

January 30, 2025

Assistant to the President for Science and Technology Michael Kratsios  
Executive Office of the President  
1650 Pennsylvania Ave., NW  
Washington, DC 20504

Special Advisor for AI and Crypto David Sacks  
Executive Office of the President  
1650 Pennsylvania Ave., NW  
Washington, DC 20504

National Security Advisor Mike Waltz  
The White House  
1600 Pennsylvania Avenue N.W.  
Washington, D.C. 20500

Acting Director Matthew Vaeth  
Office of Management and Budget  
1650 17th Street NW  
Washington, DC 20006

**RE: Veterans and Consumer Groups to White House: Don't Let the Federal Government Use Untested AI on Us**

Dear Mr. Kratsios, Mr. Sacks, Mr. Waltz, and Mr. Vaeth,

Last week, President Trump signed an [Executive Order](#) instructing the Office of Management and Budget to revise key rules requiring that the federal government make sure AI systems are tested and disclosed before they're used on consumers. Those include AI systems used to help the [VA allocate and prioritize care](#), [screen airport travelers](#), and [review seniors' access to retirement benefits](#). Without guardrails like testing and transparency on an AI system before it's used — guardrails so basic that any engineer should be ashamed to release a product without them — seniors, veterans, and consumers will have their benefits improperly altered and their health endangered. We call on you to keep key rules about testing and transparency for safety- and rights-impacting AI in place.

The current rules require that high-risk systems — and only high-risk systems, like those used in healthcare and benefits — are tested and transparently reported to the public. The requirements are basic best practice: ensuring that the system is tested and shown to work, and receiving ongoing monitoring so that it continues to work. The bar these rules set is not high, requiring what is described in the guidance itself as "adequate testing" is the least our seniors, veterans, and everyday consumers deserve. As the House Bipartisan AI Task Force Report explains, "The public should know that federal agencies have mature policies to leverage AI while safeguarding

against the risks presented by algorithmic-based decision-making that inappropriately rely on AI systems without the necessary governance and transparency policies to ensure proper and effective use.”<sup>1</sup>

These provisions cover large organizations — federal agencies and federal contractors — who deploy systems that impact large numbers of people, often at their most vulnerable. Additionally, spending taxpayer dollars on AI systems that are untested and may not even work in practice is a recipe for further waste, fraud, and abuse. The time and resources to test is not only worth it financially, but essential for trust.

The issues we are highlighting here are not about “ideological bias” or “engineered social agendas” as identified in President Trump’s latest executive order on AI. Rather, the issues at play here are about basic principles of safety engineering that have been vital for responsible adoption of every other technology that has impacted millions of people, from how we test our planes to how we secure our software. As the National Security Commission on AI put it, “To minimize performance problems and unanticipated outcomes, testing is essential.”<sup>2</sup> There is a long history of risk management around digital technology in the federal government,<sup>3</sup> and federal laws and executive orders signed by President Trump also call for agencies to assess for such risks from their development and deployment of AI.<sup>4</sup> Removing these basic protections that President Trump previously supported would be a significant flip-flop that stands to harm everyday Americans across the country.

If you wish to discuss this, please don’t hesitate to contact Ben Winters ([bwinters@consumerfed.org](mailto:bwinters@consumerfed.org)) and Joel Burke ([joburke@mozilla.com](mailto:joburke@mozilla.com)).

Sincerely,  
Consumer Federation of America (CFA)  
Mozilla  
Center for Digital Democracy (CDD)  
Common Defense  
Consumer Action  
National Consumer Law Center, on behalf of its low-income clients  
National Consumers League

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<sup>1</sup> Bipartisan House Task Force Report on Artificial Intelligence, p. 4.

<sup>2</sup> Key Considerations for the Responsible Development and Fielding of Artificial Intelligence, National Security Commission on AI, p. 28.

<sup>3</sup> See, e.g., Federal Acquisition Regulation, Part 39.102 (“Appropriate techniques should be applied to manage and mitigate risk during the acquisition of information technology”); E-Government Act of 2002 (“The head of each agency shall [...] periodically testing and evaluating information security controls and techniques to ensure that they are effectively implemented”).

<sup>4</sup> See, e.g., AI in Government Act of 2020 (“the [OMB] Director [...] shall issue a memorandum to the head of each agency that shall [...] identify best practices for identifying, assessing, and mitigating [...] any unintended consequence of the use of artificial intelligence”); President Trump’s Executive Order 13960 (“Agencies shall ensure that their AI applications are regularly tested against these Principles. Mechanisms should be maintained to supersede, disengage, or deactivate existing applications of AI that demonstrate performance or outcomes that are inconsistent with their intended use or this order.”).

CC: Senator Gary Peters  
United States Senate Committee on Homeland Security and Governmental Affairs

Senator Rand Paul  
United States Senate Committee on Homeland Security and Governmental Affairs

Representative James Comer  
United States House Oversight Committee

Representative Gerry Connolly  
United States House Oversight Committee