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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. CONNOLLY introduced the following bill; which was referred to the Committee on _____

A BILL

To establish the Chief Artificial Intelligence Officers Council, Chief Artificial Intelligence Officers, and Artificial Intelligence Coordination 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,*

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

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

4 (2) ARTIFICIAL INTELLIGENCE.—The term “ar-
5 tificial intelligence” has the meaning given the term
6 in section 5002 of the National Artificial Intelligence
7 Initiative Act of 2020 (15 U.S.C. 9401).

8 (3) CHIEF ARTIFICIAL INTELLIGENCE OFFI-
9 CER.—The term “Chief Artificial Intelligence Offi-
10 cer” means an official designated by the head of an
11 agency pursuant to section 4(b)(1).

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

15 (5) DIRECTOR.—The term “Director” means
16 the Director of the Office of Management and Budg-
17 et.

18 (6) RELEVANT CONGRESSIONAL COMMIT-
19 TEES.—The term “relevant congressional commit-
20 tees” means the Committee on Homeland Security
21 and Governmental Affairs of the Senate and the
22 Committee on Oversight and Accountability of the
23 House of Representatives.

1 **SEC. 3. CHIEF ARTIFICIAL INTELLIGENCE OFFICERS COUN-**
2 **CIL.**

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

6 (b) DUTIES.—The Council shall—

7 (1) promote artificial intelligence innovation
8 and responsible design, development, and applica-
9 tion;

10 (2) oversee compliance with Governmentwide
11 requirements, including existing requirements for
12 agencies to inventory and publish use cases of artifi-
13 cial intelligence;

14 (3) develop recommendations for, and advise
15 agencies on, best practices for the design, acquisi-
16 tion, development, modernization, use, operation,
17 sharing, risk management, auditing, and perform-
18 ance of artificial intelligence technologies while en-
19 suring privacy, security, and the protection of civil
20 rights and civil liberties;

21 (4) share experiences, ideas, and promising
22 practices, including work process redesign and the
23 development of performance measures to optimize
24 Federal Government use of and investments in arti-
25 ficial intelligence;

1 (5) in coordination with the Director of the Of-
2 fice of Personnel Management, assess and monitor
3 the hiring, training, classification, and professional
4 development needs of the Federal workforce relating
5 to artificial intelligence;

6 (6) examine and track the costs and benefits of
7 artificial intelligence use in the Federal Government,
8 and make recommendations for any limits that
9 should be placed on the acquisition, development,
10 and use of artificial intelligence and the capabilities
11 of artificial intelligence;

12 (7) help improve the abilities of agencies to un-
13 derstand artificial intelligence and intervene in cri-
14 sis;

15 (8) review and analyze already deployed artifi-
16 cial intelligence systems within the Federal Govern-
17 ment for potential harm; and

18 (9) assist the Director, as necessary, in—

19 (A) identifying, developing, coordinating,
20 and overseeing multi-agency projects and other
21 initiatives to improve Government performance;

22 (B) monitoring and managing risks relat-
23 ing to developing, obtaining, or using artificial
24 intelligence, including by—

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

5 (ii) soliciting and providing perspec-
6 tives on matters of concern to the Council,
7 as appropriate, from and to—

8 (I) the Chief Financial Officers
9 Council;

10 (II) the Chief Human Capital Of-
11 ficers Council;

12 (III) the Chief Acquisition Offi-
13 cers Council;

14 (IV) the Chief Information Offi-
15 cers Council;

16 (V) the Chief Data Officers
17 Council;

18 (VI) other interagency councils;

19 (VII) other key groups of the
20 Federal Government;

21 (VIII) industry;

22 (IX) academia;

23 (X) State, local, Tribal, terri-
24 torial, and international governments;

25 and

1 (XI) other individuals and enti-
2 ties, as determined necessary by the
3 Director;

4 (iii) creating a framework for how
5 agencies can reduce risk in the design, de-
6 velopment, and use of artificial intelligence
7 systems; and

8 (iv) implementing measurements and
9 producing specific guidance on use cases
10 for which the Federal Government should
11 not be developing, procuring, or using arti-
12 ficial intelligence systems;

13 (C) ensuring artificial intelligence systems
14 used and procured by agencies are and have
15 been responsibly developed and evaluated such
16 that the artificial intelligence systems are trans-
17 parent and secure, do not infringe on privacy,
18 and promote civil interests;

19 (D) continually monitoring the capabilities
20 of artificial intelligence systems used and pro-
21 cured by the Federal Government; and

22 (E) ensuring accountability for the use and
23 procurement of artificial intelligence systems
24 that result in flawed, inaccurate, or biased deci-
25 sions that would impact individuals.

1 (c) MEMBERSHIP OF CAIOC.—

2 (1) CHAIR.—The Director shall serve as the
3 chair of the Council.

4 (2) COCHAIR.—The cochair of the Council shall
5 be—

6 (A) nominated by a majority of the mem-
7 bers of the Council; and

8 (B) designated as the cochair of the Coun-
9 cil by the Director.

10 (3) MEMBERS.—Members of the Council shall
11 include—

12 (A) the Chief Artificial Intelligence Officer
13 of each agency described in section 901(b) of
14 title 31, United States Code;

15 (B) a representative from an agency
16 with—

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

21 (ii) a role working with agencies to
22 create strategies, plans, policies and pro-
23 grams for science and technology, includ-
24 ing artificial intelligence; and

1 (C) other members, as determined nec-
2 essary by the Director.

3 (4) STANDING COMMITTEES; WORKING
4 GROUPS.—The Council shall have the authority to
5 establish standing committees and working groups
6 as necessary to consider items of concern to the
7 Council.

8 (d) ADMINISTRATIVE SUPPORT.—The Administrator
9 of General Services shall provide administrative support
10 for the Council.

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

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

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

23 (b) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

24 (1) IN GENERAL.—Not later than 45 days after
25 the date of enactment of this Act, the head of each

1 agency shall designate a Chief Artificial Intelligence
2 Officer with responsibility for—

3 (A) promoting artificial intelligence innova-
4 tion and use within the agency to further the
5 agency's effectiveness and efficiency;

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

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

15 (D) producing a risk management plan for
16 agency-specific use cases of artificial intel-
17 ligence, including—

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

21 (ii) specific guidance on use cases for
22 which the agency should not developing,
23 procuring, or using artificial intelligence
24 systems;

1 (E) in coordination with other responsible
2 officials of the agency—

3 (i) assessing and addressing agency
4 personnel requirements and professional
5 development requirements relating to arti-
6 ficial intelligence; and

7 (ii) developing and overseeing agency
8 processes regarding the design, acquisition,
9 development, modernization, use, data
10 management, operation, sharing, and au-
11 diting of artificial intelligence systems by
12 the agency, including existing requirements
13 to inventory and publish agency use cases;

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

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

24 (v) continually monitoring the capa-
25 bilities and impacts of artificial intelligence

1 systems used and procured by the agency;

2 and

3 (vi) ensuring accountability for the

4 use and procurement of artificial intel-

5 ligence systems that result in flawed, inac-

6 curate, or biased decisions that would im-

7 pact individuals;

8 (F) helping to improve the ability of the

9 agency to understand artificial intelligence and

10 to intervene in crisis;

11 (G) reviewing and analyzing already de-

12 ployed artificial intelligence systems of the

13 agency for potential harm; and

14 (H) performing other functions relating to

15 artificial intelligence, as determined by the Di-

16 rector or the head of the agency.

17 (2) STRUCTURE.—The Director shall issue

18 guidance on the appropriate reporting structure,

19 qualifications, and seniority level for the role of a

20 Chief Artificial Intelligence Officer.

21 (3) SENIORITY.—With respect to the Chief Ar-

22 tificial Intelligence Officer of any agency described

23 in section 901(b) of title 31, United States Code, the

24 Chief Artificial Intelligence Officer shall be an exec-

1 utive with a position classified above GS–15 of the
2 General Schedule or the equivalent.

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

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

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

14 (5) FULL-TIME EMPLOYEE.—

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

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

1 the designation of an individual who is not a
2 full-time employee, such as a lack of qualified
3 personnel.

4 (C) INCLUSION IN REPORT.—The Comp-
5 troller General of the United States shall in-
6 clude each justification provided by the head of
7 agency under subparagraph (B) in the report
8 required 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 commit-
13 tees of the appointment of a Chief Artificial Intel-
14 ligence Officer pursuant to subsection (b); and

15 (2) if relevant, provide to the relevant congres-
16 sional committees a full description of any authori-
17 ties and responsibilities of the individual serving as
18 the Chief Artificial Intelligence Officer that are per-
19 formed in addition to the authorities and responsibil-
20 ities of the individual in the role of the Chief Artifi-
21 cial Intelligence 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
2 section 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, pub-
8 lish a statement of principles and goals relating to
9 artificial intelligence.

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

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

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

18 (A) the deputy head of the agency;

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

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

1 (D) the chief acquisition officer of the
2 agency;

3 (E) the senior procurement executive of
4 the agency;

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

6 (G) the chief human capital officer of the
7 agency;

8 (H) the chief financial officer of the agen-
9 cy;

10 (I) the senior agency official for privacy of
11 the agency;

12 (J) the senior agency official for civil
13 rights and civil liberties of the agency; and

14 (K) other individuals, as determined by the
15 Director.

16 (c) STRATEGY.—

17 (1) IN GENERAL.—The head of each agency
18 shall establish an artificial intelligence strategy for
19 the responsible and trustworthy adoption of artificial
20 intelligence by the agency to better achieve the mis-
21 sion of the agency to serve the people of the United
22 States.

23 (2) CONTENTS.—The strategy required under
24 paragraph (1) shall include the following:

1 (A) Defined roles and responsibilities for
2 the use and oversight of artificial intelligence by
3 the agency, including oversight of compliance
4 with relevant laws, regulations, standards, and
5 guidance.

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

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

15 (D) How the agency will oversee artificial
16 intelligence systems and applications to identify
17 and mitigate risk and prevent harm, including
18 with respect to privacy, civil rights, civil lib-
19 erties, and information security.

20 (E) The considerations and safeguards the
21 agency will use to protect the rights and safety
22 of the public with respect to artificial intel-
23 ligence, including mitigation of algorithmic dis-
24 crimination.

1 (F) The domains or areas in which the
2 agency uses or anticipates using artificial intel-
3 ligence.

4 (G) The steps the agency will take to
5 strengthen workforce knowledge to maximize
6 the value artificial intelligence can bring to mis-
7 sion outcomes while mitigating any associated
8 risks.

9 (H) How and under what conditions the
10 agency can use artificial intelligence to improve
11 the interactions of the agency with the public
12 and the fulfillment of the mission of the agency,
13 while protecting against harmful impacts on
14 agency employees or the public.

15 (I) How the agency will coordinate and
16 work across components, offices, and programs
17 of the agency on artificial intelligence-related
18 matters.

19 (J) How the agency will engage in inter-
20 agency governance and coordination with re-
21 spect to artificial intelligence, including to lever-
22 age shared resources, expertise, and lessons
23 learned to better leverage artificial intelligence
24 to improve Federal Government operations and
25 mitigate the risks of artificial intelligence.

1 (K) How the agency will promote the use
2 and availability of data to support the artificial
3 intelligence efforts of the agency in accordance
4 with statutory, regulatory, and policy require-
5 ments.

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

12 (M) An outline of specific actions to imple-
13 ment the strategy of the agency and desired
14 outcomes.

15 **SEC. 6. GAO REPORTS.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of enactment of this Act, the Comptroller General
18 of the United States shall submit to the relevant congres-
19 sional committees a report on—

20 (1) the implementation and effectiveness of Ar-
21 tificial Intelligence Coordination Boards established
22 pursuant to guidance issued under section 5(a);

23 (2) an assessment of agency implementation
24 and the effectiveness of Chief Artificial Intelligence
25 Officers;

1 (3) recommendations for improving the imple-
2 mentation and effectiveness of Artificial Intelligence
3 Coordination Boards established pursuant to guid-
4 ance issued under section 5(a) and Chief Artificial
5 Intelligence Officers;

6 (4) an analysis by the Comptroller General of
7 the United States with respect to the costs and ben-
8 efits of—

9 (A) the Federal implementation of artifi-
10 cial intelligence; and

11 (B) the activities of the Artificial Intel-
12 ligence Coordination Boards established pursu-
13 ant to guidance issued under section 5(a);

14 (5) an assessment of the extent to which select
15 agencies appropriately consider the costs and bene-
16 fits of the design, development, deployment, and
17 continuous monitoring of artificial intelligence;

18 (6) an assessment of jobs that could be at risk
19 of dislocation and opportunities of other jobs with
20 the Federal Government and the economy of the
21 United States as a result of technological develop-
22 ments with respect to artificial intelligence, including
23 potential effects on blue collar and white collar occu-
24 pational categories;

1 (7) an inventory of artificial intelligence use
2 cases of each agency, including an assessment of
3 how each agency protects privacy and mitigates bias
4 in the use by the agency of artificial intelligence; and
5 (8) other relevant matters, as determined by
6 the Comptroller General of the United States.

7 (b) **ADDITIONAL REPORT.**—Not later than 2 years
8 after the date of enactment of this Act, the Comptroller
9 General of the United States shall submit to the relevant
10 congressional committees a report on the impact of biased
11 datasets on Federal use and implementation of artificial
12 intelligence systems.

13 **SEC. 7. POST-ENACTMENT GUIDANCE FROM THE DIREC-**
14 **TOR.**

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

17 (1) consider technological and other develop-
18 ments, current and future requirements, and options
19 for artificial intelligence governance; and

20 (2) issue a directive to agencies—

21 (A) updating leadership roles, organiza-
22 tional structures, and other matters relating to
23 artificial intelligence, as determined relevant by
24 the Director; and

1 (B) that includes an action plan and
2 timeline for implementation.

3 **SEC. 8. SUNSET.**

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