



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

MEMORANDUM

DATA AND AI GOVERNANCE BOARD CHARTER AND MEMBERSHIP

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SECTION 1: BACKGROUND AND PURPOSE

The Foundations for Evidence-Based Policymaking Act of 2018 ("Evidence Act") was signed into law in 2018. The Act requires departments and agencies to advance data and evidence-building functions. In 2019, The Office of Management and Budget (OMB) issued memorandum M-19-23 on implementation of the Evidence Act, and subsequent guidance on the Federal Data Strategy website. The memorandum required agencies to name members and charter a board. The FTC views data as a strategic asset and is committed to meeting the principles and practices of the Federal Data Strategy while aligning agency data initiatives with strategic and business objectives.

Artificial intelligence (AI) is one of the most powerful technologies of our time, and the US Government has mandated that its Agencies seize the opportunities AI presents while managing its risks. The AI in Government Act of 2020, the Advancing American AI Act, and several other Executive Orders (EO) and Memoranda direct agencies to advance AI governance and innovation while managing risks from the use of AI in the Federal Government, particularly those affecting the rights and safety of the public.

The purpose of this memo is to define the authority, membership, and meeting cadence of the FTC Data and AI Governance Board (DAIGB).

SECTION 2: AUTHORITIES AND REFERENCES

- "Foundations for Evidence-Based Policymaking Act of 2018," or "Evidence Act," (Public Law No: 115-435) ([link](#))
- OMB Memorandum M-19-18, "Federal Data Strategy - A Framework for Consistency" ([link](#))
- OMB Memorandum M-19-23, "Phase 1 Implementation of the Foundations for Evidence-Based Policymaking Act of 2018: Learning Agendas, Personnel, and Planning Guidance" ([link](#))
- 2020 Federal Data Strategy Action Plan ([link](#))
- 2021 Federal Data Strategy Action Plan ([link](#))

- Executive Order (EO) 13960, “Promoting the Use of Trustworthy Artificial Intelligence in the Federal Government” ([link](#))
- EO 14110, “Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence” ([link](#))
- Pub. L. No. 116-260, div. U, title 1, § 104 (codified at 40 U.S.C. § 11301 [note](#)), “AI in Government Act of 2020” ([link](#))
- Pub. L. No. 117-263, div. G, title LXXII, subtitle B, §§ 7224(a), 7224(d)(1)(B), and 7225 (codified at 40 U.S.C. 11301 [note](#)) “Advancing American AI Act” ([link](#))
- OMB Memorandum M-24-10, “Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence” ([link](#))
- OMB Memorandum M-24-18, “Advancing the Responsible Acquisition of Artificial Intelligence in Government” ([link](#))
- OMB Memorandum M-25-21, “Accelerating Federal Use of AI through Innovation, Governance, and Public Trust” ([link](#))
- OMB Memorandum M-25-22, “Driving Efficient Acquisition of Artificial Intelligence in Government” ([link](#))

SECTION 3: MEMBERSHIP AND MEETING CADENCE

The Board will consist of key owners and stakeholders in FTC data governance. They are:

- Chief Information Officer (CIO)/Chief Data Officer (CDO)/Chief Artificial Intelligence Officer (CAIO)
- Chief Information Security Officer (CISO)
- Secretary of the Commission
- Chief Privacy Officer (CPO)
- Chief Financial Officer (CFO)
- Chief Administrative Services Officer (CASO)
- Chief Human Capital Officer (CHCO)
- Office of the General Council (OGC) representative
- Bureau of Competition (BC) representative
- Bureau of Consumer Protection (BCP) representative
- Bureau of Economics (BE) representative
- Any other individuals whom the CDO/CAIO deems necessary

The board will meet, at minimum, once per quarter. DAIGB support will generally be provided by members of the Office of the CIO.

APPROVAL

Mark Gray, Chief Information, AI, and Data Officer, FTC