Federal Action on Artificial Intelligence

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Artificial Intelligence Blueprint
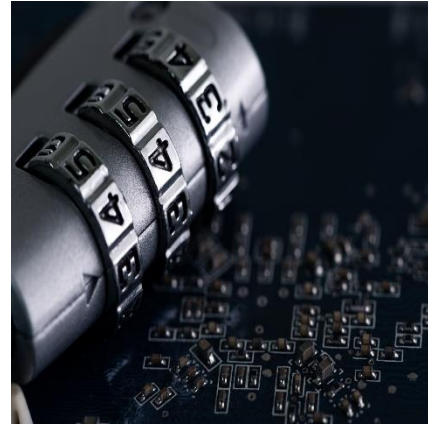
Safe & Effective Systems

Consultation

Testing

Risk Identification

Risk Mitigation

Discrimination Protections

Equity assessments

Representation

Ongoing monitoring & Mitigation

Data Privacy

Collect only necessary data

Consent

Sensitive domains concerns

Notice & Explanation

Let people know AI is being used

Clear & brief explanation

Human Alternatives

Opt out

Especially important re: sensitive domains

NIST AI Risk Management Framework

Framing Risk & Prioritizing

- 3 types of harm- people, orgs/gov't and ecosystem
- There are challenges

Trustworthy AI Features

- Valid, reliable, safe
- Transparent, accountable
- Fair, explainable, privacy enhanced

Benefits of NIST Framework

- Improved awareness of the relationship and tradeoffs among trustworthy characteristics

Management of AI

- Govern
- Map
- Measure
- Manage

Zero risk?

- No such thing as a perfect system
- Must regularly test and update to eliminate bias

Risk Management Commitments From AI Companies

Amazon, Anthropic, Google, Inflection, Meta, Microsoft, OpenAI

Safety First

- Products must be safe before introducing them to the public
- Internal and external testing
- Information sharing

Security

- Investments in cybersecurity are key to success
- Promise to report vulnerabilities of systems

It's a Matter of Trust

- Users must know when AI is being used
- Goal is toward public reporting of AI system capabilities
- Research should be prioritized

Where to Begin?

General Thoughts and Ideas From the Experts

- How to define AI?
  - 2022 American Data Privacy and Protection Act (ADDPA)

    "covered algorithm - a computational process that uses machine learning, natural language processing, artificial intelligence techniques, or other computational processing techniques of similar or greater complexity that makes a decision or facilitates human decision-making with respect to covered data, including to determine the provision of products or services or to rank, order, promote, recommend, amplify, or similarly determine the delivery or display of information to an individual."

- Feds recommend looking to existing laws & policy first
  - Can be federal constitutional or statutory law or state law.
  - Update state laws to include AI – regulatory refinement model

- NCSL AI, Cyber & Privacy Task Force –Points of policy intervention can happen at any point in the AI pipeline (development, etc)

- Sector-specific policy guidance may be the way to go.

From NCSL's AI Primer:

Move beyond a task force or working group

Use experts already on staff at state agencies

Be specific when creating transparency requirements

Focus on impacts not technical details

Define what a "consequential decision" is

- California bill AB 331 - actions that have a material effect on the impact of, access to, eligibility for, cost of, terms of or conditions of certain circumstances"

Employment – Education - Housing - Essential Utilities - Health care - Financial Services - Criminal Justice – Voting - Government benefits

Where to Begin?
General Thoughts and Ideas From the Experts

NCSL

Reach Out Anytime!

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NCSL Base Camp 2023

Nov. 8-9, 2023

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