National Artificial Intelligence Advisory Committee
Federal Advisory Committee Meeting Minutes
September 12, 2023

The National Artificial Intelligence Advisory Committee (NAIAC) held a virtual public meeting on Tuesday, September 12, 2023. The meeting was recorded and is available online.

NAIAC Committee Members (Speakers Only):

- David Danks
- Paula Goldman
- Janet Haven
- Dan Ho
- Haniyeh Mahmoudian
- Christina Montgomery

- Fred Oswald
- Trooper Sanders
- Keith Strier
- Reggie Townsend
- Miriam Vogel, Chair

NIST Staff Members Present:

- Melissa Taylor, Manager, NIST
- Alicia Chambers, Designated Federal Officer (DFO), NIST

Meeting Minutes

Welcome Remarks

- The Designated Federal Officer called the meeting to order at 2:01 PM eastern time and confirmed the NAIAC is operating under the Federal Advisory Committee Act and accessible to the public via livestream.

- Melissa Taylor thanked the NAIAC and members of the public for their participation and introduced Miriam Vogel, Chair.

- Vogel thanked NAIAC members for their work, NIST staff for their support, and members of the public for their participation. Vogel emphasized the importance of public feedback to NAIAC's work and highlighted the opportunity for public participation during the Q&A. Vogel noted that NAIAC is increasing the frequency of its public meetings to share more deliverables and maintain a more continuous public conversation about its work.

Recent Publications

- Vogel invited representatives of three Working Groups (WGs) to discuss their recent publications. These publications are available at ai.gov/naiac.

  FAQs on Foundation Models and Generative AI
  Generative and Next Gen AI: Safety and Assurance WG, September 2023
  o This non-decisional document outlines the current state of AI technology and its implications, with a focus on generative AI models. The document provides an overview

of foundation models and transformer architecture, explores use cases and future directions for foundation models, describes risks and societal impacts associated with these models, and describes existing technical and product guardrails to mitigate risks.

Memo Recommendation International Emerging Economy Draft
International WG, approved by NAIAC, August 2023
o   This recommendation asserts that global summits on AI policy should include representatives from developing economies and the Global South to facilitate inclusive, equitable international collaboration.

Rationales, Mechanisms, and Challenges to Regulating AI: A Concise Guide & Explanation
AI Regulation and Executive Action WG, July 2023
o   This non-decisional explainer provides a framework for reasoning about AI regulation that (1) outlines reasons for regulating AI, noting that effective regulation must balance many conceptions of risk and harm; (2) describes types of regulatory interventions that have been proposed; and (3) identifies distinctive regulatory challenges posed by AI.

Working Group Updates
- NAIAC working group chairs reported on their ongoing efforts.

AI Futures: Sustaining Innovation in NextGen AI
o   The AI Futures WG is developing a finding that outlines AI risks and opportunities. On Aug. 3, the WG convened a public hearing with experts to address AI risks and risk mitigation efforts. On Sept. 29, the WG will convene another public hearing with experts to learn how AI might improve education, healthcare, quality of life, and climate-related efforts.

AI in Work and the Workforce
o   The Workforce WG summarized its three areas of focus: (1) to assess AI's impacts on the job market and workforce using more precise, data-informed methods; (2) to investigate whether national measures of economic growth like GDP continue to reflect individual economic well-being as applications of AI become more prevalent; and (3) to promote inclusivity in the future of work to ensure that people from all walks of life are equipped to navigate workplace transitions.
o   The WG is developing recommendations and public conversations on these themes.

AI Regulation and Executive Action
o   The AI Regulation and Executive Action WG is exploring a recommendation that addresses the tension between informational privacy requirements and government assessment of bias and disparities. The WG will convene further briefings to identify mechanisms for conducting disparities assessments while preserving the privacy of demographic attribute data. This work was motivated by a recent public comment.

Education, Engagement, and Inclusion
o The Education, Engagement, and Inclusion WG will release a nondecisional findings document at the NAIAC October meeting that outlines gaps in AI literacy which hinder individuals from making informed decisions about AI's risks and benefits.
o The WG is also coordinating with the Workforce WG to explore AI curricula for students as well as transitional education for workers displaced by AI.

Generative and NextGen AI: Safety and Assurance
o In September, the Generative and NextGen AI WG released a non-decisional FAQ that provides an introduction to generative AI systems. The WG is working on three additional topics: open-source generative AI systems, non-frontier/off-frontier generative AI models; and data governance, transparency, and accountability.
o The WG convened a public briefing in August to learn about the challenges and opportunities of working with open-source systems, and it is developing a recommendation on non-frontier/off-frontier models which may be complete by the October NAIAC meeting.

International Arena: Collaboration on AI Policy and AI-Enabled Solutions
o In August, the International Arena WG released a recommendation to include emerging economies and the Global South in international AI policy summits. The WG is currently investigating how the AI Risk Management Framework (RMF) intersects with UN Sustainability and Development Goals (SDGs) to identify areas such as climate research and healthcare in which the United States is well situated to exercise leadership.

Procurement of AI Systems WG
o The Procurement WG noted that, although the Federal Acquisition Regulation (FAR) ensures an open and competitive system of government procurement, the framework may hinder the procurement of AI systems, which adapt over time and in different domains. The WG will convene briefings and develop a recommendation on how agencies can work within the FAR framework to responsibly procure AI systems.

Rights-Respecting AI
o The Rights-Respecting WG aims to develop actionable recommendations based on empirical findings to advance the protection of rights in AI governance frameworks.
o The WG is developing deliverables on three topics: (1) the prioritization of rights within a risk-based framework like the RMF; (2) the protection of worker rights in data-centric work environments; and (3) the impact of AI on historically marginalized communities. For the first, the WG circulated a finding for discussion at the Sept. 13 NAIAC meeting and will present recommendations at a later meeting; for the second, the WG is drafting a set of findings and recommendations and plans to hold a public panel to explore the impacts of AI on creative workers; for the third, the WG will share findings at the Oct. 19 NAIAC meeting that capture input from speakers at public panels held in June.

Rights-Respecting AI WG Findings
- Janet Haven summarized the three findings that the Rights-Respecting WG circulated to the Committee. These findings demonstrate how the federal government's commitment to civil

rights would inform its implementation of the RMF: (1) the NAIAC Year 1 Report recommends that the federal government adopt the RMF; (2) the RMF calls for AI actors to define their risk tolerance in light of existing laws, values, and norms; therefore, if the government adopts the RMF, it must define its tolerance for AI risk; (3) civil rights are fundamental to United States citizenship, so the federal government will need to ensure the protection of citizens' civil rights within the RMF.

Vogel invited NAIAC members to discuss the Rights-Respecting WG's findings.
- o David Danks thanked the Rights-Respecting WG for highlighting the fundamental importance of rights and for demonstrating how rights can be incorporated into the practical implementation of the RMF.
- o Fred Oswald noted that AI risks are context-dependent and therefore must be assessed in each distinct context of application. Oswald supported the Rights-Respecting WG in highlighting the role rights considerations should play in those assessments.
- o Christina Montgomery applauded the findings for bridging risk-based and rights-based approaches to AI governance and demonstrating how they can work in conjunction.
- o Reggie Townsend joined previous commenters in supporting the findings. Townsend also noted that risk factors change over time. Thus, operationalization of the finding and associated recommendations would require accountability mechanisms to periodically re-assess risk and risk tolerance.
- o Paula Goldman appreciated that the findings demonstrate how rights- and risk-based frameworks can function as complements and supported the WG's observation that violations of rights are a primary concern in risk assessment. Goldman asked the WG to comment on the broader implications of the findings.
- o Vogel joined previous commenters in expressing appreciation that the findings clarify how risk- and rights-based frameworks can function in tandem and highlight the fundamental role that rights considerations play in risk assessment.

Public Questions and Comments
- Taylor shared public questions and comments with the NAIAC members.

  - o A participant asked the Committee to address the problem of reconciling rapid technological change with the slower legislative process.
  - o A participant asked whether the NAIAC website (ai.gov/naiac) would be updated to list the WGs and their current projects, such as the Rights-Respecting WG's public panel on creative industries.
  - o A participant observed that even technologists do not fully understand AI technology and its capabilities. Therefore, government regulators and the general public face steep challenges in understanding these technologies and assessing the risks they pose, particularly as the technologies evolve so rapidly.
  - o A participant thanked the Committee for their work to make progress on this important issue.

Closing Remarks
- Vogel thanked NIST staff for guiding the meeting and thanked NAIAC members for sharing their ongoing work. Vogel reiterated the Committee's remit to advise the President and the

White House on AI policy and emphasized the importance of gathering a broad cross-section of expertise and perspectives to inform work toward this goal. Vogel encouraged members of the public to provide their input, noting how public comments and discussions have shaped the Committee's work.

- Members of the public can provide feedback at ai.gov/naiac, where they can also subscribe for Committee updates, watch previous NAIAC meetings, and find meeting minutes. They can email the Committee at NAIAC@nist.gov.
- Vogel noted two upcoming public meetings: (1) on Sept. 29, the AI Futures WG is hosting a public panel on opportunities in the AI space; (2) on Oct. 18-19, NAIAC is holding a hybrid public meeting.
- DFO adjourned the NAIAC meeting at 3:10 PM Eastern Time. A summary of the meeting will be posted on ai.gov/naiac.