

OMB Releases Implementation Guidance Following President Biden's Executive Order on Artificial Intelligence

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This week, President Biden signed a landmark [Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence](#). As the United States takes action to realize the tremendous promise of AI while managing its risks, the federal government will lead by example and provide a model for the responsible use of the technology. As part of this commitment, today, ahead of the UK Safety Summit, Vice President Harris will announce that the Office of Management and Budget (OMB) is releasing for comment a new draft policy on Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence. This guidance would establish AI governance structures in federal agencies, advance responsible AI innovation, increase transparency, protect federal workers, and manage risks from government uses of AI.

Every day, the federal government makes decisions and takes actions that have profound impacts on the lives of Americans. Federal agencies have a distinct responsibility to identify and manage AI risks because of the role they play in our society. The proposed guidance also builds on the [Blueprint for an AI Bill of Rights](#) and the [AI Risk Management Framework](#) by mandating a set of minimum evaluation, monitoring, and risk mitigation practices derived from these frameworks and tailoring them to context of the federal government. By prioritizing safeguards for AI systems that pose risks to the rights and safety of the public—safeguards like AI impact assessments, real-

world testing, independent evaluations, and public notification and consultation—the guidance would focus resources and attention on concrete harms, without imposing undue barriers to AI innovation.

Strengthening AI Governance

To improve coordination, oversight, and leadership for AI, the draft guidance would direct federal departments and agencies to:

- Designate Chief AI Officers, who would have the responsibility to advise agency leadership on AI, coordinate and track the agency's AI activities, advance the use of AI in the agency's mission, and oversee the management of AI risks.
- Establish internal mechanisms for coordinating the efforts of the many existing officials responsible for issues related to AI. As part of this, large agencies would be required to establish AI Governance Boards, chaired by the Deputy Secretary or equivalent and vice-chaired by the Chief AI Officer.
- Expand reporting on the ways agencies use AI, including providing additional detail on AI systems' risks and how the agency is managing those risks.
- Publish plans for the agency's compliance with the guidance.

Advancing Responsible AI Innovation

To expand and improve the responsible application of AI to the agency's mission, the draft guidance would direct federal agencies to:

- Develop an agency AI strategy, covering areas for future investment as well as plans to improve the agency's enterprise AI infrastructure, its AI workforce, its capacity to successfully develop and use AI, and its ability to govern AI and manage its risks.

- Remove unnecessary barriers to the responsible use of AI, including those related to insufficient information technology infrastructure, inadequate data and sharing of data, gaps in the agency's AI workforce and workforce practices, and cybersecurity approval processes that are poorly suited to AI systems.
- Explore the use of generative AI in the agency, with adequate safeguards and oversight mechanisms.

Managing Risks from the Use of AI

To ensure that agencies establish safeguards for safety- and rights-impacting uses of AI and provide transparency to the public, the draft guidance would:

- Mandate the implementation of specific safeguards for uses of AI that impact the rights and safety of the public. These safeguards include conducting AI impact assessments and independent evaluations; testing the AI in a real-world context; identifying and mitigating factors contributing to algorithmic discrimination and disparate impacts; monitoring deployed AI; sufficiently training AI operators; ensuring that AI advances equity, dignity, and fairness; consulting with affected groups and incorporating their feedback; notifying and consulting with the public about the use of AI and their plans to achieve consistency with the proposed policy; notifying individuals potentially harmed by a use of AI and offering avenues for remedy; and more.
- Define uses of AI that are presumed to impact rights and safety, including many uses involved in health, education, employment, housing, federal benefits, law enforcement, immigration, child welfare, transportation, critical infrastructure, and safety and environmental controls.
- Provide recommendations for managing risk in federal procurement of

AI. After finalization of the proposed guidance, OMB will also develop a means to ensure that federal contracts align with its recommendations, as required by the Advancing American AI Act and President Biden's AI Executive Order of October 30, 2023.

Every day, the federal government makes decisions and takes actions that have profound impacts on the lives of Americans. Federal agencies have a distinct responsibility to identify and manage AI risks because of the role they play in our society. AI is already helping the government better serve the American people, including by improving health outcomes, addressing climate change, and protecting federal agencies from cyber threats. In 2023, federal agencies identified [over 700 ways](#) they use AI to advance their missions, and this number is only likely to grow. When AI is used in agency functions, the public deserves assurance that the government will respect their rights and protect their safety.

Some examples of where AI has already been successfully deployed by the Federal government include:

- **Department of Health and Human Services**, where AI is used to predict infectious diseases and assist in preparing for potential pandemics, as well as anticipate and mitigate prescription drug shortages and supply chain issues.
- **Department of Energy**, where AI is used to predict natural disasters and preemptively prepare for recoveries.
- **Department of Commerce**, where AI is used to provide timely and actionable notifications to keep people safe from severe weather events.
- **National Aeronautics and Space Administration**, where AI is used to assist in the monitoring of Earth's environment, which aids in safe execution of mission-planning.

- **Department of Homeland Security**, where AI is used to assist cyber forensic specialists to detect anomalies and potential threats in federal civilian networks.

The draft guidance takes a risk-based approach to managing AI harms to avoid unnecessary barriers to government innovation while ensuring that in higher-risk contexts, agencies follow a set of practices to strengthen protections for the public. AI is increasingly common in modern life, and not all uses of AI are equally risky. Many are benign, such as auto-correcting text messages and noise-cancelling headphones. By prioritizing safeguards for AI systems that pose risks to the rights and safety of the public—safeguards like AI impact assessments, real-world testing, independent evaluations, and public notification and consultation—the guidance would focus resources and attention on concrete harms, without imposing undue barriers to AI innovation.

This announcement is the latest step by the Biden-Harris Administration to advance the safe, secure, and trustworthy development and use of AI, and it is a major milestone for implementing President Biden's AI Executive Order. The proposed guidance also builds on the [Blueprint for an AI Bill of Rights](#) and the [National Institute of Standards and Technology's AI Risk Management Framework](#) by mandating a set of minimum AI risk management practices derived from these frameworks and tailoring them to context of the federal government. It would establish the specific leadership, milestones, and transparency mechanisms to drive and track implementation of these practices. With the current rapid pace of technological development, bold leadership in AI is needed. With this draft guidance, the government is demonstrating that it can lead in AI and ensure that the technology benefits all.

Learn more

Read the draft guidance: [AI.gov/input](https://ai.gov/input)

See the full scope of AI actions from the Biden-Harris Administration: [AI.gov](https://ai.gov)

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Questions? Contact ofcio@omb.eop.gov