

August 8, 2024

White House Issues Update Regarding Artificial Intelligence

On July 26, 2024, the White House issued a [Fact Sheet](#) update concerning the impacts of and actions taken regarding the White House's Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence ("EO on AI"). [The EO on AI](#), which was published 270-days prior on October 30, 2023, set Administration objectives and federal agency requirements concerning the implementation of advancing artificial intelligence ("AI") technologies, including generative AI ("Gen AI"). The update addresses newly developed agency AI guidance and findings, government-wide AI talent acquisition, advancements in responsible AI innovation, and U.S. AI leadership efforts.

Highlights from the White House update include:

- The **AI Safety Institute ("AISI")** released new technical guidelines for leading AI developers in managing the evaluation and misuse of advanced AI models known as dual-use foundation models.
- The **National Institute of Standards and Technology ("NIST")** published final frameworks on managing Gen AI risks and securely developing Gen AI systems and dual-use foundation models.
- The **Department of Energy ("DOE")** is utilizing testbeds to evaluate AI model safety and security, especially for risks that AI models might pose to critical infrastructure, energy security, and national security.
- The **Department of Defense ("DoD")** and **Department of Homeland Security ("DHS")** reported findings from their AI pilots to address vulnerabilities in government networks used for national security purposes and for civilian government.
- The **Department of Education ("ED")** published a guide addressing how developers of educational technologies can design AI that benefits students and teachers while advancing equity, civil rights, trust, and transparency.
- The **Department of State ("DOS")** published guidance titled Risk Management Profile for Artificial Intelligence and Human Rights.
- The **U.S. Patent and Trademark Office ("USPTO")** published guidance on evaluating the eligibility of patent claims involving inventions related to AI technology.
- NIST developed and issued a comprehensive plan for U.S. engagement on global AI standards and the U.S. launched a United Nations General Assembly resolution laying out a common vision for countries

around the world to promote the safe and secure use of AI to address global challenges.

- The federal government has also made significant strides in AI related federal talent acquisition.

The EO on AI, and related Administration and agency action, continues to represent the federal government's most significant action thus far regarding AI. In the absence of comprehensive federal AI legislation, States are actively developing AI legislation and regulation, and recent AI laws have been enacted in Tennessee, Utah, and Colorado. Finally, the [EU AI Act](#), which impacts entities within and outside the EU, [went into force on August 1, 2024](#).

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There is no development as consequential or with more legally significant implications for your business as the recent advancements in AI. Kilpatrick Connect is a legally focused AI consulting and advisory offering built upon Kilpatrick's AI, legal, and industry expertise and delivered through a confidential attorney-client relationship. We understand the transformative capabilities of AI and its profound impact on your business, and Kilpatrick Connect provides a safe, secure, and economical hub to address AI-related questions, issue resolution, and strategy development.

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