

Federal Agencies Take Action on AI One Year After AI Executive Order — AI: The Washington Report

November 07, 2024 | | By [Bruce Sokler](#), [Alexander Hecht](#), [Christian Tamotsu Fjeld](#), [Matthew Tikhonovsky](#)

1. President Biden's [Executive Order on AI](#) (AI EO), issued on October 30, 2023, directed various agencies to take certain actions within one year of the AI EO's issuance. On October 24, 2024, the White House [announced](#) that federal agencies "have completed on schedule each action that the Executive Order tasked for this past year."
2. The one-year actions touched on a range of topic areas that are impacted by AI, including health care, international collaboration, education, and the workforce.
3. The one-year anniversary of the issuance of the AI EO is a good milestone to assess the fruits of the AI EO. This is particularly the case in light of the election of Donald Trump to a second term as President Trump may well withdraw the current AI EO. In a previous [newsletter](#), we addressed the Trump and Harris campaigns' statements on AI. We will return shortly to what may occur in the Trump administration, together with any developments about whether the lame-duck Congress will attempt to advance any AI-related legislation.

October 30, 2024, marked one year since the Biden administration released its [Executive Order on AI](#) (AI EO). On the anniversary of the AI EO, the White House [announced](#) that "federal agencies have completed each action that the Executive Order tasked for this past year – more than one hundred in all."

The one-year anniversary of the issuance of the AI EO is a good milestone to assess the fruits of the AI EO. This is particularly the case in light of the election of Donald Trump to a second term as President Trump may well withdraw the current AI EO. In a [previous newsletter](#), we addressed the Trump and Harris campaigns' statements on AI. We will return shortly to what may occur in the Trump administration, together with any developments about whether the lame-duck Congress will attempt to advance any AI-related legislation.

The major one-year actions of the AI EO covered in this week's newsletter include:

1. Global AI Research Agenda
2. AI in Global Development Playbook
3. AI National Security Memorandum
4. Educational Toolkit in AI
5. Guide for AI Development in Education
6. Memorandum on AI Acquisition
7. AI Inclusive Hiring Framework
8. AI Tech Sprint Competitions

-
1. **Global AI Research Agenda**

- a. On September 23, 2024, the Department of State published the **Global AI Research Agenda**, which “recommends principles, priorities, and practices for AI R&D” to advance AI development in international contexts. Recognizing that there is “no international consensus on guiding principles for AI research,” the agenda is guided by three principles for AI research: “(1) inclusion and equity, (2) responsible research conduct, and (3) partnership and collaboration.” The agenda specifically prioritizes sociotechnical research, inclusive research infrastructure, research to support AI for global challenges, fundamental research on AI, including AI safety, security, and trustworthiness, and research on AI’s global labor market implications.

2. AI in Global Development Playbook

- a. On September 20, 2024, the Department of State published the **AI in Global Development Playbook**. “The intent of the Playbook is to characterize the opportunities and challenges of AI in contexts beyond United States borders, especially in [low- and middle-income countries (LMICs)], providing recommendations” to help ensure that the US and its partners can collaborate “align priorities with sustainable development, including protecting the free exercise of human rights.” The playbook is centered around several focal areas, including “enhancing capacity, promoting AI-related skills across all sectors and levels, and protecting the workforce,” “broadening access to data storage and compute resources,” “creating representative, locally relevant datasets and preserving cultural heritage,” and “advancing good governance frameworks for the development and use of safe and rights-respecting AI systems,” among other focal areas.

3. AI National Security Memorandum

- a. On October 30, 2024, the Biden administration issued the first-ever **National Security Memorandum (NSM) on AI**. As **we covered**, the NSM outlines concrete actions for federal agencies to take to ensure that the US government leads the way in global AI development, harnesses AI for its national security mission, and promotes global consensus around AI. Most significantly, the NSM directs the publication of the Framework to Advance AI Governance and Risk Management in National Security, which the White House also published. Among other guidance, the framework prohibits high-impact AI use cases by government agencies.

4. AI Safety Program

- a. The Department of Health and Human Services launched an “AI Safety Program to track harmful incidents involving AI’s use in healthcare settings and to evaluate mitigations for those harms.” The **program** aims to expand use cases of AI in health care, identify the risks of AI in health care, as well as bring together stakeholders in health care to share best practices for deploying AI.

5. Educational Toolkit for AI Integration

- a. On October 24, 2024, the Department of Education released **Empowering Education Leaders: a Toolkit for Safe, Ethical, and Equitable AI Integration**. The toolkit is designed to “help educational leaders make critical decisions about incorporating AI applications into student learning and the instructional core.” The toolkit focuses on federal laws and other considerations essential to making sure the use of AI in classrooms is safe, secure, and done in a non-discriminatory manner.

6. Guide for AI Development in Education

- a. In July 2024, the Department of Education published **Designing for Education with Artificial Intelligence: An Essential Guide for Developers**. As **we covered**, the guide focuses on best practices for using AI to both advance equity and inclusion within the classroom, while also mitigating and preventing the harms and risks that may arise from AI. According to the guide,

“Developers who are equity-centered will better address the potential for algorithmic discrimination, guard against civil rights violations, advance accessibility for all users, especially children and students with disabilities, and move to close overall gaps in design, use, and access of edtech.”

7. OMB Memorandum on AI Acquisition

- a. On September 24, 2024, the Office of Management and Budget (OMB) issued a memorandum on [Advancing the Responsible Acquisition of Artificial Intelligence in Government](#). As [we covered](#), the memorandum builds on OMB’s March 2024 memorandum on AI, which establishes basic guidance and guardrails for agencies that utilize AI, with a focus on AI use cases that impact the rights and safety of the public. The September memorandum focuses on agencies’ acquisition of AI, putting forth requirements and guidance to foster cross-agency collaboration throughout the AI acquisition lifecycle, mitigate AI risks during the procurement process, and promote a competitive AI ecosystem with innovative acquisition.

8. AI Inclusive Hiring Framework

- a. On September 24, the Department of Labor announced the [AI & Inclusive Hiring Framework](#), released in collaboration with the Partnership on Employment and Accessibility Technology. As [we covered](#), the framework helps companies make their “AI-enable hiring tools for more inclusive and accessible for disabled job seekers.” The framework focuses on the impact of procuring AI hiring technology, advertising employment opportunities, and recruiting inclusively via AI, providing reasonable accommodations to job seekers, selecting candidates, and making employment offers in compliance with legal requirements, and incorporating human assistance into AI hiring technologies and minimizing risks.

9. AI Tech Sprint Competitions

- a. The Department of Veterans Affairs held two [AI Tech Sprint competitions](#) this past year, “targeting the development of AI solutions to address burnout among health care workers.” The competitions selected 25 finalists, and the winning solutions aim to “help clinicians take notes during medical appointments and/or integrate patients’ medical records.”

Outstanding Actions: Delayed Report on AI and Copyright

On October 25, 2024, the Chair and Ranking Member of the Committee on House Administration sent a [letter](#) to the US Copyright Office requesting that the office release its delayed reports on AI. Pursuant to the AI EO, the Copyright Office was directed to release reports about the implications of AI on copyright law. While [part one of the report](#) was released on July 1, 2024, the second and third parts were promised by the Office to be released by the end of FY 2024 but have yet to be released.

Overall, the one-year anniversary of the AI EO is just that, an anniversary, not a conclusion. There was a lot undone or unsaid in the reports, toolboxes, and approaches it produced. As we will discuss later this month, the Trump administration is very likely to set aside much of this work and set off in different directions. Meanwhile, the evolution of AI does not stand still waiting for the US to finalize policy or regulatory approach. Other entities around the world have not waited for the United States either.

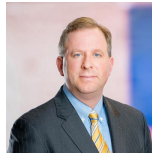
We will continue to monitor, analyze, and issue reports on these developments.

Authors

Bruce Sokler

Bruce D. Sokler is a Mintz antitrust attorney. His antitrust experience includes litigation, class actions, government merger reviews and investigations, and cartel-related issues. Bruce focuses on the health care, communications, and retail industries, from start-ups to Fortune 100 companies.

Alexander Hecht, Executive Vice President & Director of Operations



Alexander Hecht is Executive Vice President & Director of Operations of ML Strategies, Washington, DC. He's an attorney with over a decade of senior-level experience in Congress and trade associations. Alex helps clients with regulatory and legislative issues, including health care and technology.

Christian Tamotsu Fjeld, Senior Vice President



Christian Tamotsu Fjeld is a Vice President of ML Strategies in the firm's Washington, DC office. He assists a variety of clients in their interactions with the federal government.

Matthew Tikhonovsky

Matthew is a Mintz Senior Project Analyst based in Washington, DC.