



AI Governance

Legal Considerations, Ethical Issues,
and Emerging Best Practices



AI Regulation: A Rapidly Changing Landscape

Efforts to regulate and govern AI in the US is a complex and evolving landscape.

Federal Efforts

- Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence
- Congressional Hearings
- Existing Agency Regulations
- Efforts to Provide Guidance at overall and sector-specific levels

State Efforts

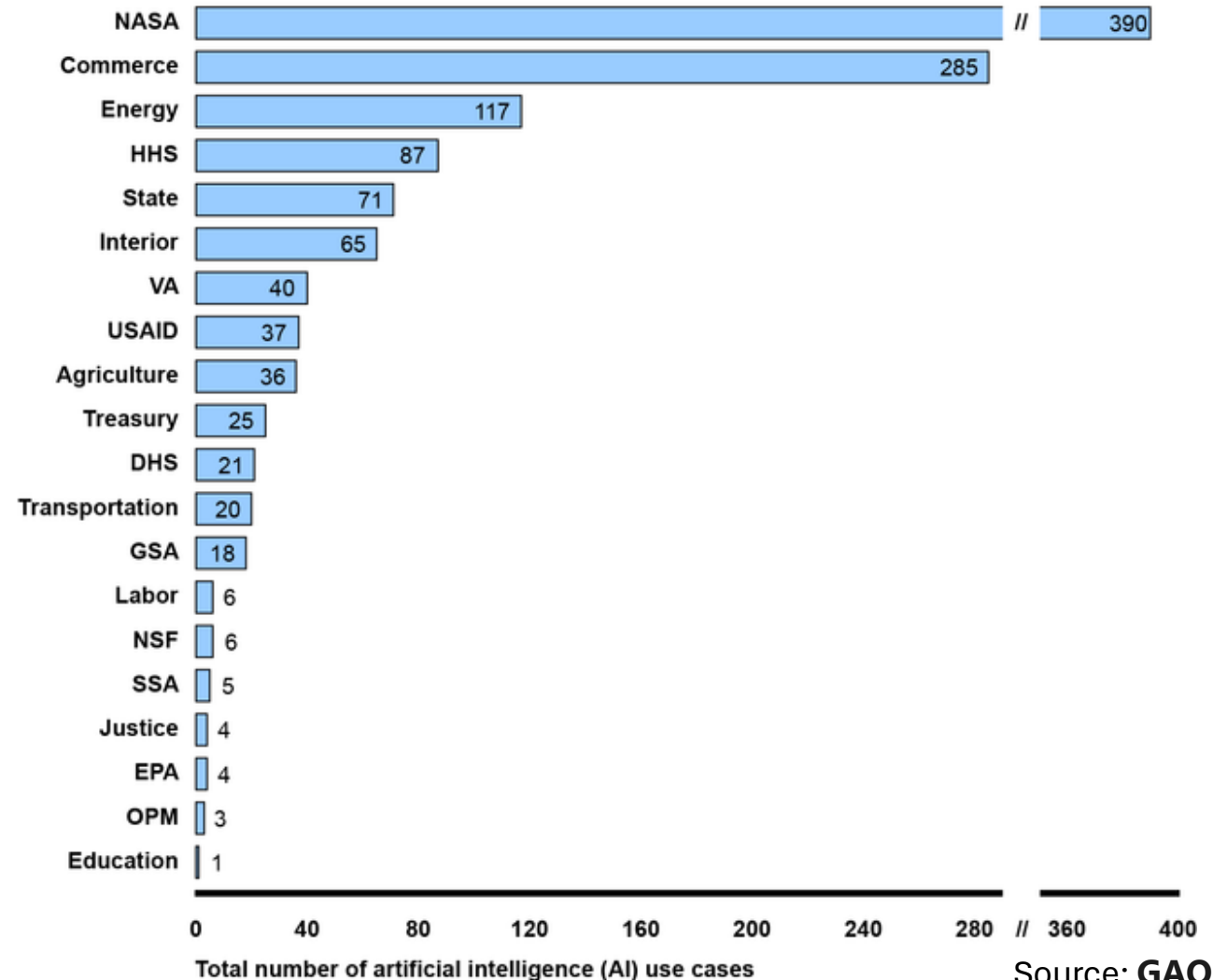
- 2023 Legislative Session Update
- 2024 Legislative Trends

Highlights & Themes of Efforts

- Building Infrastructure
- Data Privacy
- Risk Assessment & Mitigation
- Preventing Bias & Discrimination

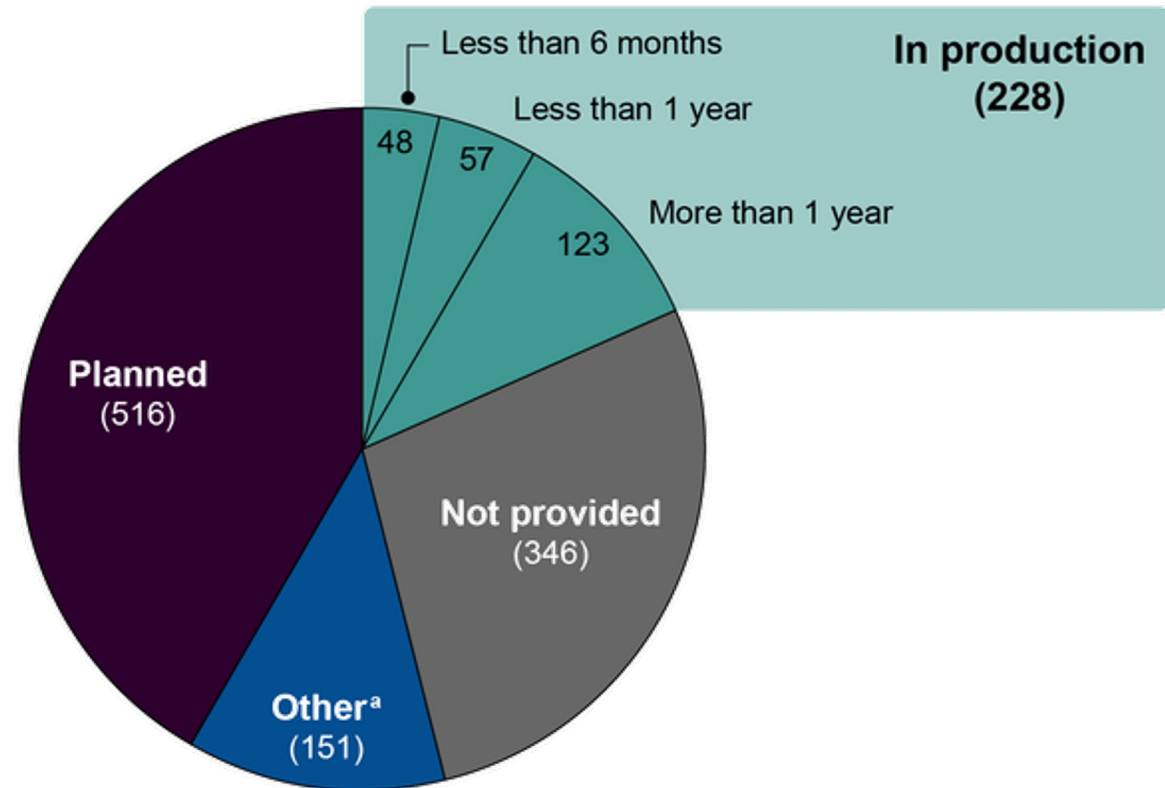
Practical Challenges for Governing AI

- Defining AI
- Variety of use cases
- Growth of AI use cases
- Differing risk profiles
- Balancing innovation



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Source: GAO analysis of agency AI use case inventory submissions to Office of Management and Budget. | GAO-24-105980

Ethical Considerations for Governing AI

Safety and
Security

Transparency
and
Explainability

Privacy and
Data
Protection

Data Quality

Bias and
Discrimination

Accountability
and Oversight

Human
Control and
Review

Societal
Impact

Building AI Governance



Leadership

Policies & Procedures

Risk Assessments

Training

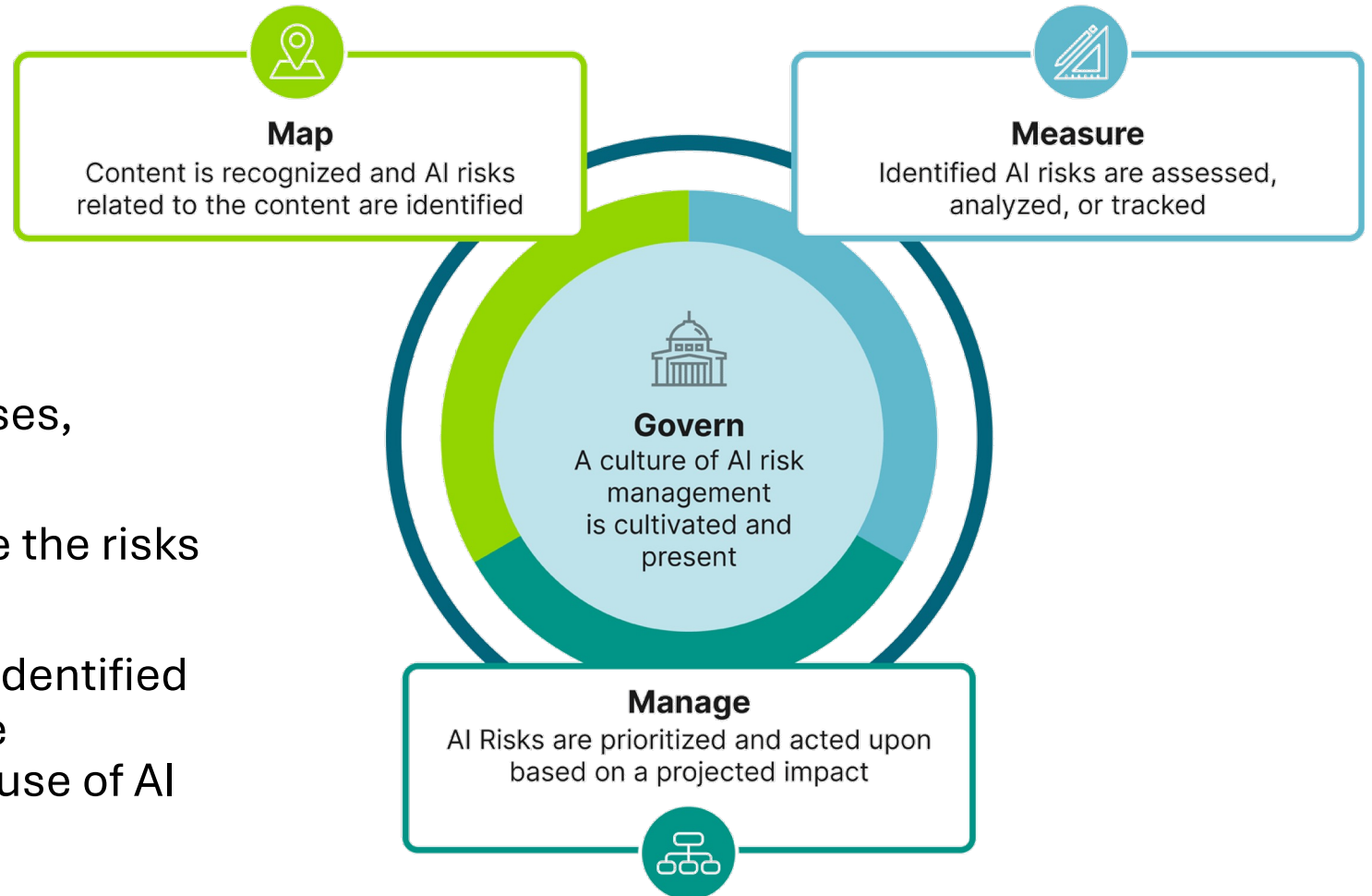
Communication

Monitoring

An Approach to AI Risk Management

NIST AI RMF

1. **Govern:** Establish leadership, accountability, and oversight.
2. **Map:** Identify and understand the AI systems, their intended uses, and potential risks.
3. **Measure:** Evaluate and measure the risks associated with AI systems.
4. **Manage:** Take steps to mitigate identified risks and ensure the responsible development, deployment, and use of AI systems.



Examples of Use Cases



Air Quality &
Monitoring Prediction



Emission Control &
Mitigation Strategies



Recommending and
Monitoring Policies



Educating and
Engaging Citizens



Everyday Tasks

Resources

General Helpful Resources for Learning about AI Use Cases & AI News

- ****OECD Policy Observatory**, <https://oecd.ai/en/>
- ****OECD Expert Group on Compute and Climate**:
<https://oecd.ai/en/network-of-experts/working-group/1136>
- Government Use of AI: <https://ai.gov/ai-in-gov/>
- MIT News for AI: <https://news.mit.edu/topic/artificial-intelligence2>
- Wall Street Journal Artificial Intelligence Report:
<https://www.wsj.com/news/collection/artificial-intelligence-report-e48d5827>

Resources

AI Regulation: A Rapidly Changing Landscape (Slide 2)

- FACT SHEET: President Biden Issues Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence (Oct. 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/30/fact-sheet-president-biden-issues-executive-order-on-safe-secure-and-trustworthy-artificial-intelligence/>
- National Conference of State Legislatures, “Artificial Intelligence 2023 Legislation” (Jan. 2024), <https://www.ncsl.org/technology-and-communication/artificial-intelligence-2023-legislation>
- **National Conference of State Legislatures, “Artificial Intelligence 2024 Legislation” (Mar. 2024), <https://www.ncsl.org/technology-and-communication/artificial-intelligence-2024-legislation>
- House Committee on Oversight & Accountability, Hearing Wrap Up: Federal Government Use of Artificial Intelligence Poses Promise, Peril (Sept. 2023), <https://oversight.house.gov/release/hearing-wrap-up-federal-government-use-of-artificial-intelligence-poses-promise-peril/>
- **Connecticut SB 2 (2024), https://www.cga.ct.gov/asp/CGABillStatus/cgabillstatus.asp?selBillType=Bill&bill_num=SB2
- Indiana SB 150 (2024), <https://iga.in.gov/legislative/2024/bills/senate/150/details>

Resources

Practical Challenges & Ethical Considerations for Governing AI (Slides 3-5)

- **US Government Accountability Offices, “Artificial Intelligence: Agencies Have Begun Implementation but Need to Complete Key Requirements” (Dec. 2023), <https://www.gao.gov/products/gao-24-105980>
- Non-Decisional Statement by the National AI Advisory Committee (NAIAC) Working Group on Regulation and Executive Action, “Rationales, Mechanisms, and Challenges to Regulating AI: A Concise Guide and Explanation” (July 2023), <https://ai.gov/wp-content/uploads/2023/07/Rationales-Mechanisms-Challenges-Regulating-AI-NAIAC-Non-Decisional.pdf>
- Carnegie Endowment for International Peace, “One of the Biggest Problems in Regulating AI Is Agreeing on a Definition” (Oct. 2022), <https://carnegieendowment.org/2022/10/06/one-of-biggest-problems-in-regulating-ai-is-agreeing-on-definition-pub-88100>
- Brookings Institute, “The three challenges of AI regulation” (June 2023), <https://www.brookings.edu/articles/the-three-challenges-of-ai-regulation/>
- Cornell Journal of Law and Public Policy, “Governing AI” (2020), <https://community.lawschool.cornell.edu/wp-content/uploads/2021/05/Shackelford-Dockery-final.pdf>

Resources

AI Governance & Risk Management (Slide 6-7)

- **NIST, “NIST AI RMF Playbook,” https://airc.nist.gov/AI_RM_F_Knowledge_Base/Playbook.
- MIT Sloan School of Management, “A framework for assessing AI risk”(Jan. 2024), <https://mitsloan.mit.edu/ideas-made-to-matter/a-framework-assessing-ai-risk>.
- Department of Energy, DOE AI Risk Management Playbook, <https://www.energy.gov/ai/doe-ai-risk-management-playbook-airmp>

Use Cases (examples in Air Quality – Slide 8)

- Johns Hopkins, “Using Artificial Intelligence, Better Pollution Predictions Are in the Air” (Jan. 2024), <https://www.jhuapl.edu/news/news-releases/240130b-ai-improves-air-quality-forecasting>.
- Clean Air Fund, “AI and wearables: innovative tech for fighting air pollution” (Aug. 2023), <https://www.cleanairfund.org/news-item/ai-wearables-innovative-tech/>.