December 22, 2022

The Honorable Shalanda Young

Director

Office of Management and Budget

725 17th Street, NW

Washington, DC 20503

Dear Director Young:

            I write regarding the implementation status of the AI in Government Act. This legislation requires OMB to provide guidance for agency use of artificial intelligence (AI) within 270 days of enactment.  The Act became law as part of the Consolidated Appropriations Act of 2021 on December 27, 2020.

Specifically, the law requires that OMB—in coordination with the Director of the Office of Science and Technology Policy and in consultation with the GSA Administrator—issue a memorandum to the head of each agency to (1) inform their development of policies regarding federal acquisition and use of AI technologies, (2) recommend ways for agencies to remove barriers to promote the innovative application of AI technologies while protecting civil liberties, civil rights, and economic and national security, and (3) identify best practices for mitigating any bias or discrimination caused by AI use.  OMB must also provide a template for agencies to submit their plan to achieve consistency with the memorandum.

            Implementation of this provision will provide agencies with the foundational tools they need to build expertise about, and reap the benefits of, AI technologies while protecting the public from potential risks, such as discrimination.  As the federal government continues to deploy and operate AI systems, it is incumbent on agencies to ensure those systems comply with the minimum requirements in law for the safety and integrity of such systems. In the absence of OMB guidance, the value of those systems remain in doubt. To that end, as we approach the two year anniversary of passage of the AI in Government Act, I urge OMB to swiftly issue this guidance to ensure that the use of AI across the federal government is effective, ethical, and accountable.

Thank you for your attention to this matter.

Sincerely,



Rob Portman

United States Senator