

UNITED STATES GOVERNMENT
National Labor Relations Board



Memorandum

To: Office of Management and Budget

From: David Gaston, Chief Artificial Intelligence Officer (CAIO)

Date: September 29, 2025

Subject: NLRB Compliance Plan for OMB Memorandum M-25-21 –
September 2025

Overview

The National Labor Relations Board (NLRB or Agency) has two statutory functions (1) to investigate and resolve (through settlement, prosecution, or dismissal) allegations of statutorily defined unfair labor practices by employers and unions; and (2) to investigate and resolve questions concerning representation among employees to determine whether the employees wish to be represented by a union.

Pursuant to the AI in Government Act of 2020 and Office of Management and Budget (OMB) Memorandum M-25-21, [Accelerating Federal Use of AI through Innovation, Governance, and Public Trust](#) this document outlines the NLRB's Compliance Plan, which will satisfy the requirements of Section 3(b)(ii) of the Appendix to OMB Memorandum M-25-21 and Section 104(c) of the AI in Government Act. The NLRB will report compliance with the case-specific practices mandated in Section 4 of the M-25-21 Appendix separately, through the annual AI use case inventory (expected public release, December 2025).

Driving AI Innovation

Removing Barriers to the Responsible Use of AI

The Agency is engaged in a robust strategy of AI development using commercially available tools, vetted open-source libraries, and centralized deployment and monitoring capabilities to identify, develop, test, and maintain AI applications. The Agency has identified the following barriers and is addressing these barriers with the mitigation strategies described below:

Barrier	Mitigation
Acquisition planning and resource allocation	<p>Presently, generative AI offerings are difficult to estimate annual costs over a multiple year deployment. This is expected for rapidly developing technology where cost-effective applications and user patterns are still under evaluation. As AI offerings increase and the marketplace matures, we expect this barrier to diminish as we move forward with our Compliance Plan.</p> <p>We are also teaming with other government agencies to leverage available interagency resources to streamline the contracting process. NLRB is also developing and testing applications that build upon systems already in place at the Agency.</p>
Developing an AI-skilled workforce	<p>The Agency is developing an AI-skilled and ready workforce, to include both AI practitioners and users. The Agency has established a cross-functional team to evaluate AI technologies, bringing together experts from both IT and non-IT departments. This approach ensures a holistic assessment that not only considers technical aspects like cybersecurity and data management but also addresses crucial non-technical factors such as legal compliance, ethical implications, and the impact on business operations. We are evaluating training options available government-wide as well as developing use-case specific training resources when appropriate.</p>

Sharing and Reuse

The Agency coordinates internally to promote the sharing and reuse of AI code, models, and data assets. To accomplish this, all new technology requests come through the Agency AI Pilot team to evaluate and determine an appropriate technical solution to include the use of AI. The evaluation includes reuse of existing AI code and models to ensure the most efficient approach. The Agency also employs centralized processes for testing, auditing, release, and quality assurance. Work groups engage in the sharing and reuse of AI code, models, and data assets using available development platforms and repositories designed for this purpose.

To further this effort, additional reporting from the AI tools is required to understand usage and build success cases for implementation. We expect the reporting will

increase as we test and implement additional tools and as these tools mature. We also expect that the continued engagement of interagency tools and cooperation will accelerate this effort.

AI Talent

The Agency is committed to building enterprise capacity for responsible AI innovation, providing Agency employees pathways to AI up-skilling, and assisting Agency employees in applying AI to their work. To do so, we are using resources and training resources provided by OMB as well as developing additional resources for specific AI use cases including:

- legal research and general office use;
- programming, cloud computing and software engineering; and
- document processing and organization

The Agency is also in the process of building a training and compliance platform for responsible and ethical AI use by all Agency employees. This effort will scale with our AI implementation strategy Agency-wide.

Improving AI Governance

AI Governance Board

Our AI governance board includes the Chief Artificial Intelligence Officer, the Deputy Chief Information Officer, high-level officials from the Board, the Acting General Counsel's executive team, the Division of Operations Management, the Regional Offices, Ethics, and other officials responsible for certain Agency functions that may encompass the use of AI.

Currently, the Agency's AI governance board does not have plans to consult with external experts but will re-examine this need as necessary.

Agency Policies

The Agency has updated its data use policies to include controls for the use of generative AI in a manner consistent with M-25-21, *Accelerating Federal Use of AI through Innovation, Governance, and Public Trust*. Such policies include internal policies on IT infrastructure, data, cybersecurity, and privacy to facilitate AI use. Generalized guidance in line with the Agency's current data use and protection policies is already in place.

The Agency is in the process of developing internal guidance for specific uses of generative AI. Such guidance will align with the previously mentioned policies and specifically target the use cases of developers, Board Agents, and general users.

As the Agency develops specific use cases and deploys additional tools with deeper integrations with Agency work, this guidance will continue to be updated in a manner consistent with M-25-21.

AI Use Case Inventory

The Agency AI use cases are managed centrally through the coordination of the Chief Artificial Intelligence Officer and the Office of the Chief Information Officer. As the Agency's generative AI tools expand to additional users, use cases may be identified from all levels from individual users to the executive team. Identified use cases are considered through existing NLRB processes, evaluated by existing advisory or decisioning bodies, and will be entered into the Agency's AI use case inventory as appropriate. The NLRB is building a comprehensive, complete, and accurate inventory, leveraging input from cross-agency stakeholders and Agency processes where technology and data serve key enabling roles.

Our current initiatives include the implementation of generative AI pilots to enhance research capabilities, risk mitigation planning, building custom and general task-based agents, and development of training opportunities for Board Agents. We are also aligning with M-25-21 to strengthen governance, infrastructure, and ethical safeguards for all current and planned AI tools.

The NLRB will publish a public version of applicable AI use cases on the NLRB website in accordance with the guidance outlined in M-25-21.

Fostering Public Trust in Federal Use of AI

Determinations of Presumed High-Impact AI

The Agency is committed to the responsible use of AI, including use cases that have been identified as high-impact AI. To date, the Agency does not have and does not anticipate any AI use cases that meet the definition of high-impact AI in M-25-21. As the Agency expands the deployment of generative AI, the Agency will continue monitoring for use cases that fit the criteria established in Section 4 of the Appendix to M-25-21.

Concurrently, the Agency is establishing a process to proactively determine which AI use cases meet the definition of high-impact AI as defined in Section 4 of the Appendix to M-25-21. The review process is as follows:

- Proposed AI use cases are evaluated against the definition of high-impact AI as part of NLRB's AI use case implementation process.

- After the initial evaluation, the use case is brought to the Agency CyberSecurity team to reduce data and privacy risks.

To date, the Agency has not defined additional criteria for assessment. Where applicable, NLRB will consider granting waivers for minimum risk management practices and will track the issuance, denial, revocation, and certification of any such waivers.

Implementation of Risk Management Practices and Termination of Non-Compliant AI

At present, the Agency has not identified any high-impact use cases and has no plans to deploy any high-impact AI to the public. As such, the Agency has not identified any non-compliant AI use that would require termination. As the Agency expands its use of AI, oversight and monitoring of these tools is continual and any non-compliant AI will be subject to review and remediation by the NLRB.