

Timeline: Biden administration executive order on AI

Key deadlines and implementation dates

Agencies across the federal government have begun to implement directives from President Biden’s 30 October [executive order](#) (Executive Order or EO) on artificial intelligence (AI). The sweeping EO, which aims to promote the “safe, secure, and trustworthy development and use of artificial intelligence,” will impact organizations across all sectors of the economy, from the most mature AI implementers to first-time adopters.

Closer look:

[EY alert: Key takeaways from the Biden administration EO on AI White House fact sheet](#)

This EO adopts the “all-of-government approach” that has become a trademark of the Biden administration, tapping agencies and offices across the entire administration to tackle complex AI policy issues in each of their jurisdictions.

This annotated document provides a snapshot of the EO’s varying deadlines and highlights the lead agencies charged with implementation. It is organized by the following deadlines:

29 November 2023
14 December 2023
29 December 2023
28 January 2024
27 February 2024
28 March 2024
27 April 2024
26 June 2024
26 July 2024
29 October 2024
22 April 2025
Other deadlines
No deadline

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The EO is guided by eight principles and priorities which are referenced in the charts below where applicable.

1. **Safety and security:**
The EO mandates processes to evaluate and mitigate the risks of AI adoption, including biosecurity, cybersecurity, national security and critical infrastructure.
2. **Innovation and competition:**
The EO aims to promote innovation by attracting AI talent to the US, addressing intellectual property (IP) issues, and protecting inventors and creators.
3. **Worker support:**
The EO directs agencies to research and develop potential mitigations against such disruptions.
4. **AI bias and civil rights:**
The EO mandates actions related to the use of AI in the criminal justice system and the administration of federal government programs and benefits.
5. **Consumer protection:**
The order mandates that agencies use existing authorities to minimize AI-related harms to consumers.
6. **Privacy:**
The EO instructs agencies to evaluate and mitigate privacy risks that might be exacerbated by AI due to collection, use and retention of user data.
7. **Federal use of AI:**
The EO requires that agencies implement certain safeguards while adopting AI in their operations.
8. **International leadership:**
The EO instructs various agencies to engage with allies, develop common principles and advance the US’ international leadership on the technology.

Within 30 days (by 29 November 2023)

Implementing agencies	Requirement	Section
DOT	Direct the Non-Traditional and Emerging Transportation Technology (NETT) Council to evaluate the need for guidance around AI use in transportation; support and assess the outcomes of transportation-related AI pilot programs; and establish a DOT Cross-Modal Executive Working Group.	Consumer Protection 8(c)(i)
Technology Modernization Board	Consider prioritizing funding for AI projects under the Technology Modernization Fund (TMF).	Federal Use of AI 10.1(g)

Within 45 days (by 14 December 2023)

Implementing agencies	Requirement	Section
DOL	Update the list of Schedule A (20 C.F.R. 656.5) occupations, solicit public input for identifying AI, STEM-related and other occupations for which there is a lack of qualified US workers.	Innovation & Competition 5.1(e)
OSTP, OMB, National Security Advisor, Assistant to the President for Economic Affairs, Assistant to the President for Domestic Policy, Assistant to the President and Director of the Gender Policy Council	Plan to surge AI talent in the federal government, including through identifying priority mission areas, the talent necessary to implement this EO and accelerated hiring pathways.	Federal Use of AI 10.2(a)
White House Deputy Chief of Staff for Policy, OSTP, OMB, NCD	Convene an AI and Technology Talent Task Force to help accelerate and track the hiring of AI and AI-enabling talent by the federal government.	Federal Use of AI 10.2(b)
USDS, Presidential Innovation Fellowship, DOC, OPM, individual agencies	Devise and implement plans to assist with the rapid recruitment of AI and AI-enabling talent by the federal government.	Federal Use of AI 10.2(c)

Within 60 days (by 29 December 2023)

Implementing agencies	Requirement	Section
OMB	Convene and lead an interagency council on federal development and use of AI.	Federal Use of AI 10.1(a)
OPM, OMB	Carry out a review of hiring authorities and workplace flexibilities necessary for the recruitment of AI talent.	Federal Use of AI 10.2(d)(i)
OPM, OMB	Consider authorizing the use of excepted service appointments under 5 C.F.R. 213.3102(i)(3) for the hiring of AI talent.	Federal Use of AI 10.2(d)(ii)

Within 90 days (by 28 January 2024)

Implementing agencies	Requirement	Section
DOC	Require (1) companies developing, or intending to develop, dual-use AI models to report to the government on model training, testing and data ownership; and (2) entities that acquire, develop or possess potential large computing infrastructure to report to the government on the location and amount of computing power.	Safety & Security 4.2(a)
DOC, State, DOD, DOE, DNI	Define the set of technical conditions used to determine which models and computing infrastructure are subject to the reporting in 4.2(a).	Safety & Security 4.2(b)
DOC	Propose regulations for cloud service providers (CSPs) to report when foreign persons use US infrastructure to train AI systems.	Safety & Security 4.2(c)
SRMAs, CISA	Evaluate and assess potential risks related to critical infrastructure adoption and use of AI and consider ways to mitigate vulnerabilities.	Safety & Security 4.3(a)(i)

Within 120 days (by 27 February 2024)

Implementing agencies	Requirement	Section
DOD, National Security Advisor, OSTP	Study and report on the use of AI in biology and the potential to increase biosecurity and national security risks. Make recommendations to mitigate such risks.	Safety & Security 4.4(a)(ii)
State	Consider (1) rulemaking to devise new criteria to designate countries and critical skills for visas, (2) updating the 2009 Revised Exchange Visitor Skills List, and (3) establishing a visa renewal program to help keep AI talent in the US.	Innovation & Competition 5.1(b)
DHS, State, DOC, OSTP	Publish resources to help attract and retain foreign AI talent, including a report detailing how AI talent have used the immigration system through the end of FY23.	Innovation & Competition 5.1(g)
DOE, NSF	Establish a pilot program aimed at bolstering existing training programs for scientists to help meet the need for AI talent.	Innovation & Competition 5.2(b)
USPTO	Publish guidance for USPTO patent examiners and applicants that addresses the use of AI in the inventive process.	Innovation & Competition 5.2(c)(i)
NSF, DOE	Fund the establishment of a Research Coordination Network (RCN) to advance privacy research, with a focus on developing, deploying and scaling privacy-enhancing technologies.	Privacy 9(c)(i)
OPM, OMB	Issue guidance for agencies' use of existing pay flexibilities or incentive programs for AI, AI-enabling and other key technical positions.	Federal Use of AI 10.2(d)(iv)

Within 150 days (by 28 March 2024)

Implementing agencies	Requirement	Section
Treasury	Issue best practices for financial institutions to manage AI-specific cybersecurity risks. The report shall be public.	Safety & Security 4.3(a)(ii)
NSF	Fund and launch at least one NSF Regional Innovation Engine that prioritizes AI-related work.	Innovation & Competition 5.2(a)(ii)
OMB, OSTP, interagency council members from Section 10(a)	Issue guidance to agencies on use of AI.	Federal Use of AI 10.1(b)

Within 180 days (by 27 April 2024)

Implementing agencies	Requirement	Section
DOC	Extend regulation from Section 4.2(c) to foreign resellers of CSP products used for AI.	Safety & Security 4.2(d)
DHS, DOC, SRMAs, IRAs	Incorporate the AI Risk Management Framework, and other appropriate security guidance, into safety and security guidelines used by computational intelligence (CI) owners and operators.	Safety & Security 4.3(a)(iii)
DOD, DHS	Plan for and conduct a pilot to use AI models to discover and remediate vulnerabilities in federal IT systems.	Safety & Security 4.3(b)(ii)
DHS, DOE, OSTP	Evaluate potential for AI to be used to develop, produce or counter chemical, biological, radiological and nuclear (CBRN) threats.	Safety & Security 4.4(a)(i)
OSTP, State, DOD, DOJ, DOC, HHS, DOE, DHS, DNI	Develop a framework for providers of synthetic nucleic acids (companies that manipulate certain biologic genetic material) to encourage such providers to implement procurement screening mechanisms, including standards and incentives.	Safety & Security 4.4(b)(i)
NIST, OSTP, State, HHS	Develop procurement screening specifications and guides, and best practices for sequence-of-concern database management and conformity-assessment, for use by nucleic acid sequence providers.	Safety & Security 4.4(b)(ii)
All agencies that fund life sciences research	Establish requirements that life science researchers receiving federal funding must procure synthetic nucleic acids from manufacturers adhering to the framework in Section 4.4(b)(i).	Safety & Security 4.4(b)(iii)
DHS	Develop a framework to conduct structured evaluation and stress testing of the nucleic acid procurement screening systems.	Safety & Security 4.4(b)(iv)
DOC, OMB	Develop guidance for adopting the tools and practices for digital content authentication and synthetic content detection measures identified in the report in 4.5(a).	Safety & Security 4.5(b)
OMB, State, DOD, DOJ, NIST, DHS, DNI	Issue guidance to agencies for labeling and authenticating digital and synthetic content the federal government uses.	Safety & Security 4.5(c)
All agencies	Conduct security reviews using guidelines from Section 4.7(a) and take steps to address the highest- priority potential security risks.	Safety & Security 4.7(b)
State	Consider rulemaking to expand nonimmigrant eligibility for the domestic visa renewal program and establish a program to identify and attract top AI talent from overseas.	Innovation & Competition 5.1(b)
DHS	Review and initiate policy changes related to immigration pathways for AI experts and consider rulemaking to enhance visa modernization processes and permanent resident pathways.	Innovation & Competition 5.1(d)
DHS, DOJ	Develop a training, analysis and evaluation program to mitigate AI-related IP risks.	Innovation & Competition 5.2(d)
DOE, FERC, OSTP, CEQ, National Climate Advisor	Issue a public report describing how AI could improve electric grid infrastructure.	Innovation & Competition 5.2(g)(i)
DOE, FERC, OSTP, CEQ, National Climate Advisor	Develop tools to help build foundational AI models for basic and applied science, including for environmental reviews and permitting, and to mitigate climate change risks.	Innovation & Competition 5.2(g)(ii) 5.2(g)(iii)
DOE, FERC, OSTP, CEQ, National Climate Advisor	Partner with nongovernmental entities and international allies and partners to model climate risks and projects using DOE's computing capabilities and AI testbeds.	Innovation & Competition 5.2(g)(iv)
DOE, FERC, OSTP, CEQ, National Climate Advisor	Establish an office in DOE to coordinate AI programs across the national laboratories.	Innovation & Competition 5.2(g)(v)
PCAST	Report on the potential of AI for scientific research.	Innovation & Competition 5.2(h)
CEA	Report on the effects of AI on the labor market.	Worker Support 6(a)(i)
DOL	Report on the ability agencies have to assist workers displaced by AI adoption.	Worker Support 6(a)(ii)
DOL	Publish principles and best practices employers could adopt to minimize harms to employees.	Worker Support 6(b)(i) 6(b)(ii)

DOL	Issue guidance on complying with legal requirements for employers that deploy AI to monitor or augment employees' work.	Worker Support 6(b)(iii)
OPM	Identify and publish best practices to recruit law enforcement (LE) professionals with AI expertise and train LE professionals about responsible application of AI.	AI Biases & Civil Rights 7.1(c)(i)
HHS	Publish a plan addressing states' and localities' use of automated or algorithmic systems in distributing public benefits and services funded by the department.	AI Biases & Civil Rights 7.2(b)(i)
USDA	Issue guidance to state, local, tribal and territorial public benefits administrators on the use of automated or algorithmic systems in distributing benefits.	AI Biases & Civil Rights 7.2(b)(ii)
HUD	Issue guidance on AI use in housing decisions.	AI Biases & Civil Rights 7.3(c)
HHS	Develop a strategy to assess AI quality, including the development of an AI assurance policy and infrastructure needs.	Consumer Protection 8(b)(ii)
HHS	Consider actions to advance industry understanding of, and compliance with, federal nondiscrimination laws as they relate to AI for health and human service providers receiving federal funding.	Consumer Protection 8(b)(iii)
DOT	Task the Advanced Research Projects Agency-Infrastructure (ARPA-I) to explore research and development projects for AI use in transportation.	Consumer Protection 8(c)(iii)
OMB, DOJ, CEA, OSTP	Solicit public comment on changes to federal guidance related to privacy and mitigating AI-related risks.	Privacy 9(a)(iii)
OMB	Develop means to ensure that agency contracts for AI system and services procurement align with OMB guidance.	Federal Use of AI 10.1(d)(ii)
OPM, OMB	Develop guidance for federal employee use of generative AI.	Federal Use of AI 10.1(f)(iii)
GSA, OMB, DOD, DHS, DNI, NASA	Facilitate access to AI vendors through government-wide acquisition vehicles or tools.	Federal Use of AI 10.1(h)
AI and Technology Talent Task Force	Track, report progress on and make recommendations on increasing AI capacity across the federal government.	Federal Use of AI 10.2(b)(i)
OPM, OMB	Issue guidance to agencies on increasing the employment of AI, data and technology talent from nontraditional academic backgrounds.	Federal Use of AI 10.2 (d)(v)
OPM, OMB	Establish an interagency working group composed of experts in human resources and AI to inform hiring practices.	Federal Use of AI 10.2(d)(vi)
OPM, OBM	Review the qualifications for the Senior Executive Service to account for AI expertise.	Federal Use of AI 10.2(d)(vii)
OPM, OMB	Review the job description for civil engineers (and other positions) to account for, and ensure adequate, AI expertise.	Federal Use of AI 10.2(d)(viii)
DOD	Report on the AI talent gap in national defense, with a focus on hiring and retaining certain noncitizens.	Federal Use of AI 10.2(h)
DOC	Report to the president on priority actions taken pursuant to the plan in 11(b)(i).	International Leadership 11(b)(i)
DHS, State	Report on priority actions to mitigate cross-border risks to US critical infrastructure.	International Leadership 11(d)(ii)

Within 240 days (by 26 June 2024)

Implementing agencies	Requirement	Section
National Security Advisor, OMB, DHS	Take steps to mandate adoption of the guidelines from Section 4.3(a)(iii).	Safety & Security 4.3(a)(iv)
DOC	Identify existing and potential standards, tools and methods for authenticating, tracking provenance of, labeling and detecting AI-generated content.	Safety & Security 4.5(a)
NSF	Work with agencies to identify opportunities to incorporate privacy-enhancing technologies into their operations.	Privacy 9(c)(ii)

Within 270 days (by 26 July 2024)

Implementing agencies	Requirement	Section
NIST, DOE, DHS, DOC, NSF	Develop guidelines and best practices – with the aim of promoting consensus industry standards – and testing environments for developing and deploying safe, secure and trustworthy AI safety and security.	Safety & Security 4.1(a)
DOE, SMRAs	Develop and implement a plan to develop AI model evaluation tools and testbeds to understand and mitigate AI security risks.	Safety & Security 4.1(b)
DOD, DHS	Report (from each agency) on results of the pilot projects (Section 4.3(b)(ii)), vulnerabilities AI systems discovered and how those vulnerabilities were mitigated.	Safety & Security 4.3(b)(iii)
NTIA, State	Solicit expert input and report on the risks, benefits, and policy and regulatory mechanisms on dual-use foundation AI models with widely available model weights.	Safety & Security 4.6
Chief Data Officer Council, DOD, DOC, DOE, DHS, DNI	Develop guidelines for performing security reviews before releasing federal information that could be used to develop CBRN weapons or offensive cyber capabilities.	Safety & Security 4.7(a)
National Security Advisor, White House Deputy Chief of Staff for Policy	Develop an accompanying National Security Memorandum on AI.	Safety & Security 4.8
USPTO	Issue additional guidance to USPTO patent examiners and applicants to address other considerations at the intersection of AI and IP.	Innovation & Competition 5.2(c)(ii)
USPTO	Recommend further executive actions on copyright and AI.	Innovation & Competition 5.2(c)(iii)
DOJ, DHS	Review practices identified in 7.1(c)(i) and, if necessary, develop recommendations for state and local law enforcement agencies.	AI Biases & Civil Rights 7.1(c)(ii)
DOC	Establish a global engagement plan for promoting and developing AI standards.	International Leadership 11(b)(i)
DHS, State	Plan for multilateral engagements on encouraging the adoption of AI safety and security guidelines among global and cross-border CI owners and operators.	International Leadership 11(d)(i)

Within 365 days (by 29 October 2024)

Implementing agencies	Requirement	Section
VA	Host two three-month-long AI Tech Sprint competitions.	Innovation & Competition 5.2(f)
DOJ, DHS, OSTP	Report on the use of AI in the criminal justice system.	AI Biases & Civil Rights 7.1(b)
DOJ	Assess departmental capacity to investigate cases related to AI involving the deprivation of rights by governmental agencies acting under actual or perceived authorities.	AI Biases & Civil Rights 7.1(c)(iii)
DOL	Publish guidance for federal contractors on preventing bias in AI systems used in hiring.	AI Biases & Civil Rights 7.3(a)
HHS, DOD, VA	Establish an AI safety program to monitor and improve AI deployment in health care through a common framework to identify AI-associated clinical errors and guidelines to avoid such harms.	Consumer Protection 8(b)(iv)
HHS	Develop a strategy for the use of AI and AI-enabled tools in drug development.	Consumer Protection 8(b)(v)
ED	Develop resources, policies and guidance for AI use in education.	Consumer Protection 8(d)
NIST	Create guidance for agencies to follow when they evaluate the use of privacy-enhancing technologies.	Privacy 9(b)
State, USAID, NIST	Publish an AI in Global Development Playbook.	International Leadership 11(c)(i)

Within 540 days (by 22 April 2025)

Implementing agencies	Requirement	Section
NSF	Establish at least four new National AI Research Institutes.	Innovation & Competition 5.2(a)(iii)

Other deadlines

(dependent upon issuance of prior guidance)

Implementing agencies	Requirement	Section
OMB, State, DOD, DOJ, NIST, DHS, DNI	Within 180 days of the issuance of guidance under Section 4.5(b), issue agency guidance around labeling and authentication of digital and synthetic content used by the federal government.	Safety & Security 4.5(c)
Agencies identified under 31 U.S.C. 901(b)	Within 60 days of OMB's issuance of guidance under Section 10.1(b), designate a Chief AI Officer.	Federal Use of AI 10.1(b)(i)
Agencies identified under 31 U.S.C. 901(b)	Within 60 days of OMB's issuance of guidance under Section 10.1(b), create an internal AI Governance Board or other suitable mechanism to coordinate and govern AI matters.	Federal Use of AI 10.1(b)(iii)
OMB	Within 60 days of issuing guidance under Section 10.1(b), establish a system for tracking agencies' progress on AI.	Federal Use of AI 10.1(c)
NIST, OMB, OSTP	Within 90 days of OMB's issuance of guidance under Section 10.1(b), develop mechanisms to support implementation of the minimum risk management practices identified in that guidance.	Federal Use of AI 10.1(d)(i)
OMB	Within 180 days of issuing guidance under Section 10.1(b), develop a way to ensure that agency contracts for acquiring AI systems and services align with that guidance and advance the Advancing American AI Act (Pub. L. 117-263).	Federal Use of AI 10.1(d)(ii)

No deadline

Implementing agencies	Requirement	Section
DHS	Establish an AI Safety and Security Board.	Safety & Security 4.3(a)(v)
FARC	Consider amending the Federal Acquisition Regulation to take into account the guidance established under Section 4.5.	Safety & Security 4.5(d)
HHS	Identify and prioritize grants and other funding awards aimed at supporting responsible AI development and use in the health care sector.	Innovation & Competition 5.2(e)
OMB	Evaluate and identify commercially available information (CAI), particularly personally identifiable information (PII), acquired and processed by agencies other than for national security purposes.	Privacy 9(a)(i)
OMB, FPC, ICSP	Evaluate agencies' standards and procedures for handling of CAI to help devise possible guidance on mitigating privacy and confidentiality risks around agencies' handling of this data.	Privacy 9(a)(ii)
Agencies identified under 31 U.S.C. 901(b)	Develop AI strategies and pursue "high-impact" AI use cases as required by the OMB guidance issued under Section 10.1(b).	Federal Use of AI 10.1(b)(vii)
OMB	Issue annual instructions to agencies regarding the collection, reporting and publication of agency AI use cases.	Federal Use of AI 10.1(e)
Chief Data Officer Council	Develop a position-description library and hiring guide for data scientists to assist agencies in hiring these personnel.	Federal Use of AI 10.2(f)
All agencies	Implement, or increase the use of, AI training and familiarization programs for agency staff.	Federal Use of AI 10.2(g)
DOS, USAID, DOE, NSF	Develop a Global AI Research Agenda to guide AI research outside of the US to help foster safe and responsible AI development and use.	International Leadership 11(c)(ii)

Abbreviations

CEA: Council of Economic Advisors
CEQ: Council on Environmental Quality
CISA: Cybersecurity and Infrastructure Security Agency
DHS: Department of Homeland Security
DNI: Director of National Intelligence
DOC: Department of Commerce
DOD: Department of Defense
DOE: Department of Energy
DOJ: Department of Justice
DOL: Department of Labor
DOT: Department of Transportation
State: Department of State
ED: Department of Education
FARC: Federal Acquisition Regulatory Council
FERC: Federal Energy Regulatory Commission
FPC: Federal Privacy Council
GSA: General Services Administration
HHS: Department of Health and Human Services
HUD: Department of Housing and Urban Development
IRA: Independent Regulatory Agency
ICSP: Interagency Committee on Standards Policy
NASA: National Aeronautics and Space Administration
National Climate Advisor: Assistant to the President for National Climate Affairs
National Security Advisor: Assistant to the President for National Security Affairs
NCD: National Cyber Director
NIST: National Institute of Standards and Technology
NSF: National Science Foundation
NTIA: National Telecommunications and Information Administration
OMB: Office of Management and Budget
OPM: Office of Personnel Management
OSTP: Office of Science and Technology Policy
PCAST: President's Council of Advisors on Science and Technology
SMRA: Sector Management Risk Agency
Treasury: Department of the Treasury
USAID: US Agency for International Development
USDA: US Department of Agriculture
USDS: US Digital Service
USPTO: US Patent and Trademark Office
VA: Department of Veterans Affairs

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