

EU AI Act vs Executive Order 14110 on Safe, Secure, Trustworthy AI

Editorial verdict: **asymmetric** — see comparison narrative below.

EU · BINDING REGULATION

EU AI Act

EU-AIA-2024

TREATMENT OF BIOMETRIC IDENTIFICATION

governs

Art. 5(1)(h) prohibition + Art. 26(10) post-hoc rules

Primary source: [Regulation \(EU\) 2024/1689](#)

US · EXECUTIVE ORDER

Executive Order 14110 on Safe, Secure, Trustworthy AI

US-EO-14110

TREATMENT OF BIOMETRIC IDENTIFICATION

implicit

§7 civil rights; sectoral agencies retain authority

Primary source: [Exec. Order No. 14110, 88 Fed. Reg. 75191 \(Nov. 1, 2023\)](#)

What this comparison shows

One regime addresses the topic explicitly while the other covers it only implicitly or not at all. This is a likely site of regulatory arbitrage and a candidate for comparative-law follow-up.

Bibliography

1. [Regulation \(EU\) 2024/1689](#) — EU AI Act.
2. [Exec. Order No. 14110, 88 Fed. Reg. 75191 \(Nov. 1, 2023\)](#) — Executive Order 14110 on Safe, Secure, Trustworthy AI.
3. [Policy Window — Biometric Identification](#) (cross-jurisdiction topic article with full coverage matrix).