

# THE NATIONAL LAW REVIEW

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## New Executive Order on Maintaining American Leadership in Artificial Intelligence

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On February 11, 2019, President Trump signed an Executive Order on “Maintaining American Leadership in Artificial Intelligence.” The Executive Order (EO) recognizes that the United States is the world leader in AI research and development (R&D) and deployment,” and that “[c]ontinued American leadership in AI is of paramount importance. . . .”

The EO assigns coordination of AI activities to the National Science and Technology Council (NSTC) Select Committee on Artificial Intelligence. Heads of agencies that perform or fund R&D shall consider AI as an agency R&D priority, and shall take this priority into account when developing future budget proposals. The EO gives the Office of Management and Budget (OMB) 90 days to publish a notice in the Federal Register inviting public comment on improving AI R&D and testing. Within 180 days, OMB, in coordination with the Office of Science and Technology Policy, the Director of the Domestic Policy Council, and the Director of the National Economic Council, is to issue a memorandum to the heads of all agencies to further inform on how agencies may develop both regulatory and non-regulatory approaches empowered or enabled by AI “while upholding civil liberties, privacy and American values.”

The EO also provides agencies with 180 days to consider “methods of improving the quality, usability, and appropriate access to priority data identified by the AI research community,” and “associated resource implications.” In coordination with the Federal Privacy Council (established by EO 13719, dated February 9, 2016), relevant federal agency staff shall identify barriers to increased access to certain types of AI-related data and models, including taking into account considerations including “privacy and civil liberty protections for individuals who may be affected by increased access and use, as well as confidentiality protections for individuals and other data providers,” and “safety and security concerns, including those related to the association or compilation of data and models.”

The EO directs heads of implementing agencies that currently provide for educational grants to consider “AI as a priority area within existing Federal fellowship and service programs.” Eligible programs include high school, undergraduate, and graduate fellowships, alternative education, and training programs; programs to recognize and fund early-career university faculty who conduct AI R&D, including through Presidential awards and recognitions; and scholarship for service programs, among others.

According to a [senior administration official quoted by the Associated Press](#), the plan does not include funding details and that it will be up to Congress to appropriate money.

The full Executive Order may be found at [this link](#).

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