

1. Definition of AI in NY from NYS Technology Law Section 103-E:

For purposes of this section, “artificial intelligence system” shall mean a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments that, when used, may “directly impact the public”. Artificial intelligence systems use machine- and human-based inputs to perceive real and virtual environments, abstract such perceptions into models through analysis in an automated manner, and use model inference to formulate options for information or action. “Artificial intelligence system” includes but is not limited to systems that use machine learning, large language model, natural language processing, and computer vision technologies, including generative artificial intelligence. “Artificial intelligence system” shall not include basic calculations, basic automation, or pre-recorded rule-based conditional logic response systems with predefined triggers that automatically initiate predetermined actions, such as If This Then That (IFTT) systems.

<https://www.nysenate.gov/legislation/laws/STT/103-E>

2. A shorter definition of AI, used by the federal government is:

An engineered or machine-based system that can, for a given set of objectives, generate outputs such as predictions, recommendations, or decisions influencing real or virtual environments. AI systems are designed to operate with varying levels of autonomy.

<https://airc.nist.gov/glossary/>

3. Mollick’s 4 Rules

Always invite AI to the table
Be the human in the loop
Treat AI like a person
Assume this is the worst AI you will ever use

<https://alyssafuward.substack.com/p/sketchnote-a-summary-of-ethan-mollicks>

4. So what are the risks of AI?

Articles abound, but as one source puts it:

[T]he risks posed by AI systems are in many ways unique... AI systems, for example, may be trained on data that can change over time, sometimes significantly and unexpectedly, affecting system functionality and trustworthiness in ways that are hard to understand. AI systems and the contexts in which they are deployed are frequently complex, making it difficult to detect and respond to failures when they occur. AI systems are inherently socio-technical in nature, meaning they are influenced by societal dynamics and human behavior.

<https://airc.nist.gov/airmf-resources/airmf/0-ai-rmf-1-0/>

5. Because of that, a few years ago the U.S. adopted a law to get a handle on things.

<https://www.congress.gov/116/plaws/publ283/PLAW-116publ283.pdf>

6. As part of that extensive legislation, and upon further executive order, the National Institute of Standards and Technology (NIST) got involved.

<https://www.nist.gov/>

7. The policy we are reviewing today is based on the NIST Framework for managing the risks posed by AI:

<https://airc.nist.gov/airmf-resources/airmf/>

8. The NIST framework draws from the International Standardization Organization (ISO) standards for addressing the risks of AI:

<https://www.iso.org/sectors/it-technologies/ai>

9. In addition, use of AI to generation institutionally owned records has its own copyright concerns.

<https://www.copyright.gov/ai/>

10. And now, please have the Template Policy handy!