

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 OPEN-WEIGHT FRONTIER RELEASE

governs

Art. 53(2) + Recital 102/104 — explicit open-source GPAI exemption (with caveats for systemic-risk models)

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

US · EXECUTIVE ORDER

Executive Order 14110 on Safe, Secure, Trustworthy AI

US-EO-14110

TREATMENT OF OPEN-WEIGHT FRONTIER RELEASE

implicit

§4.6 NTIA report on dual-use foundation models specifically addresses open-weight risk; not binding obligation

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.

Contested question: Should frontier weight-release be governed by capability-tier (block above threshold) or by safety-evaluation-evidence (allow with pre-release red-team) or by recipient-restriction (export controls)? Three distinct frames currently in active conflict.

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 — Open-Weight Frontier Release](#) (cross-jurisdiction topic article with full coverage matrix).