**Frequently Asked Questions (FAQs):**

**2021 Guidance for Creating Agency Inventories of**

**Artificial Intelligence Use Cases**

Pursuant to Section 5 of Executive Order (EO) 13960, “Promoting the Use of Trustworthy Artificial Intelligence in the Federal Government”, federal agencies are required to inventory their Artificial Intelligence (AI) use cases and share their inventories with other government agencies and the public. This FAQ provides clarifications for federal agencies as they apply “2021 Guidance for Creating Agency Inventories of Artificial Intelligence Use Cases” and create their inaugural AI use case inventories as required in EO 13960.

**Note:** This document is updated as frequently asked questions are resolved. To reference the latest version, please visit <https://community.max.gov/x/RBASgw>.

**Frequently Asked Questions:**

**Q1: Must the AI use case apply to all five parts of the FY 2019 National Defense Authorization Act (NDAA) definition in order to be included?**

**A1:** No, only one part of the FY 2019 NDAA definition needs to apply for the AI use case to be

included in agency inventories. The AI definition is provided as a reference in “2021 Guidance for Creating Agency Inventories of Artificial Intelligence Use Cases”.

**Q2: Does the AI use case need to be developed by the agency in order to be included in the inventory?**

**A2:** No, the AI use case should be inventoried if the AI is developed by the agency or by third parties on behalf of the agency for the fulfilment of specific agency missions, including relevant data inputs used to train AI and outputs used in support of decision making; and agencies' procurement of AI applications, as noted in section 9(c).

**Q3: Are there examples of AI use cases that should be included in the AI inventory?**

**A3:** Yes, refer to <https://community.max.gov/x/RBASgw> for examples. Please note this is not an exhaustive list of use cases, and agencies should apply the inventory criteria found in Section 9 of EO 13960 to determine if their AI use case should be included in the inventory.

**Q4: Can you clarify when R&D projects involving AI should be included in the inventory?**

**A4:** Per section 9(d)(iii) of EO 13960, only AI research and development activities are excluded. The following scenarios are provided to help clarify when Agencies should include R&D projects involving AI.

* Scenario I. Research on AI itself is excluded under EO 13960 Section (9)(d)(iii).
* Scenario II. Agencies should include in their inventories AI use cases where R&D projects, utilizing AI, produces an Agency product (Examples of a “product” may include: a research paper published by the Agency, the research is deployed or is planned to be deployed into production)

**Q5: Should Robotic Process Automation (RPAs) be included in the inventory?**

**A5:** No, RPA technology is not an AI use case and this scenario should not be included in the Agency Use Case Inventory. Note, in the scenario that an RPA is created using AI techniques, it should be included in the AI use case inventory.

**Q6: Should the number of users be a consideration for including the AI use case?**

**A6:** No, number of users is not a criterion for inventory inclusion. See Section 9 of EO 13960 for scope of applicability.

**Q7: How should Agencies define “planned” in EO 13960 Section 5(b)?**

**A7:** For purposes of this inventory, “planned” means there is a high likelihood the AI use case will be implemented.

**Q8: What is the latest AI Use Case Inventory submission spreadsheet?**

**A8:** A revised version which corrected Questions 7 and 9 was sent on October 6th and may be found on [OMB Max.](https://community.max.gov/display/Egov/Promoting%2Bthe%2BUse%2Bof%2BArtificial%2BIntelligence%2Bin%2Bthe%2BFederal%2BGovernment)