



DEPARTMENT OF LABOR
**COMPLIANCE
PLAN** FOR OMB
MEMORANDA M-24-10

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DATE: 09/24/2024



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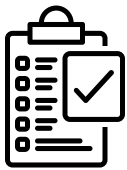
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1 STRENGTHENING AI GOVERNANCE

The Department of Labor (DOL) is steadfast in its commitment to the responsible utilization of Artificial Intelligence (AI) technologies, aligning its efforts with the guidelines set forth in the Office of Management and Budget (OMB) Memorandum M-24-10 (M-memo). In pursuit of this commitment, DOL has undertaken several significant initiatives to integrate these guidelines into its operations and policies.

AI Policies and AI Principles for Developers and Employers:



Artificial Intelligence (AI) stands as a transformative force in technology, offering unparalleled potential for innovation and reshaping the landscape of numerous jobs and industries. The precise scope and nature of how AI will change the workplace remains uncertain. In recent years, unions and employers have come together to collectively bargain new agreements setting sensible, worker-protective guardrails around the use of AI and automated systems in the workplace. In order to provide AI developers and employers across the country with a shared set of guidelines, the DOL developed "Artificial Intelligence and Worker Well-being: Principles for Developers and Employers" as directed by President Biden's [Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence](#), with input from workers, unions, researchers, academics, employers, and developers, among others, and through public listening sessions. [Artificial Intelligence and Worker Well-being: Principles for Developers and Employers](#) | [U.S. Department of Labor \(dol.gov\)](#)

AI Principles to Practices Guide:



In a collaborative effort to bridge the gap between AI guidelines and practical application, DOL has partnered with Stanford University. This partnership has culminated in the creation of a comprehensive guide that translates AI principles into actionable practices, in alignment with OMB Memo M-24-10 recommendations. This guide serves as a cornerstone in DOL's strategy to implement AI responsibly. To further align with OMB's directives, DOL is working towards the establishment of repeatable procedures that help standardize our approach to implementing the OMB recommended minimum practices for rights-impacting and safety-impacting AI. This initiative underscores DOL's dedication to maintaining high standards of AI governance.

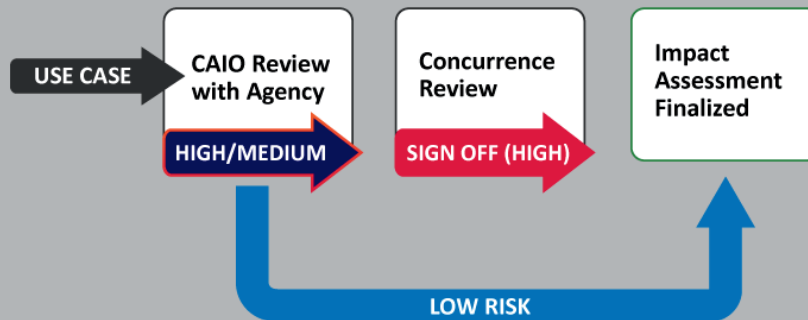
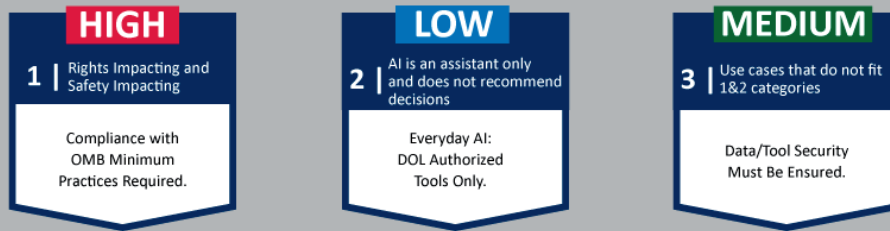
AI Use Case Impact Assessment Framework:



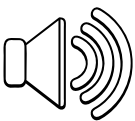
In an effort to assess the impact of AI use cases comprehensively, DOL has introduced an AI Use Case Impact Assessment Framework. This framework enables a systematic evaluation of AI projects, ensuring that they meet the department's standards.

ENSURING RESPONSIBLE AI AT DOL

Every DOL use case of AI will be reviewed by the CAIO office and categorized into 3 risk categories.



Sound Engagement Strategy:



Understanding the critical role of stakeholder engagement in successful AI governance, DOL has initiated various forums to foster discussions on AI. These forums aim to enhance awareness and understanding of AI technologies among stakeholders, facilitating a collaborative approach to AI governance.

AI Security:



To enhance the security of IT tools with the integration of AI technologies, DOL has updated its IT tools security framework. This update is a testament to DOL's proactive approach in safeguarding its digital infrastructure against the unique challenges posed by AI. DOL has established a process for authorized AI tools. Agencies can request a new tool to be leveraged but it must first go through the Chief Artificial Intelligence Officer (CAIO) office security review and be added to the authorized list, prior to its deployment.

Ongoing Progress:



Looking ahead, DOL has outlined several forward-looking plans to strengthen its AI governance framework. These plans include the development of templates for CAIO actions and the incorporation of AI governance expectations into the Department's Labor Management Series (DLMS). The DLMS provides manuals that contain procedural, instructional, and policies of continuing use in department-wide administration and management. Additionally, DOL intends to integrate responsible AI language into all IT contracts and Interagency Agreements (IAA), ensuring that AI ethics and governance principles are embedded in them.

Through these comprehensive efforts, DOL demonstrates its unwavering commitment to the responsible governance of AI technologies, ensuring that its adoption and use of AI are aligned with ethical standards and contribute positively to the department's mission and the broader societal good.

1.1 AI GOVERNANCE BODIES

We have developed a comprehensive engagement strategy to ensure that the perspectives of unions and workers are integrated into our approach. This strategy includes several key components designed to foster collaboration, transparency, and inclusivity.

AI Governance Board:



The formation of an AI Governance Board that has membership from both DOL senior leadership and union representatives, so that the views and concerns of labor unions are directly represented. The Board meets quarterly.

Union Engagement:



In addition to AI Governance Board membership, the CAIO conducts regular engagements with unions to update and discuss the progress and initiatives related to AI within DOL. These meetings serve as a platform for open dialogue and feedback between DOL and union representatives.

CAIO and Agency Monthly Meetings:



The initiation of monthly collaborative sessions with agencies to explore and deliberate on AI use cases. These meetings are aimed at fostering inter-agency cooperation and ensuring a unified approach to AI implementation and use. Additionally, the Chief Data Officer (CDO) and Chief Information Security Officer (CISO) are engaged in these meetings to cover data and security dimensions as they relate to the use of AI.

AI Policy Review Group:



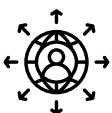
The establishment of a quarterly Use Case Impact Review meeting, which brings together representatives from critical policy offices, including the Civil Rights Center, Office of Human Resources, Privacy Office, Office of Disability Employment Policy, and the Solicitor's Office. These meetings are focused on assessing the impact of AI use cases, ensuring they align with OMB's guidance and DOL policies, and addressing any potential concerns.

AI Community of Interest:



The creation of a Community of Interest forum open to all of DOL. This forum is designed as a space for employees to engage with, learn about, and contribute to discussions on AI developments within the department. It aims to share knowledge about AI and encourage a department-wide culture of learning and innovation.

External Consultations:



DOL intends to bring in external consultations as needed. This may include engagement with public, private, academic institutions and think tanks/non-profit entities. DOL is actively involved in CAIO Council sponsored workgroups as well as interagency workgroups established by the Office of Personnel Management (OPM), and General Services Administration (GSA).

Through these initiatives, we are committed to ensuring that the deployment and governance of AI technologies within DOL are conducted in a manner that is inclusive, transparent, and reflective of the diverse perspectives and needs of our workforce.

1.2 AI USE CASE INVENTORY

DOL has established a comprehensive inventory of use cases, in alignment with the OMB guidance. This initiative is part of DOL's commitment to transparency and collaboration with both internal and external partners. To ensure that the inventory remains current and reflective of ongoing advancements, DOL is actively engaged in a process to collect and update this inventory, with a target completion date of December 1, 2024. Agencies are required to report any AI use to the CAIO office on a quarterly basis and any changes to existing uses cases as soon as they are known.

Engagement and Solicitation of Use Cases:



As a key component of our engagement strategy, DOL has instituted a monthly forum that brings together Agency AI representatives as mentioned in section 1.1 above. This forum serves as a platform for dialogue, exchange of ideas, and collaboration. The CAIO provides standardized templates designed to facilitate the collection and reporting of use cases. Additionally, the CAIO office is committed to addressing any queries or concerns that may arise, ensuring a smooth and effective collection process.

Review and Assessment Process:



Each submitted use case undergoes a thorough review by the CAIO office, which includes gathering of all necessary additional information to guarantee the comprehensiveness of our inventory. An AI use case assessment form is meticulously prepared for each submission, capturing all essential details and ensuring a robust evaluation process.

Inclusion and Exclusion Criteria:



In adherence to the guidance provided by OMB's Integrated Data Collection (IDC), DOL is dedicated to tracking all AI use cases. This commitment involves evaluating each use case with an Impact Assessment Framework, which aids in determining eligibility based on OMB's inclusion criteria. The assessment process also identifies use cases that meet the criteria for exclusion as outlined in the OMB memorandum. Notably, AI applications such as non-AI bots and certain training data may be excluded from the inventory.

Ongoing Review and Update Process:



DOL is committed to a continuous review and update cycle for the AI Use Case Inventory. This includes quarterly updates through agency data calls and, when necessary, third-party assessments of critical AI use cases that may impact the rights or safety of the public. The inventory will be updated annually, or as needed, to ensure it remains current.

This structured approach underscores DOL's dedication to leveraging AI responsibly and effectively, in accordance with OMB guidelines and best practices.

1.3 REPORTING ON AI USE CASES NOT SUBJECT TO INVENTORY

Most DOL use cases will be subject to Inventory. When we encounter a use case that may require a waiver, we will revise this section as needed. DOL anticipates it may not be possible to disclose the training data in some cases where the data may have been collected under a confidentiality agreement, like the case with Confidential Information Protection and Statistical Efficiency Act (CIPSEA).

The Bureau of Labor Statistics (BLS), a sub agency under DOL, collects all of its data under the CIPSEA agreement and micro data cannot be disclosed under this agreement.

2.0 ADVANCING RESPONSIBLE AI INNOVATION

DOL has foreseen the power of AI and has invested in AI for the last few years as part of our exploration of emerging technologies. DOL continues these efforts by establishing a clear AI strategy with the goal of advancing the responsible use of AI within DOL.

2.1 AI STRATEGY

The DOL AI strategy consists of nine parallel workstreams. Each workstream has specific goals as outlined below. DOL aims to make incremental progress towards these goals by defining, experimenting, standardizing, measuring, and ultimately optimizing each workstream.



Workstream 1 – AI Policies and Practices:



Enterprise AI adoption requires repeatable processes and practices for Governance, Responsible AI implementation, Risk Management and Use Case Assessment. This work stream establishes DOL AI strategy and ensures adoption of these standardized processes across DOL.

Workstream 2 – Stakeholder Engagement:



AI requires various DOL stakeholders to collaborate across technology, policy, program, and data dimensions. Given DOL’s mission and focus on worker centric approach, union partnership and employee engagement are also critical factors. This workstream defines various engagement activities and establishes cadence and goals for each engagement.

Workstream 3 – AI Literacy:



AI is a novel technology and requires a strong AI literacy initiative for organizations to benefit from these tools and manage the risks from this technology. This workstream defines various options for increasing AI literacy across the DOL.

Workstream 4 – AI Data Maturity:



AI requires a strong data foundation for any meaningful use case implementations. Working in collaboration with the CDO, this workstream aims to establish enterprise data standards and tools aimed at data maturity across the DOL.

Workstream 5 – AI Tools and Infrastructure:



AI innovation is only possible when DOL invests in securing various AI tools for DOL use. The tools must not present vulnerabilities and must follow federal and DOL security and data protection standards. This workstream aims to evaluate and establish secure access to authorized AI tools for DOL use for mission advancement. AI tools need robust and secure infrastructure to operate. DOL adopts a multi cloud approach with a focus on supporting various DOL AI use cases. Additionally, DOL is focused on potential environmental impact of this technology and aims to follow federally established/recommended best practices in mitigating these impacts.

Workstream 6 – AI Procurement:



DOL intends to follow the guidelines established by OMB/CAIO council or any workgroups. This workstream looks at standardizing the language for all AI procurement, conducting alternatives analysis, market research for identification the best acquisition strategies. This workstream also aims to identify innovative approaches to acquiring AI services, working in collaboration with the DOL procurement office.

Workstream 7 – AI For Advancing Mission:



DOL believes that the use of AI should be worker centric and must advance DOL mission. To achieve this and to ensure responsible AI at DOL, there must be a defined and repeatable way of identifying, assessing impact and ensuring governance of AI use at DOL. This workstream aims to build this maturity.

Workstream 8 – AI Capacity Building:



DOL is focused on preparing the workforce for AI impacts as well as ensuring that the AI governance and implementation is led by qualified AI workforce. This workstream aims to recruit, retain, and upskill DOL workforce in these technologies.

Workstream 9 – AI Security:



Security is paramount for AI. This workstream aims to follow National Institute of Standards and Technology (NIST) and other federally-recognized security best practices across the DOL enterprise.

2.2 REMOVING BARRIERS TO THE RESPONSIBLE USE OF AI

DOL intends to promote the use of responsible AI. To achieve this, the CAIO office has taken several actions to remove identified barriers to AI adoption.

Security:



DOL CAIO office has released an amendment to the information security policy to include AI, especially Generative AI (GenAI), security risks and mitigations. DOL has advocated against using publicly available GenAI tools due to the risk they present in exposing DOL information or training the models on DOL information. Additionally, DOL has established a secure Generative Pre-trained Transformer (GPT) instance for use. DOL is also committed to increasing AI literacy to educate staff about AI and the potential risks and benefits of this technology.

Infrastructure/Software and Tools:



DOL has established the infrastructure necessary to securely allow access to select GenAI tools and infrastructure. DOL continues to expand the authorized list of AI tools for the department's use. Any new tool requests undergo a thorough evaluation against security standards and data protection measures before the CAIO approves them for use at DOL.

AI Job Enrichment Center:



DOL has established an AI Job Enrichment Center to promote the use of secure AI tools. The center has established a user-friendly interface for common AI uses and continues to build various AI solutions that can benefit all DOL while ensuring security and data privacy/protections.

2.3 AI TALENT

AI talent is essential for meaningful AI adoption by the department. To this end, DOL is working on talent acquisition as well as robust training programs.

Talent Acquisition:



DOL has identified and established AI skills necessary for the department. DOL also established standard Position Descriptions (PDs) for the new roles identified. Additionally, DOL is leveraging the direct hire authority for AI positions to attract talent. Recognizing the scarcity and competition for AI resources, DOL is also pursuing experienced 2210 series to adopt and develop AI skills. Furthermore, DOL is working to recruit career ladder and college graduates to train them for AI jobs.

Developing AI Talent:



DOL recognizes that training is a critical component of developing AI talent. The DOL CAIO office has developed and continues to develop training for various AI roles. DOL also partnered with Info-Tech Research group and Gartner and developed additional courses. Additionally, DOL plans to establish career track certification programs as a training option so that interested staff can choose to build AI skills.

Inter-Agency and Academic Trainings:



DOL is participating in OPM training opportunities as well as many of the free trainings offered through various academic institutions. The Job Enrichment Center centrally publishes information for DOL staff about the availability of these opportunities.

2.4 AI SHARING AND COLLABORATION

DOL intends to publish an AI Use Case Inventory as per the OMB Memo M-24-10 guidelines. Along with an AI Use Case Inventory, DOL will consider sharing additional materials like the code/weights and other artifacts recommended by OMB. Collection and sharing will be centrally coordinated by DOL's CAIO office.

Use Cases Reporting:



All DOL agencies are responsible for reporting AI use cases to DOL's CAIO office.

Collecting Code, Data and Related Artifacts:



CAIO office reviews each use case, provides guidance to the programs and audits the use case implementation based on the risk level allocated to the use case.

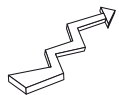
Publishing:



Generally, use cases and corresponding artifacts will be published through the OMB defined tools/processes. If certain information is under non-disclosure, per DOL mission directives, some or all the artifacts related to those use cases may not be published.

2.5 HARMONIZATION OF ARTIFICIAL INTELLIGENCE REQUIREMENTS

DOL has taken many steps in harmonizing AI requirements.



Step 1: The CAIO office established a Responsible AI principles to practices guide.

Step 2: AI Impact Assessment is carried out for all use cases.

Step 3: DOL CAIO office, Agencies, CDO, and CISO meet monthly to discuss and share best practices and tools across DOL.

Step 4: Established an AI Job Enrichment Center to conduct trainings, providing information and publish materials for all DOL to access.

Step 5: Established an AI Community of Interest to further broadcast the AI requirements broadly to all DOL staff.

3 MANAGING RISKS FROM THE USE OF ARTIFICIAL INTELLIGENCE

Leveraging OMB guidance, the DOL has developed an Impact Assessment Framework aimed at collecting, evaluating, and auditing the adherence to minimum practices for the safety and rights-impacting use of AI within the department. This initiative underscores DOL's commitment to responsible AI use, ensuring that AI technologies foster safety and uphold the rights of all stakeholders.

DOL has partnered with Stanford University, leveraging their expertise to formulate AI practices that are disseminated across DOL agencies (Guide link provided in section 1.0). This partnership ensures a uniform implementation standard throughout the department. Furthermore, DOL is in the process of establishing Standard Operating Procedures (SOPs) for each minimum practice, which will serve as a detailed guide for their application within DOL. By adhering to this structured process, DOL aims to foster a culture of responsibility and transparency in the use of AI technologies, ensuring that these technologies are implemented in a manner that safeguards the safety and rights of individuals, while also achieving the department's strategic objectives.

3.1 DETERMINING WHICH ARTIFICIAL INTELLIGENCE IS PRESUMED TO BE SAFETY-IMPACTING OR RIGHTS-IMPACTING

As outlined in the Section 1 of this document, DOL has implemented a Use Case Impact Assessment Framework.

Risk Assessment of AI Use Cases:



Each AI use case within the department will undergo a thorough review to determine its risk level, particularly categorizing the safety or rights impacting use cases as High risk. The review includes the following steps:



CAIO Office will conduct an analysis of the reported Use Cases with the Agency business owners and relevant stakeholders.



The findings are reviewed with DOL policy offices including Civil Rights Center, Office of Human Resources, Office of Disability Employment Policy, Privacy Office, and the Solicitors Office.



Agreed disposition will be documented in the Impact Assessment Form developed by the DOL CAIO office.



Agency, CAIO, and Office of the Assistant Secretary for Administration and Management (OASAM) to sign-off on the documented impact assessment and categorization of the risk rating for the Safety or Rights impacting use cases.

Criteria for Waiving Risk Management Practices:



DOL intends to follow OMB-specified criteria. If a situation arises that warrants additional criteria development, DOL will then develop such criteria and amend this plan.

Documentation and Adherence for High-Risk Use Cases:



For use cases identified as high risk, the department will meticulously outline the minimum practices required and document the Agency's plan for adherence. This information is included in the Impact Assessment Form and is signed off by the Agency POC, CAIO, and OASAM officials. All impact assessments will be centrally stored in a secure SharePoint repository and will be reviewed on an ongoing basis.

Guidance and Review Based on Use Case Phase:



In the early stages of a use case initiation, the department will provide guidance to ensure that the minimum practices are integrated from the outset. For more advanced stages, the department will review the practices followed, comparing them against the OMB minimum practices to ensure compliance.

Waiver Management:



Currently, DOL does not anticipate any waivers. However, as the AI use cases get developed, should there be a need to waive adherence to one or more of the OMB recommended practices, the CAIO office will document that decision and direct the Agency accordingly.

3.2 IMPLEMENTATION OF RISK MANAGEMENT PRACTICES AND TERMINATION OF NON-COMPLIANT AI

DOL has outlined the requirements and is centrally coordinating all AI activities through the CAIO office.

Use Case Inventory Reporting Policy:



A mandatory process will be established requiring agencies to report AI use cases to the CAIO office for review on a quarterly basis. This policy will be issued as an amendment to the Department of Labor Manual Series (DLMS) policy that has binding requirements for all DOL.

Termination of Non-Compliant AI:



Should non-compliance be detected during the use case auditing activities, the CAIO will collaborate with the respective Agency to achieve compliance within a three-month timeframe. In instances where compliance is unattainable, the CAIO office will issue a directive to discontinue the use case with clear rationale for such an action. The decision will be binding per the M-memo directive of the CAIO role and responsibilities as well as the DOL DLMS requirements.

3.3 MINIMUM RISK MANAGEMENT PRACTICES

DOL has established a Use Case Impact Assessment Framework that aims at managing risks.

Audit and Compliance:



DOL CAIO office conducts a review of all use cases and collects evidence and adherence to the risk management practices recommended by the OMB Memo M-24-10. In situations wherein the CAIO office is involved in developing the use case, an external third-party audit will be employed to conduct and ensure unbiased compliance verification. This includes continuous monitoring of the model performance after the first production deployment.

Stakeholder Responsibilities:



The Impact Assessment will clearly define the responsibilities of all stakeholders early in the process to ensure transparency and accountability. This includes mandatory sign-off on the use case by the business owner, CAIO, and OASAM.