targeted to Mitigate Specific AI Risks.** Develop targeted policies to address specific risks associated with AI-generated content, such as deepfakes and non-consensual intimate imagery (NCII), while avoiding broad overreach and infringement on the First Amendment.
- **Support First Amendment Rights of Online Platforms.** Preserve Section 230 as a fundamental driver of U.S. innovation and protect the First Amendment rights of private entities to make editorial decisions.

CULTIVATE OUR NEXT GENERATION LEADERS AND WORKFORCE

Prepare the leaders and workforce of tomorrow by giving students access to and real-life experience with the technologies they will use in their future careers.

- **Advance Access to Education Technology.** Provide funding for state and local authorities to enable the adoption of education technology that will increase opportunities for all students.
- **Advance Responsible Adoption of AI in Classrooms.** Provide leadership on [AI in education](#) by convening stakeholders and helping to build local leaders' capacity and knowledge.
- **Support Local Educational Leaders.** Solidify U.S. leadership in educational attainment and career success by ensuring local school leaders and parents have the support necessary to build out world-class education for students. Support local leaders who implement initiatives like project-based learning, credentialing, internships, and work experience.
- **Promote Teacher Development.** Support initiatives to provide teachers with professional development to enhance learning with the assistance of education technologies.
- **Protect Student Privacy and School Cybersecurity.** Support continued technical assistance from the Department of Education and CISA for practitioners to protect the privacy and cybersecurity of student data, including continued funding for the Privacy Technical Assistance Center.
- **Continue the E-Rate Program.** Continue support for the E-Rate program which has provided connectivity for over 50 million students in the 2022-24 period. Access to the internet is essential to build U.S. leadership for the future.

ADVANCE AMERICAN INNOVATION AT HOME AND ABROAD

Champion policies that allow businesses to innovate and thrive both domestically and around the world.

- **Return Antitrust Enforcement to the Consumer Welfare Standard.** Direct the FTC and DOJ to reinstate the consumer welfare standard as the lodestar for antitrust enforcement and to abandon the parts of the 2023 Merger Guidelines and active enforcement actions that are grounded in alternative theories.
- **Return the FTC to its Proper Jurisdiction.** Direct the FTC to rescind the Non-Compete Rule, which improperly seeks to expand the Commission's rulemaking authority under Section 5 of the FTC Act, as well as the 2022 Policy Statement Regarding Section 5 Enforcement. Rein-in the FTC's improper expansion of its unfair and deceptive acts and practices authority to pursue novel rulemaking on commercial surveillance and enforcement actions based on speculative harm.
- **Remove Regulatory Impediments to Business Mergers.** Direct the FTC, in consultation with the DOJ, to rescind the new Hart Scott Rodino Rule and start a new process for updating the Rule to address legitimate concerns raised by a range of industries.
- **Support Existing Copyright Law.** The current system is well equipped to handle challenges posed by emerging technologies—just as it has in the past.
- **Support Patent Quality in the Existing System.** The competitive environment for innovation is the fiercest that it has ever been, and China has applied for more patents than United States firms, especially in artificial intelligence. Poor-quality patents will result in a tax on U.S. innovation and will provide windfalls to foreign firms at the expense of American companies.
- **Protect U.S. Interests in Digital Trade Negotiations.** Advance the interests of U.S. companies by reinstating U.S. support for WTO negotiations on data and source code and returning the yearly National Trade Estimate (NTE) to its Congressionally mandated purpose, which is to provide an inventory of trade barriers faced by U.S. companies abroad.
- **Prevent E.U. Encroachment on U.S. Interests.** Advocate for U.S. companies' interest in the face of discriminatory treatment by the EU as it implements the Digital Service Act, the Digital Markets Act, the AI Act, and other legislation designed to weaken the United States.
- **Push Back Against the Growing Tide of Data Localization.** Promote the free flow of data across borders with appropriate safeguards for intellectual property, privacy, and national security.



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