

Calendar No. 495

118TH CONGRESS
2D SESSION**S. 2293****[Report No. 118–216]**

To establish the Chief Artificial Intelligence Officers Council, Chief Artificial Intelligence Officers, and Artificial Intelligence Governance Boards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2023

Mr. PETERS (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 10, 2024

Reported by Mr. PETERS, with an amendment and an amendment to the title
[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To establish the Chief Artificial Intelligence Officers Council, Chief Artificial Intelligence Officers, and Artificial Intelligence Governance Boards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “AI Leadership To En-
3 able Accountable Deployment Act” or the “AI LEAD
4 Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) AGENCY.—The term “agency” has the
8 meaning given the term in section 3502 of title 44,
9 United States Code.

10 (2) ARTIFICIAL INTELLIGENCE.—The term “ar-
11 tificial intelligence” has the meaning given the term
12 in section 238(g) of the John S. McCain National
13 Defense Authorization Act for Fiscal Year 2019 (10
14 U.S.C. note prec. 4061; Public Law 115–232).

15 (3) CHIEF ARTIFICIAL INTELLIGENCE OFFI-
16 CER.—The term “Chief Artificial Intelligence Offi-
17 cer” means an official appointed or designated by
18 the head of an agency pursuant to section 4(b)(1).

19 (4) COUNCIL.—The term “Council” means the
20 Chief Artificial Intelligence Officers Council estab-
21 lished under section 3(a).

22 (5) DIRECTOR.—The term “Director” means
23 the Director of the Office of Management and Budg-
24 et.

25 (6) RELEVANT CONGRESSIONAL COMMIT-
26 TEES.—The term “relevant congressional commit-

tees” means the Committee on Homeland Security
and Governmental Affairs of the Senate and the
Committee on Oversight and Accountability of the
House of Representatives.

SEC. 3. CHIEF ARTIFICIAL INTELLIGENCE OFFICERS COUNCIL.

(a) **ESTABLISHMENT.**—Not later than 90 days after
the date of enactment of this Act, the Director shall estab-
lish a Chief Artificial Intelligence Officers Council.

(b) **DUTIES.**—The Council shall—

(1) promote coordination regarding agency
practices relating to the design, acquisition, develop-
ment, modernization, use, operation, sharing, risk
management, and performance of artificial intel-
ligence technologies;

(2) ensure interagency coordination regarding
Federal artificial intelligence activities;

(3) share experiences, ideas, best practices, and
innovative approaches relating to artificial intel-
ligence; and

(4) assist the Director, as necessary, in—

(A) the identification, development, and co-
ordination of multi-agency projects and other
initiatives to improve Government performance;
and

1 ~~(B)~~ the management of risks relating to
2 developing, obtaining or using artificial intel-
3 ligence, including by—

4 (i) promoting the development and
5 use of efficient, common, and shared ap-
6 proaches to key processes that improve the
7 delivery of services for the public; and

8 (ii) soliciting and providing perspec-
9 tives on matters of concern to the Council,
10 as appropriate, from and to—

11 (I) the Chief Financial Officers
12 Council;

13 (II) the Chief Human Capital Of-
14 ficers Council;

15 (III) the Chief Acquisition Offi-
16 cers Council;

17 (IV) the Chief Information Offi-
18 cers Council;

19 (V) the Chief Data Officers
20 Council;

21 (VI) other interagency councils;

22 (VII) other key groups of the
23 Federal Government;

24 (VIII) industry;

25 (IX) academia;

1 ~~(X)~~ State, local, Tribal, terri-
 2 torial, and international governments;
 3 and

4 ~~(XI)~~ other individuals and enti-
 5 ties, as determined necessary by the
 6 Director.

7 ~~(c)~~ MEMBERSHIP OF CAIOC.—

8 ~~(1)~~ CHAIR.—The Director shall serve as the
 9 Chair of the Council.

10 ~~(2)~~ COCHAIR.—The Cochair of the Council shall
 11 be—

12 ~~(A)~~ nominated by a majority of the mem-
 13 bers of the Council; and

14 ~~(B)~~ designated as the Cochair of the Coun-
 15 cil by the Director.

16 ~~(3)~~ MEMBERS.—Members of the Council shall
 17 include—

18 ~~(A)~~ the Chief Artificial Intelligence Officer
 19 of each agency described in section 901(b) of
 20 title 31, United States Code;

21 ~~(B)~~ a representative from an agency
 22 with—

23 (i) advisory experience in scientific
 24 and technological issues that require atten-

1 tion at the highest level of Government;
2 and

3 (ii) a role working with agencies to
4 create strategies, plans, policies and pro-
5 grams for science and technology, includ-
6 ing artificial intelligence; and

7 (C) other members, as determined nec-
8 essary by the Director.

9 (4) STANDING COMMITTEES; WORKING
10 GROUPS.—The Council shall have the authority to
11 establish standing committees and working groups
12 as necessary to consider items of concern to the
13 Council.

14 **SEC. 4. AGENCY ARTIFICIAL INTELLIGENCE OFFICERS.**

15 (a) DUTIES OF AGENCIES.—The head of each agency
16 shall ensure the responsible research, development, acqui-
17 sition, application, governance, and use of artificial intel-
18 ligence by the agency that is consistent with democratic
19 values, including—

- 20 (1) privacy;
- 21 (2) civil rights and civil liberties;
- 22 (3) information security;
- 23 (4) nondiscrimination;
- 24 (5) transparency; and
- 25 (6) reliability.

1 (b) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

2 (1) IN GENERAL.—The head of each agency
3 shall hire or designate a Chief Artificial Intelligence
4 Officer with responsibility for—

5 (A) promoting artificial intelligence innova-
6 tion;

7 (B) developing, in coordination with other
8 responsible officials of the agency, the policies
9 of the agency regarding the use of artificial in-
10 telligence technologies;

11 (C) ensuring policies of the agency are in
12 compliance with governmentwide requirements;

13 (D) in coordination with other responsible
14 officials of the agency, the processes of the
15 agency regarding the risk management, govern-
16 ance, and oversight of the use of artificial intel-
17 ligence by the agency;

18 (E) producing a risk management plan for
19 agency-specific use cases of artificial intel-
20 ligence, including a procedure for classifying
21 risk levels in agency use of artificial intel-
22 ligence;

23 (F) ensuring standards, regulations, in-
24 vestments, practices, systems, and other mat-
25 ters are designed, developed, and deployed in a

1 manner that protects the rights and safety of
2 individuals;

3 (G) providing input on the decision pro-
4 cesses for annual and multi-year planning, pro-
5 gramming, budgeting, and execution decisions,
6 related reporting requirements, and reports re-
7 lating to artificial intelligence of the agency;

8 (H) participating in internal control pro-
9 cesses or entities convened for the purpose of re-
10 viewing artificial intelligence acquisitions during
11 the acquisition life cycle; and

12 (I) performing other functions relating to
13 artificial intelligence, as determined by the Di-
14 rector or the head of the agency.

15 (2) STRUCTURE.—The Director shall issue
16 guidance on the appropriate reporting structure,
17 qualifications, and seniority level for the role of a
18 Chief Artificial Intelligence Officer.

19 (3) SENIORITY.—With respect to the Chief Ar-
20 tificial Intelligence Officer of any agency described
21 in section 901(b) of title 31, United States Code, the
22 Chief Artificial Intelligence Officer shall be an exec-
23 utive with a position classified above GS-15 of the
24 General Schedule or the equivalent.

1 (4) ROLES.—The head of each agency shall en-
2 sure that the Chief Artificial Intelligence Officer of
3 the agency has a significant role in—

4 (A) the decision processes for all annual
5 and multi-year planning, programming, budge-
6 eting, and execution decisions, related reporting
7 requirements, and reports relating to artificial
8 intelligence of the agency; and

9 (B) the management, governance, acquisi-
10 tion, and oversight processes of the agency re-
11 lating to artificial intelligence.

12 (c) INFORMING CONGRESS.—Not later than 1 year
13 after the date of the enactment of this Act, the head of
14 each agency shall—

15 (1) inform the relevant congressional commit-
16 tees of the appointment of a Chief Artificial Intel-
17 ligence Officer pursuant to subsection (b); and

18 (2) if relevant, provide to the appropriate con-
19 gressional committees a full description of any au-
20 thorities and responsibilities of the individual serving
21 as the Chief Artificial Intelligence Officer that are
22 performed in addition to the authorities and respon-
23 sibilities of the individual in the role of the Chief Ar-
24 tificial Intelligence Officer.

1 **SEC. 5. AGENCY COORDINATION ON ARTIFICIAL INTEL-**
 2 **LIGENCE.**

3 (a) **ESTABLISHMENT.**—Not later than 120 days after
 4 the date of enactment of this Act, the Director shall issue
 5 guidance directing the head of each agency described in
 6 section 901(b) of title 31, United States Code, to establish
 7 within the agency an Artificial Intelligence Governance
 8 Board to coordinate and govern artificial intelligence
 9 issues of the agency.

10 (b) **CONTENTS.**—The guidance issued under sub-
 11 section (a) shall—

12 (1) define the structure and activities of Artifi-
 13 cial Intelligence Government Boards of agencies; and

14 (2) ensure that the membership of the Artificial
 15 Intelligence Governance Board of an agency in-
 16 cludes, to the extent applicable to the agency—

17 (A) the deputy head of the agency;

18 (B) the Chief Artificial Intelligence Officer
 19 of the agency, who shall serve as the Chair of
 20 the Artificial Intelligence Governance Board of
 21 the agency;

22 (C) the chief information officer of the
 23 agency;

24 (D) the chief acquisition officer of the
 25 agency;

1 ~~(E)~~ the senior procurement executive of
 2 the agency;

3 ~~(F)~~ the chief data officer of the agency;

4 ~~(G)~~ the chief human capital officer of the
 5 agency;

6 ~~(H)~~ the chief financial officer of the agen-
 7 cy;

8 ~~(I)~~ the senior agency official for privacy of
 9 the agency;

10 ~~(J)~~ the senior agency official for civil
 11 rights and civil liberties of the agency; and

12 ~~(K)~~ other individuals, as determined by the
 13 Director.

14 ~~(c)~~ STRATEGY.—

15 ~~(1)~~ IN GENERAL.—The head of each agency
 16 shall establish an artificial intelligence strategy for
 17 the trustworthy adoption of artificial intelligence by
 18 the agency to better achieve the mission of the agen-
 19 cy to serve the people of the United States.

20 ~~(2)~~ CONTENTS.—The strategy required under
 21 paragraph ~~(1)~~ shall include the following:

22 ~~(A)~~ Defined roles and responsibilities for
 23 the use and oversight of artificial intelligence by
 24 the agency, including oversight of compliance

1 with relevant laws, regulations, standards, and
2 guidance.

3 (B) Defined values, ethics, and principles
4 to foster public trust and responsible use of ar-
5 tificial intelligence by the agency.

6 (C) The standards, regulations, invest-
7 ments, practices, and other items the agency
8 will use to improve trust and safety and ensure
9 that artificial intelligence systems are designed,
10 developed, and deployed in a manner that pro-
11 tects the rights and safety of individuals.

12 (D) How the agency will oversee artificial
13 intelligence systems and applications to identify
14 and mitigate risk and prevent harm.

15 (E) The considerations and safeguards the
16 agency will use to protect the rights and safety
17 of the public with respect to artificial intel-
18 ligence, including mitigation of algorithmic dis-
19 crimination.

20 (F) The domains or areas in which the
21 agency uses or anticipates using artificial intel-
22 ligence.

23 (G) The steps the agency will take to
24 strengthen workforce knowledge to maximize
25 the value artificial intelligence can bring to mis-

1 sion outcomes while mitigating any associated
2 risks.

3 (H) How and under what conditions the
4 agency can use artificial intelligence to improve
5 the interactions of the agency with the public
6 and the fulfillment of the mission of the agency,
7 while protecting against harmful impacts on
8 agency employees or the public.

9 (I) How the agency will coordinate and
10 work across components, offices, and programs
11 of the agency on artificial intelligence-related
12 matters.

13 (J) How the agency will engage in inter-
14 agency governance and coordination with re-
15 spect to artificial intelligence, including to lever-
16 age shared resources, expertise, and lessons
17 learned to better leverage artificial intelligence
18 to improve Federal Government operations and
19 mitigate the risks of artificial intelligence.

20 (K) How the agency will promote the use
21 and availability of data to support the artificial
22 intelligence efforts of the agency in accordance
23 with statutory, regulatory, and policy require-
24 ments.

1 (L) How the agency will work with the pri-
 2 vate sector to ensure that procured artificial in-
 3 telligence systems or capabilities include protec-
 4 tions to safeguard the rights and safety of indi-
 5 viduals and to secure Federal Government data
 6 and other information.

7 (M) An outline of specific actions to imple-
 8 ment the strategy of the agency and desired
 9 outcomes.

10 (d) GAO REPORT.—Not later than 2 years after the
 11 date of enactment of this Act, the Comptroller General
 12 of the United States shall submit to the relevant congres-
 13 sional committees a report on—

14 (1) the implementation and effectiveness of Ar-
 15 tificial Intelligence Governance Boards established
 16 pursuant to guidance issued under subsection (a);

17 (2) an assessment of the effectiveness of Chief
 18 Artificial Intelligence Officers;

19 (3) recommendations for improving the imple-
 20 mentation and effectiveness of Artificial Intelligence
 21 Governance Boards established pursuant to guidance
 22 issued under subsection (a) and Chief Artificial In-
 23 telligence Officers; and

24 (4) other relevant matters, as determined by
 25 the Comptroller General of the United States.

1 **SEC. 6. SUNSET.**

2 ~~Effective on the date that is 10 years after the date~~
 3 ~~of enactment of this Act, this Act shall have no force or~~
 4 ~~effect.~~

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “AI Leadership To En-*
 7 *able Accountable Deployment Act” or the “AI LEAD Act”.*

8 **SEC. 2. DEFINITIONS.**

9 *In this Act:*

10 (1) *AGENCY.—The term “agency” has the mean-*
 11 *ing given the term in section 3502 of title 44, United*
 12 *States Code.*

13 (2) *ARTIFICIAL INTELLIGENCE.—The term “arti-*
 14 *ficial intelligence” has the meaning given the term in*
 15 *section 5002 of the National Artificial Intelligence*
 16 *Initiative Act of 2020 (15 U.S.C. 9401).*

17 (3) *CHIEF ARTIFICIAL INTELLIGENCE OFFI-*
 18 *CER.—The term “Chief Artificial Intelligence Officer”*
 19 *means an official designated by the head of an agency*
 20 *pursuant to section 4(b)(1).*

21 (4) *COUNCIL.—The term “Council” means the*
 22 *Chief Artificial Intelligence Officers Council estab-*
 23 *lished under section 3(a).*

24 (5) *DIRECTOR.—The term “Director” means the*
 25 *Director of the Office of Management and Budget.*

1 (6) *RELEVANT CONGRESSIONAL COMMITTEES.*—
 2 *The term “relevant congressional committees” means*
 3 *the Committee on Homeland Security and Govern-*
 4 *mental Affairs of the Senate and the Committee on*
 5 *Oversight and Accountability of the House of Rep-*
 6 *resentatives.*

7 **SEC. 3. CHIEF ARTIFICIAL INTELLIGENCE OFFICERS COUN-**
 8 **CIL.**

9 (a) *ESTABLISHMENT.*—*Not later than 90 days after*
 10 *the date of enactment of this Act, the Director shall establish*
 11 *a Chief Artificial Intelligence Officers Council.*

12 (b) *DUTIES.*—*The Council shall—*

13 (1) *promote artificial intelligence innovation*
 14 *and responsible design, development, and application;*

15 (2) *oversee compliance with Governmentwide re-*
 16 *quirements, including existing requirements for agen-*
 17 *cies to inventory and publish use cases of artificial*
 18 *intelligence;*

19 (3) *develop recommendations for, and advise*
 20 *agencies on, best practices for the design, acquisition,*
 21 *development, modernization, use, operation, sharing,*
 22 *risk management, auditing, and performance of arti-*
 23 *ficial intelligence technologies while ensuring privacy,*
 24 *security, and the protection of civil rights and civil*
 25 *liberties;*

1 (4) *share experiences, ideas, and promising prac-*
2 *tices, including work process redesign and the devel-*
3 *opment of performance measures to optimize Federal*
4 *Government use of and investments in artificial intel-*
5 *ligence;*

6 (5) *in coordination with the Director of the Of-*
7 *fice of Personnel Management, assess and monitor the*
8 *hiring, training, classification, and professional de-*
9 *velopment needs of the Federal workforce relating to*
10 *artificial intelligence;*

11 (6) *examine and track the costs and benefits of*
12 *artificial intelligence use in the Federal Government,*
13 *and make recommendations for any limits that*
14 *should be placed on the acquisition, development, and*
15 *use of artificial intelligence and the capabilities of ar-*
16 *tificial intelligence;*

17 (7) *help improve the abilities of agencies to un-*
18 *derstand artificial intelligence and intervene in crisis;*

19 (8) *review and analyze already deployed artifi-*
20 *cial intelligence systems within the Federal Govern-*
21 *ment for potential harm; and*

22 (9) *assist the Director, as necessary, in—*

23 (A) *identifying, developing, coordinating,*
24 *and overseeing multi-agency projects and other*
25 *initiatives to improve Government performance;*

1 *(B) monitoring and managing risks relat-*
 2 *ing to developing, obtaining, or using artificial*
 3 *intelligence, including by—*

4 *(i) promoting the development and use*
 5 *of efficient, common, and shared approaches*
 6 *to key processes that improve the delivery of*
 7 *services for the public;*

8 *(ii) soliciting and providing perspec-*
 9 *tives on matters of concern to the Council,*
 10 *as appropriate, from and to—*

11 *(I) the Chief Financial Officers*
 12 *Council;*

13 *(II) the Chief Human Capital Of-*
 14 *ficers Council;*

15 *(III) the Chief Acquisition Offi-*
 16 *cers Council;*

17 *(IV) the Chief Information Offi-*
 18 *cers Council;*

19 *(V) the Chief Data Officers Coun-*
 20 *cil;*

21 *(VI) other interagency councils;*

22 *(VII) other key groups of the Fed-*
 23 *eral Government;*

24 *(VIII) industry;*

25 *(IX) academia;*

1 (X) *State, local, Tribal, terri-*
2 *torial, and international governments;*
3 *and*

4 (XI) *other individuals and enti-*
5 *ties, as determined necessary by the*
6 *Director;*

7 (iii) *creating a framework for how*
8 *agencies can reduce risk in the design, de-*
9 *velopment, and use of artificial intelligence*
10 *systems; and*

11 (iv) *implementing measurements and*
12 *producing specific guidance on use cases for*
13 *which the Federal Government should not be*
14 *developing, procuring, or using artificial*
15 *intelligence systems;*

16 (C) *ensuring artificial intelligence systems*
17 *used and procured by agencies are and have been*
18 *responsibly developed and evaluated such that*
19 *the artificial intelligence systems are transparent*
20 *and secure, do not infringe on privacy, and pro-*
21 *mote civil interests;*

22 (D) *continually monitoring the capabilities*
23 *of artificial intelligence systems used and pro-*
24 *cured by the Federal Government; and*

1 (E) ensuring accountability for the use and
 2 procurement of artificial intelligence systems
 3 that result in flawed, inaccurate, or biased deci-
 4 sions that would impact individuals.

5 (c) *MEMBERSHIP OF CAIOC.*—

6 (1) *CHAIR.*—The Director shall serve as the
 7 chair of the Council.

8 (2) *COCHAIR.*—The cochair of the Council shall
 9 be—

10 (A) nominated by a majority of the mem-
 11 bers of the Council; and

12 (B) designated as the cochair of the Council
 13 by the Director.

14 (3) *MEMBERS.*—Members of the Council shall in-
 15 clude—

16 (A) the Chief Artificial Intelligence Officer
 17 of each agency described in section 901(b) of title
 18 31, United States Code;

19 (B) a representative from an agency with—

20 (i) advisory experience in scientific
 21 and technological issues that require atten-
 22 tion at the highest level of Government; and

23 (ii) a role working with agencies to
 24 create strategies, plans, policies and pro-

1 grams for science and technology, including
 2 artificial intelligence; and
 3 (C) other members, as determined necessary
 4 by the Director.

5 (4) STANDING COMMITTEES; WORKING
 6 GROUPS.—The Council shall have the authority to es-
 7 tablish standing committees and working groups as
 8 necessary to consider items of concern to the Council.
 9 (d) ADMINISTRATIVE SUPPORT.—The Administrator
 10 of General Services shall provide administrative support for
 11 the Council.

12 **SEC. 4. AGENCY ARTIFICIAL INTELLIGENCE OFFICERS.**

13 (a) DUTIES OF AGENCIES.—The head of each agency
 14 shall ensure the responsible research, development, acqui-
 15 sition, application, governance, and use of artificial intel-
 16 ligence by the agency that is consistent with democratic val-
 17 ues, including—

- 18 (1) privacy;
- 19 (2) civil rights and civil liberties;
- 20 (3) information security;
- 21 (4) nondiscrimination;
- 22 (5) transparency; and
- 23 (6) trustworthiness.

24 (b) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

1 (1) *IN GENERAL.*—Not later than 45 days after
2 the date of enactment of this Act, the head of each
3 agency shall designate a Chief Artificial Intelligence
4 Officer with responsibility for—

5 (A) promoting artificial intelligence innova-
6 tion and use within the agency to further the
7 agency’s effectiveness and efficiency;

8 (B) providing input on the decision proc-
9 esses for annual and multi-year planning, pro-
10 gramming, budgeting, and execution decisions,
11 related reporting requirements, and reports relat-
12 ing to artificial intelligence of the agency;

13 (C) participating in internal control proc-
14 esses or entities convened for the purpose of re-
15 viewing artificial intelligence acquisitions
16 throughout the acquisition life cycle;

17 (D) producing a risk management plan for
18 agency-specific use cases of artificial intelligence,
19 including—

20 (i) a procedure for classifying risk lev-
21 els in agency use of artificial intelligence;
22 and

23 (ii) specific guidance on use cases for
24 which the agency should not developing,

1 *procuring, or using artificial intelligence*
2 *systems;*

3 *(E) in coordination with other responsible*
4 *officials of the agency—*

5 *(i) assessing and addressing agency*
6 *personnel requirements and professional de-*
7 *velopment requirements relating to artifi-*
8 *cial intelligence; and*

9 *(ii) developing and overseeing agency*
10 *processes regarding the design, acquisition,*
11 *development, modernization, use, data man-*
12 *agement, operation, sharing, and auditing*
13 *of artificial intelligence systems by the*
14 *agency, including existing requirements to*
15 *inventory and publish agency use cases;*

16 *(iii) ensuring artificial intelligence*
17 *policies of the agency comply with the Con-*
18 *stitution of the United States and Govern-*
19 *mentwide requirements;*

20 *(iv) ensuring all artificial intelligence*
21 *systems used and procured by the agency*
22 *are and have been responsibly developed*
23 *and evaluated such that the systems are*
24 *transparent and secure, do not infringe on*
25 *privacy, and promote civil interests;*

1 (v) continually monitoring the capa-
 2 bilities and impacts of artificial intelligence
 3 systems used and procured by the agency;
 4 and

5 (vi) ensuring accountability for the use
 6 and procurement of artificial intelligence
 7 systems that result in flawed, inaccurate, or
 8 biased decisions that would impact individ-
 9 uals;

10 (F) helping to improve the ability of the
 11 agency to understand artificial intelligence and
 12 to intervene in crisis;

13 (G) reviewing and analyzing already de-
 14 ployed artificial intelligence systems of the agen-
 15 cy for potential harm; and

16 (H) performing other functions relating to
 17 artificial intelligence, as determined by the Di-
 18 rector or the head of the agency.

19 (2) *STRUCTURE.*—The Director shall issue guid-
 20 ance on the appropriate reporting structure, quali-
 21 fications, and seniority level for the role of a Chief
 22 Artificial Intelligence Officer.

23 (3) *SENIORITY.*—With respect to the Chief Artifi-
 24 cial Intelligence Officer of any agency described in
 25 section 901(b) of title 31, United States Code, the

1 *Chief Artificial Intelligence Officer shall be an execu-*
 2 *tive with a position classified above GS-15 of the*
 3 *General Schedule or the equivalent.*

4 (4) *ROLES.—The head of each agency shall en-*
 5 *sure that the Chief Artificial Intelligence Officer of the*
 6 *agency has a significant role in—*

7 (A) *the decision processes for all annual*
 8 *and multi-year planning, programming, budg-*
 9 *eting, and execution decisions, related reporting*
 10 *requirements, and reports relating to artificial*
 11 *intelligence of the agency; and*

12 (B) *the management, governance, acquisi-*
 13 *tion, and oversight processes of the agency relat-*
 14 *ing to artificial intelligence.*

15 (5) *FULL-TIME EMPLOYEE.—*

16 (A) *IN GENERAL.—To the extent prac-*
 17 *ticable, each Chief Artificial Intelligence Officer*
 18 *designated under paragraph (1) shall be a full-*
 19 *time employee of the agency on the date of the*
 20 *designation.*

21 (B) *JUSTIFICATION.—If the head of an*
 22 *agency designates a Chief Artificial Intelligence*
 23 *Officer of the agency who is not a full-time em-*
 24 *ployee on the date of the designation, the head of*
 25 *the agency shall provide the Comptroller General*

1 *of the United States a justification for the des-*
 2 *ignation of an individual who is not a full-time*
 3 *employee, such as a lack of qualified personnel.*

4 (C) *INCLUSION IN REPORT.*—*The Comp-*
 5 *troller General of the United States shall include*
 6 *each justification provided by the head of agency*
 7 *under subparagraph (B) in the report required*
 8 *under section 6(a).*

9 (c) *INFORMING CONGRESS.*—*Not later than 60 days*
 10 *after the date of enactment of this Act, the head of each*
 11 *agency shall—*

12 (1) *inform the relevant congressional committees*
 13 *of the appointment of a Chief Artificial Intelligence*
 14 *Officer pursuant to subsection (b); and*

15 (2) *if relevant, provide to the relevant congres-*
 16 *sional committees a full description of any authorities*
 17 *and responsibilities of the individual serving as the*
 18 *Chief Artificial Intelligence Officer that are performed*
 19 *in addition to the authorities and responsibilities of*
 20 *the individual in the role of the Chief Artificial Intel-*
 21 *ligence Officer.*

22 **SEC. 5. AGENCY COORDINATION ON ARTIFICIAL INTEL-**
 23 **LIGENCE.**

24 (a) *ESTABLISHMENT.*—*Not later than 120 days after*
 25 *the date of enactment of this Act, the Director shall issue*

1 *guidance directing the head of each agency described in sec-*
 2 *tion 901(b) of title 31, United States Code, to establish*
 3 *within the agency an Artificial Intelligence Coordination*
 4 *Board to—*

5 *(1) coordinate artificial intelligence issues of the*
 6 *agency; and*

7 *(2) to the extent applicable to the agency, publish*
 8 *a statement of principles and goals relating to artifi-*
 9 *cial intelligence.*

10 *(b) CONTENTS.—The guidance issued under subsection*
 11 *(a) shall—*

12 *(1) define the structure and activities of Artifi-*
 13 *cial Intelligence Coordination Boards of agencies; and*

14 *(2) ensure that the membership of the Artificial*
 15 *Intelligence Coordination Board of an agency may*
 16 *include, to the extent applicable to the agency—*

17 *(A) the deputy head of the agency;*

18 *(B) the Chief Artificial Intelligence Officer*
 19 *of the agency, who shall serve as the chair of the*
 20 *Artificial Intelligence Coordination Board of the*
 21 *agency;*

22 *(C) the chief information officer of the agen-*
 23 *cy;*

24 *(D) the chief acquisition officer of the agen-*
 25 *cy;*

1 (E) the senior procurement executive of the
2 agency;

3 (F) the chief data officer of the agency;

4 (G) the chief human capital officer of the
5 agency;

6 (H) the chief financial officer of the agency;

7 (I) the senior agency official for privacy of
8 the agency;

9 (J) the senior agency official for civil rights
10 and civil liberties of the agency; and

11 (K) other individuals, as determined by the
12 Director.

13 (c) *STRATEGY*.—

14 (1) *IN GENERAL*.—The head of each agency shall
15 establish an artificial intelligence strategy for the re-
16 sponsible and trustworthy adoption of artificial intel-
17 ligence by the agency to better achieve the mission of
18 the agency to serve the people of the United States.

19 (2) *CONTENTS*.—The strategy required under
20 paragraph (1) shall include the following:

21 (A) Defined roles and responsibilities for the
22 use and oversight of artificial intelligence by the
23 agency, including oversight of compliance with
24 relevant laws, regulations, standards, and guid-
25 ance.

1 (B) *Defined values, ethics, and principles to*
2 *foster public trust and responsible use of artifi-*
3 *cial intelligence by the agency.*

4 (C) *The standards, regulations, investments,*
5 *practices, and other items the agency will use to*
6 *improve trust and safety and ensure that artifi-*
7 *cial intelligence systems are designed, developed,*
8 *and deployed in a manner that protects the*
9 *rights and safety of individuals.*

10 (D) *How the agency will oversee artificial*
11 *intelligence systems and applications to identify*
12 *and mitigate risk and prevent harm, including*
13 *with respect to privacy, civil rights, civil lib-*
14 *erties, and information security.*

15 (E) *The considerations and safeguards the*
16 *agency will use to protect the rights and safety*
17 *of the public with respect to artificial intel-*
18 *ligence, including mitigation of algorithmic dis-*
19 *crimination.*

20 (F) *The domains or areas in which the*
21 *agency uses or anticipates using artificial intel-*
22 *ligence.*

23 (G) *The steps the agency will take to*
24 *strengthen workforce knowledge to maximize the*

1 *value artificial intelligence can bring to mission*
2 *outcomes while mitigating any associated risks.*

3 *(H) How and under what conditions the*
4 *agency can use artificial intelligence to improve*
5 *the interactions of the agency with the public*
6 *and the fulfillment of the mission of the agency,*
7 *while protecting against harmful impacts on*
8 *agency employees or the public.*

9 *(I) How the agency will coordinate and*
10 *work across components, offices, and programs of*
11 *the agency on artificial intelligence-related mat-*
12 *ters.*

13 *(J) How the agency will engage in inter-*
14 *agency governance and coordination with respect*
15 *to artificial intelligence, including to leverage*
16 *shared resources, expertise, and lessons learned to*
17 *better leverage artificial intelligence to improve*
18 *Federal Government operations and mitigate the*
19 *risks of artificial intelligence.*

20 *(K) How the agency will promote the use*
21 *and availability of data to support the artificial*
22 *intelligence efforts of the agency in accordance*
23 *with statutory, regulatory, and policy require-*
24 *ments.*

1 (L) *How the agency will work with the pri-*
 2 *vate sector to ensure that procured artificial in-*
 3 *telligence systems or capabilities include protec-*
 4 *tions to safeguard the rights and safety of indi-*
 5 *viduals and to secure Federal Government data*
 6 *and other information.*

7 (M) *An outline of specific actions to imple-*
 8 *ment the strategy of the agency and desired out-*
 9 *comes.*

10 **SEC. 6. GAO REPORTS.**

11 (a) *IN GENERAL.*—*Not later than 2 years after the*
 12 *date of enactment of this Act, the Comptroller General of*
 13 *the United States shall submit to the relevant congressional*
 14 *committees a report on—*

15 (1) *the implementation and effectiveness of Arti-*
 16 *ficial Intelligence Coordination Boards established*
 17 *pursuant to guidance issued under section 5(a);*

18 (2) *an assessment of agency implementation and*
 19 *the effectiveness of Chief Artificial Intelligence Offi-*
 20 *cers;*

21 (3) *recommendations for improving the imple-*
 22 *mentation and effectiveness of Artificial Intelligence*
 23 *Coordination Boards established pursuant to guid-*
 24 *ance issued under section 5(a) and Chief Artificial*
 25 *Intelligence Officers;*

1 (4) *an analysis by the Comptroller General of*
2 *the United States with respect to the costs and bene-*
3 *fits of—*

4 (A) *the Federal implementation of artificial*
5 *intelligence; and*

6 (B) *the activities of the Artificial Intel-*
7 *ligence Coordination Boards established pursu-*
8 *ant to guidance issued under section 5(a);*

9 (5) *an assessment of the extent to which select*
10 *agencies appropriately consider the costs and benefits*
11 *of the design, development, deployment, and contin-*
12 *uous monitoring of artificial intelligence;*

13 (6) *an assessment of jobs that could be at risk of*
14 *dislocation and opportunities of other jobs with the*
15 *Federal Government and the economy of the United*
16 *States as a result of technological developments with*
17 *respect to artificial intelligence, including potential*
18 *effects on blue collar and white collar occupational*
19 *categories;*

20 (7) *an inventory of artificial intelligence use*
21 *cases of each agency, including an assessment of how*
22 *each agency protects privacy and mitigates bias in*
23 *the use by the agency of artificial intelligence; and*

24 (8) *other relevant matters, as determined by the*
25 *Comptroller General of the United States.*

1 (b) *ADDITIONAL REPORT.*—Not later than 2 years
 2 after the date of enactment of this Act, the Comptroller Gen-
 3 eral of the United States shall submit to the relevant con-
 4 gressional committees a report on the impact of biased
 5 datasets on Federal use and implementation of artificial
 6 intelligence systems.

7 **SEC. 7. POST-ENACTMENT GUIDANCE FROM THE DIRECTOR.**

8 Not later than 5 years after the date of enactment of
 9 this Act, the Director shall—

10 (1) consider technological and other develop-
 11 ments, current and future requirements, and options
 12 for artificial intelligence governance; and

13 (2) issue a directive to agencies—

14 (A) updating leadership roles, organiza-
 15 tional structures, and other matters relating to
 16 artificial intelligence, as determined relevant by
 17 the Director; and

18 (B) that includes an action plan and
 19 timeline for implementation.

20 **SEC. 8. SUNSET.**

21 Effective on the date that is 90 days after the date of
 22 issuance of the directive under section 7, this Act shall have
 23 no force or effect.

Amend the title so as to read: “A bill to establish
 the Chief Artificial Intelligence Officers Council, Chief

Artificial Intelligence Officers, and Artificial Intelligence Coordination Boards, and for other purposes.”.

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118TH CONGRESS
2D Session

S. 2293

[Report No. 118-216]

A BILL

To establish the Chief Artificial Intelligence Officers Council, Chief Artificial Intelligence Officers, and Artificial Intelligence Governance Boards, and for other purposes.

SEPTEMBER 10, 2024

Reported with an amendment and an amendment to the title