



# Oregon

Tina Kotek, Governor

Enterprise Information Services

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## MEMORANDUM

**To:** Agency IT Leadership

**From:** Terrence Woods, State CIO 

**Date:** June 7, 2024

**Subject:** Interim Guidance on Artificial Intelligence (AI)

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Artificial Intelligence (AI) and the increasingly widespread availability of Generative AI (GenAI) may be the most powerful technologies to be introduced in our lifetimes. AI and GenAI offer the potential to optimize state government operations, enhance existing capacity, streamline service delivery, and transform the constituent experience. However, the deployment of these capabilities is not without risks—be they operational, regulatory, privacy, security, reputational, or in the form of inherent bias and potential disparate impact.

Faced with the exponential growth and consumerization of AI and GenAI capabilities, Governor Tina Kotek issued [Executive Order No. 23-26](#), establishing the Oregon State Government Artificial Intelligence Advisory Council (AI Council) – putting equity at the center of the State’s use of data and AI systems, aligning the work of the AI Council with the Federal [Blueprint for an AI Bill Of Rights Making Automated Systems Work For The American People](#), and providing that “*all state offices and agencies shall provide necessary support to the Council.*”

Chaired by the State Chief Information Officer, the AI Council initially convened on March 19, 2024, and is tasked with developing a comprehensive action plan to guide the ethical and effective implementation of AI within state government operations. The AI Council will provide an interim AI framework within six months and a final action plan within twelve months, focusing on promoting AI awareness, developing clear usage policies, and recommending necessary policy changes and investments to safeguard privacy and uphold diversity, equity, and inclusion principles.

As the AI Council works to develop an AI Framework for Oregon and our Office works to implement the AI Council’s forthcoming recommendations, we seek to partner with you – creating opportunities for shared learning and grounding our work with relevant use cases. Consequently, all Executive Branch agencies, boards and commissions shall be required to consult with their Assistant State CIO and submit an Information Technology (IT) Investment (ITI) Form in advance of any AI- and GenAI-related IT investments, proofs of concept (POC),

*Mission: Mature enterprise technology governance, optimize investments, ensure transparency, provide oversight, and deliver secure and innovative solutions.*

and pilots pursuant to EIS Statewide Policy, 107-004-130 (1)(e) and ORS 276A.200-236; and 279B.030.<sup>1</sup>

Complete ITI Forms shall also provide the following information regarding the applicable AI- or GenAI related IT investment, POC, or pilot:

- **Use Case.** Describe the project use case and problem, current process, and the impact of the desired outcome with the implementation of the AI or GenAI system.
- **Alternatives.** Indicate whether other options were presented to solve the use case and/or problem. What other approaches to solving this problem were considered (if any) and what led to the decision to use AI or GenAI to solve this problem?
- **Risk Management.** Please indicate which risk management strategies are planned to address potential risks associated with this use case and/or problem. What specific measures will be implemented?
- **Technical Details.** Please indicate the type of AI technology that is intended to be used (e.g., large language models, generative pre-trained transformers (GPT), or computer vision).
- **Data Sources.** Please identify the data sources, type, and classification intended to be used.
- **Privacy & Ethics.** Please indicate any measures in place to protect data privacy and ensure ethical use, including bias mitigation and transparency.
- **Human-centered Design.** Describe how you are engaging end-users in co-designing and/or experimenting with the AI or GenAI system.
- **Defining Success.** Define how you plan to measure the success of the AI or GenAI system; e.g., accuracy, appropriateness, acceptability, administrative burden, or bias.

Lastly, should agencies seek to accelerate their AI- and GenAI readiness, our Office recommends their IT and Program leadership familiarize themselves with existing Federal Guidance, including:

- “Blueprint for an AI Bill of Rights | OSTP,” The White House, accessed May 21, 2024, <https://www.whitehouse.gov/ostp/ai-bill-of-rights/>.
- White House, “Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence,” The White House, October 30, 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/10/30/executive-order-on-the-safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence/>.
- “AI Risk Management Framework (AI RMF) 1.0,” National Institute of Standards and Technology, [Artificial Intelligence Risk Management Framework \(AI RMF 1.0\) \(nist.gov\)](https://www.nist.gov/ai-rmf)

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<sup>1</sup> A proof of concept (POC) is a demonstration of an IT product, service or solution. A POC should demonstrate that the product or concept will fulfill agency requirements while also providing a compelling business case for adoption. For purposes of EIS engagement and oversight, a POC is limited to up to six (6) months, shall not exceed \$150,000 in total cost of ownership (TCO), and is limited to Level 1 or Level 2 data.

- “Framework for State, Local, Tribal, and Territorial Use of Artificial Intelligence for Public Benefit Administration | Food and Nutrition Service,” accessed May 23, 2024, <https://www.fns.usda.gov/framework-artificial-intelligence-public-benefit>;