



Federal Artificial Intelligence Risk Management Act of 2023

Senator Jerry Moran & Senator Mark Warner

Artificial intelligence (AI) technologies have significant potential to positively impact Americans in meaningful ways – unlocking scientific breakthroughs that improve healthcare outcomes, enabling personalized education, and providing safer transportation. AI systems may also play a role in the function of government, including by improving efficiency, productivity, and security.

However, there are potential risks associated with federal use of AI systems, including:

- Data privacy and security risks related to Americans' information due the immense amount of data collected and processed;
- A lack of transparency about AI decision making, resulting in challenges with holding these systems accountable; and
- The use of untrue or unverified data, leading to negative outcomes.

Understanding these risks, Congress directed the National Institute of Standards and Technology (NIST) to develop an AI Risk Management Framework (Framework, RMF) that organizations, public and private, could employ to ensure they use AI systems in a trustworthy manner. This framework was released earlier this year and is supported by a wide range of public and private sector organizations, but federal agencies are not currently required to use this framework to manage their use of AI systems.

Many federal agencies currently employ AI systems for a variety of purposes, from cybersecurity to scientific research. Ensuring agencies are following existing best practices developed by subject matter experts, and having the ability to verify and validate AI systems used by federal agencies, are important tools in reducing potential risks and increasing trust in the government. At the same time, these tools encourage innovative technologies that will make the government more effective. Additionally, establishing a federal AI workforce with diverse skillsets that is available to agencies is a key part of ensuring trustworthy and effective use of AI systems.

The Federal Artificial Intelligence Risk Management Act of 2023 would:

- Require the Office of Management and Budget (OMB) to issue guidance requiring agencies to incorporate the framework into their AI risk management efforts consistent with guidelines NIST creates;
- Require OMB to establish a workforce initiative that enables federal agencies access to diverse expertise;
- Require the Administrator of Federal Procurement Policy and the Federal Acquisition Regulatory Council to act to ensure federal agencies procure AI systems that incorporate the Framework; and
- Require NIST to develop test and evaluation capabilities for AI acquisitions.