

No Chief Executive Officer and no Combatant Commander can prove an autonomous action stayed within authority.

No system in service can.

A leading industry analyst firm, in a 2026 study, assessed 107 agentic-AI deployments across nine industries. Not one reached the top of its scale. The reason is the Department's problem before it is anyone else's.

1. What the study found.

The firm scored each deployment on six capabilities, every one of them across five levels, 0 through 4. Level 4 is the top, and the level the firm calls most likely to deliver transformative return.

LEVEL 2 · Basic	LEVEL 3 · Intermediate	LEVEL 4 · Advanced
41	66	0
Assists inside a task a person is still running	Runs whole workflows alone, inside limits a person set	Acts on its own authority, no person in the path

Deployments analyzed, by level. Source: analyst study, 2026, which notes the examples were not extensively validated.

Level 4 is where the value is. The firm identifies it as the level most likely to deliver transformative return, and the return is only half of it. An organization that can delegate authority to a machine and still answer for the result moves at a speed its adversary cannot match, on decisions it cannot otherwise safely automate at all.

2. Why it stops there.

Levels 0 through 3 keep a person in the decision path. That person is the accountability. Level 4 removes the person. Nothing takes their place.

The models are capable. The Level 3 deployments already plan, replan and act on production systems. The gap is not capability.

The gap is that the default architecture of AI is self-attestation. The system acts. Then it writes the record of what it did. Then it hands you the record. You are asked to take its word. The Europeans wrote that into law: the EU AI Act lets the provider declare its own conformity.

A machine that acts and then vouches for itself is the self-attestation of a king.

Madison wrote in Federalist No. 10 that no man should be judge in his own cause. This is not a technology problem. It is an old problem, and Americans answered it long ago. Separate the power to act from the power to judge the act. Write down what the authority is. Let someone outside check.

Nobody had built that for machines. And the instinct that a control slows you down has it backward. The flight envelope is what lets the aircraft be flown hard. The wingman covers your six.

3. The seat can be taken.

A system that vouches for itself is not only unaccountable. It is a target. Twenty-five years ago the adversary came aboard under papers the system accepted, went through a door the system did not defend, and took the seat. The controllers heard him on the pilot's radio. Every system that looked at the airplane saw a friendly under command. The flaw was one assumption: whoever holds the controls holds the authority.

A machine that acts and then writes its own record makes the same assumption about itself. It can be taken the same three ways — a false identity, a breached container, a captured channel — and it will keep vouching. The Department means to field such systems in the “multiple thousands,” its own phrase (Replicator, 2023), for the Pacific, to act faster than any man can follow. The next seat will be a machine’s.

4. The American answer: we have your six.

The Arbiter sits outside the system it checks. Before an action runs, it weighs the request against the authority for it. It applies the authority you delegated — not its own judgment, and not the actor’s identity. It signs a permit or a deny. A captured actor does not inherit the authority.

The record is cryptographic. It cannot be changed without showing it. Anyone you authorize can check it later, using published methods, and reach the same answer without trusting us or the system that acted.

Then the seat can be taken. The authority cannot.

A machine cannot correct itself from a higher conscience. It has none. The values have to be built into it, and the authority it answers to, and both have to be American.

The proposer proposes. The Arbiter decides.

5. Two questions decide it.

- **Enforcement.** Does the system stop the action, or only observe it?
- **Verifier-independence.** Can a third party check the decision without the cooperation of the system that produced it?

	NO VERIFIER-INDEPENDENT EVIDENCE	VERIFIER-INDEPENDENT EVIDENCE
ENFORCES THE ACTION	34 assessed Enforces, no evidence	PROOFSMITH Enforces, with evidence
DOES NOT ENFORCE	38 assessed Neither	24 assessed Evidence, no enforcement

One hundred and seven systems assessed over eight months, ninety-nine placed on these axes and eight set off them. The upper right has stayed empty throughout. The analyst’s study and ours share a number by coincidence and a finding by none: one hundred and seven, and no one at the top. Patent pending.

6. Where this bites.

- **A command.** An autonomous system acts on delegated authority in the Pacific, at machine speed, with no person in the path. The Combatant Commander has to be able to show it stayed inside what was delegated — to a review that does not take the system’s word for it. The House’s FY27 bill asks for exactly that, in three words: auditability, traceability, accountability (§1524(b)(5)).
- **A company.** An agent acts on delegated authority in a bank, a hospital or a control room, at machine speed, with no person in the path. The chief executive has to be able to show it stayed inside what was delegated — to an examiner, an auditor, a court or a shareholder who does not take the system’s word for it.

The same question sits in every room that bill puts in front of this office: a public model onboarded to an enterprise platform within thirty days (§1512); an enterprise agent acting on the Department’s own workflows; a transaction validated in real time for the clean audit; a part a supplier releases into an industrial base the adversary has already pre-positioned inside.

In every one of them the only record of the decision is the one the acting system wrote about itself.

Until now.

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