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New Executive Order Drives Federal AI Strategy
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On Monday, February 11, 2019, President Trump issued an Executive Order launching the American AI Initiative, a coordinated strategy across the government to promote artificial intelligence research, development, and deployment. The Executive Order follows initiatives by the White House Office of Science and Technology Policy (OSTP) to focus on benefits AI has to offer, encourage its development, and seek to maintain U.S. leadership in a rapidly developing area. AI promises to bring enormous benefits in a variety of fields, including connected and autonomous cars, personalized assistants, network and logistics management, public health, and many other areas.

Much of the Order's impact will be determined by how agencies implement it over the coming months, but there are a few key components:

- First, the Order directs agencies that perform or fund research and development to consider AI as a R&D priority, and allocate existing resources towards AI R&D. These agencies are encouraged to increase their focus on AI this year and must identify AI R&D programs in budgets in coming years. Agencies are directed to explore collaboration with non-federal entities including the private sector, non-profits, academia, and state and local governments.

- Second, the Order directs agencies to enhance access to federal data and computing resources for AI R&D purposes. Within 90 days, the OMB Director must publish a federal register notice inviting comment on additional requests for access or quality improvements to federal data that can be used for AI R&D and testing. OMB is also directed to

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investigate barriers to access or quality limitations of federal data. Agencies must provide this enhanced access while also taking account of any confidentiality or privacy restrictions on individuals' data and any safety and security concerns. Additionally, a range of government departments must prioritize the allocation of high-performance computing resources for AI-related applications.

- Third, the Order directs the National Institute of Standards and Technology (NIST) to lead the development of technical standards for secure, reliable, and robust AI systems, including by issuing a plan for federal engagement on technical standards within six months. In outlining this approach, the Order notes that the federal government must "drive development of appropriate technical standards and reduce barriers to the safe testing and deployment of AI technologies." It also requires NIST to assess ways in which the United States can maintain its leadership in international standard-setting in the area of AI technologies.

- Fourth, the Order outlines a regulatory approach on AI that is focused on removing unnecessary barriers to deployment and encouraging innovation. The Order directs the OMB, in consultation with other agencies and stakeholders, to issue a memorandum to the heads of all agencies on "regulatory and non-regulatory approaches by such agencies regarding technologies and industrial sectors that are either empowered or enabled by AI," and to "consider ways to reduce barriers to the use of AI technologies in order to promote their innovative application while protecting civil liberties, privacy, American values, and United States economic and national security." This signals a more collaborative than prescriptive regulatory approach, consistent with the OSTP's previous statements that "[o]verly burdensome regulations do not stop innovation—they just move it overseas."

The Order also includes other provisions, such as directing agencies to develop AI-related education and workforce opportunities and to prioritize AI fellowship and training programs, and promoting international engagement and opening markets for American AI industries. The Initiative will be coordinated through the National Science and Technology Council (NSTC) Select Committee on Artificial Intelligence, established last year, which includes representatives from a wide range of federal stakeholders, including the Departments of Commerce, Energy, and Defense.

Finally, the Order is part of a broad range of efforts by the federal government to engage on AI policy and encourage its development. To take a few examples, the National Science Foundation and others have received comments on updating the 2016 National Artificial Intelligence Research and Development Strategic Plan, which sets objectives for federally-funded AI research. Last September, DARPA announced a $2 billion AI Next campaign to fund state-of-the-art AI innovations, focusing on developments in AI contextual reasoning. And the Department of Defense has explored industry collaboration on AI and on February 12 released a summary of its AI strategy.

These measures provide a great opportunity for the private sector to work collaboratively with government agencies on AI deployment—particularly when navigating challenges that inhibit innovation or finding federal resources to push beneficial AI projects forward.