Calendar No. 234

118TH CONGRESS
1ST SESSION

S. 1564

[Report No. 118–109]

To require the Director of the Office of Personnel Management to establish, or otherwise ensure the provision of, a training program on artificial intelligence for Federal management officials and supervisors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2023

Mr. PETERS (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

NOVEMBER 2, 2023

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To require the Director of the Office of Personnel Management to establish, or otherwise ensure the provision of, a training program on artificial intelligence for Federal management officials and supervisors, 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,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Artificial Intelligence Leadership Training Act" or the "AI Leadership Training Act".

SEC. 2. ARTIFICIAL INTELLIGENCE LEADERSHIP TRAINING PROGRAM.

(a) DEFINITIONS.—In this section:

(1) AI.—The term "AI" has the meaning given the term "artificial intelligence" in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal year 2019 (10 U.S.C. 2358 note).

(2) COVERED EMPLOYEE.—The term "covered employee" means—

(A) a management official;

(B) a supervisor; or

(C) any other employee of an executive agency—

(i) as determined appropriate by the Director for the purposes of this section; or

(ii) who is designated by the head of that executive agency to participate in the Program.

(3) DIRECTOR.—The term "Director" means the Director of the Office of Personnel Management.

1 (4) EXECUTIVE AGENCY.—The term "executive

2 agency" has the meaning given the term in section

3 133 of title 41, United States Code.

4 (5) MANAGEMENT OFFICIAL; SUPERVISOR.—

5 The terms "management official" and "supervisor"

6 have the meanings given those terms in section

7 7103(a) of title 5, United States Code.

8 (6) PROGRAM.—The term "Program" means

9 the AI leadership training program established and

10 implemented (or the provision of which is otherwise

11 ensured) by the Director under subsection (b)(1).

12 (b) PROGRAM.—

13 (1) IN GENERAL.—

14 (A) ESTABLISHMENT OF PROGRAM.—Not

15 later than 1 year after the date of enactment of

16 this Act, the Director, in consultation with any

17 other person determined relevant by the Direc-

18 tor, shall develop and implement (or otherwise

19 ensure the provision of) an AI leadership train-

20 ing program for covered employees, under

21 which training in accordance with the require-

22 ments of this section shall be provided to cov-

23 ered employees on an annual basis.

24 (B) INCORPORATION OF EXISTING TRAIN-

25 ING PERMITTED.—For the purposes of subpara-

1   graph (A), the Director may include executive

2   agency or other training that the Director de-

3   termines is relevant to providing the informa-

4   tion required under paragraph (3).

5   (2) PURPOSE.—The purpose of the Program

6 shall be to ensure that covered employees have

7 knowledge regarding—

8   (A) the capabilities and risks associated

9   with AI;

10   (B) safety and ethical issues relating to

11   AI;

12   (C) Federal Government requirements and

13   best practices with respect to AI, such as with

14   respect to the procurement, use, testing, evalua-

15   tion, and auditing of AI capabilities; and

16   (D) other matters relating to requirements

17   for the development and use of AI within and

18   by the Federal Government.

19   (3) TOPICS.—At a minimum, the Program shall

20 include information relating to—

21   (A) what AI is and how AI works;

22   (B) introductory concepts regarding, and

23   features of, different types of AI;

24   (C) the benefits offered, and the risks

25   posed, by AI;

1   (D) the role of data in AI systems and the

2   risks of not using sufficiently representative

3   training data in those systems;

4   (E) the ways in which AI can fail;

5   (F) the need for continuous refinement of

6   AI as part of the development and deployment

7   of AI;

8   (G) ways to mitigate the risks of AI, in-

9   cluding through efforts to create and identify

10   AI that is reliable, safe, trustworthy, and fair;

11   and

12   (H) organizational considerations for the

13   development and deployment of AI, including

14   necessary norms and practices, workforce train-

15   ing, and specific use cases.

16   (4) UPDATES.—Not less frequently than once

17   every 2 years after the date on which the Director

18   develops and implements (or otherwise ensures the

19   provision of) the Program under paragraph (1), the

20   Director shall update the Program to—

21   (A) incorporate new information relating

22   to AI; and

23   (B) ensure that the Program continues to

24   satisfy the requirements under paragraph (3)

1 and any other requirements determined by the

2 Director.

3 (5) METRICS.—The Director shall establish a

4 means by which to—

5 (A) understand and measure the participa-

6 tion of covered employees in the Program; and

7 (B) receive and consider feedback from

8 participants in the Program so as to improve

9 the Program through updates implemented

10 under paragraph (4).

11 (6) SENSE OF CONGRESS.—It is the sense of

12 Congress that the Director should ensure that train-

13 ing provided under the Program includes inter-

14 actions with technologists, scholars, and other ex-

15 perts from the private, public, and nonprofit sectors.

16 (7) SUNSET.—Effective on the date that is 10

17 years after the date of enactment of this Act, this

18 section shall have no force or effect.

19 **SECTION 1. SHORT TITLE.**

20 *This Act may be cited as the "Artificial Intelligence*

21 *Leadership Training Act" or the "AI Leadership Training*

22 *Act".*

23 **SEC. 2. ARTIFICIAL INTELLIGENCE LEADERSHIP TRAINING**

24 **PROGRAM.**

25 *(a) DEFINITIONS.—In this section:*

1   *(1) AI.—The term "AI" has the meaning given*

2   *the term "artificial intelligence" in section 238(g) of*

3   *the John S. McCain National Defense Authorization*

4   *Act for Fiscal year 2019 (10 U.S.C. 2358 note).*

5   *(2) COVERED EMPLOYEE.—The term "covered*

6   *employee" means—*

7   *(A) a management official;*

8   *(B) a supervisor; or*

9   *(C) any other employee of an executive*

10   *agency—*

11   *(i) as determined appropriate by the*

12   *Director for the purposes of this section; or*

13   *(ii) who is designated by the head of*

14   *that executive agency to participate in the*

15   *Program.*

16   *(3) DIRECTOR.—The term "Director" means the*

17   *Director of the Office of Personnel Management.*

18   *(4) EXECUTIVE AGENCY.—The term "executive*

19   *agency" has the meaning given the term in section*

20   *133 of title 41, United States Code.*

21   *(5) MANAGEMENT OFFICIAL; SUPERVISOR.—The*

22   *terms "management official" and "supervisor" have*

23   *the meanings given those terms in section 7103(a) of*

24   *title 5, United States Code.*

1   *(6) PROGRAM.—The term "Program" means the*

2   *AI leadership training program established and im-*

3   *plemented (or the provision of which is otherwise en-*

4   *sured) by the Director under subsection (b)(1).*

5   *(b) PROGRAM.—*

6   *(1) IN GENERAL.—*

7   *(A) ESTABLISHMENT OF PROGRAM.—Not*

8   *later than 18 months after the date of enactment*

9   *of this Act, the Director, in consultation with*

10   *any other person determined relevant by the Di-*

11   *rector, shall develop and implement (or otherwise*

12   *ensure the provision of) an AI leadership train-*

13   *ing program for covered employees, under which*

14   *training in accordance with the requirements of*

15   *this section shall be provided to covered employ-*

16   *ees on an annual basis.*

17   *(B) INCORPORATION OF EXISTING TRAINING*

18   *PERMITTED.—For the purposes of subparagraph*

19   *(A), the Director may include executive agency*

20   *or other training that the Director determines is*

21   *relevant to providing the information required*

22   *under paragraph (3).*

23   *(2) PURPOSE.—The purpose of the Program*

24   *shall be to ensure that covered employees have knowl-*

25   *edge regarding—*

1　　　　　　　*(A) the capabilities and risks associated*

2　　　　*with AI;*

3　　　　　　　*(B) safety and ethical issues relating to AI;*

4　　　　　　　*(C) Federal Government requirements and*

5　　　　*best practices with respect to AI, such as with re-*

6　　　　*spect to the procurement, use, testing, evaluation,*

7　　　　*and auditing of AI capabilities; and*

8　　　　　　　*(D) other matters relating to requirements*

9　　　　*for the development and use of AI within and by*

10　　　　*the Federal Government.*

11　　　　*(3) TOPICS.—At a minimum, the Program shall*

12　　*include information relating to—*

13　　　　　　　*(A) what AI is and how AI works;*

14　　　　　　　*(B) introductory concepts regarding, and*

15　　　　*features of, different types of AI;*

16　　　　　　　*(C) the benefits offered, and the risks posed,*

17　　　　*by AI;*

18　　　　　　　*(D) the role of data in AI systems and the*

19　　　　*risks of not using sufficiently representative*

20　　　　*training data in those systems, including risks*

21　　　　*relating to bias;*

22　　　　　　　*(E) the ways in which AI can fail;*

23　　　　　　　*(F) the need for continuous refinement of AI*

24　　　　*as part of the development and deployment of*

25　　　　*AI;*

1   *(G) ways to mitigate the risks of AI, includ-*

2 *ing through efforts to create and identify AI that*

3 *is reliable, safe, and trustworthy;*

4   *(H) organizational considerations for the*

5 *development and deployment of AI, including*

6 *necessary norms and practices, workforce train-*

7 *ing, and specific use cases;*

8   *(I) the risks that the use by the Federal*

9 *Government of AI, including by using AI to en-*

10 *gage in censorship and conduct surveillance,*

11 *poses to the First and Fourth Amendments to the*

12 *Constitution of the United States; and*

13   *(J) the risk of developer bias with respect to*

14 *AI.*

15 *(4) UPDATES.—Not less frequently than once*

16 *every 2 years after the date on which the Director de-*

17 *velops and implements (or otherwise ensures the pro-*

18 *vision of) the Program under paragraph (1), the Di-*

19 *rector shall update the Program to—*

20   *(A) incorporate new information relating to*

21 *AI; and*

22   *(B) ensure that the Program continues to*

23 *satisfy the requirements under paragraph (3)*

24 *and any other requirements determined by the*

25 *Director.*

1   *(5) METRICS.—The Director shall establish the*

2   *means by which to—*

3   *(A) understand and measure the participa-*

4   *tion of covered employees in the Program; and*

5   *(B) receive and consider feedback from par-*

6   *ticipants in the Program so as to improve the*

7   *Program through updates implemented under*

8   *paragraph (4).*

9   *(6) CONGRESSIONAL REQUESTS.—*

10   *(A) IN GENERAL.—Congress may request*

11   *from the Director information regarding the ma-*

12   *terials used to carry out the Program, includ-*

13   *ing—*

14   *(i) a bibliography of written materials*

15   *used to carry out the Program;*

16   *(ii) the name of the responsible senior*

17   *executive; and*

18   *(iii) the name of each organization*

19   *that developed or carried out any part of*

20   *the Program.*

21   *(B) DEADLINE FOR PROVISION OF INFORMA-*

22   *TION.—Not later than 14 days after the date on*

23   *which the Director receives a request submitted*

24   *under subparagraph (A), the Director shall pro-*

1   *vide Congress with the information sought in the*

2   *request.*

3   *(7) SENSE OF CONGRESS.—It is the sense of*

4 *Congress that the Director should ensure that training*

5 *provided under the Program includes interactions*

6 *with technologists, scholars, and other experts, includ-*

7 *ing from the private, public, and nonprofit sectors.*

8   *(8) SUNSET.—Effective on the date that is 10*

9 *years after the date of enactment of this Act, this sec-*

10 *tion shall have no force or effect.*

Calendar No. 234

118TH CONGRESS
1ST SESSION

S. 1564

[Report No. 118–109]

A BILL

To require the Director of the Office of Personnel Management to establish, or otherwise ensure the provision of, a training program on artificial intelligence for Federal management officials and supervisors, and for other purposes.

NOVEMBER 2, 2023

Reported with an amendment