

NTIA Publishes Request for Comment on Artificial Intelligence Accountability Measures

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The National Telecommunications and Information Administration (“NTIA”) has published a [Request for Comment](#) on artificial intelligence (“AI”) system accountability measures. Comments are due **June 12, 2023**.

This move follows a number of other efforts of the U.S. federal government to lay the framework for AI regulation: Last October, the White House’s Office of Science and Technology Policy issued a [Blueprint for an AI Bill of Rights](#), which laid out the Biden-Harris Administration’s view on the risks posed by AI and key approaches to mitigating those risks: ensuring that AI systems are safe and effective throughout their lifecycle; protecting against discriminatory outcomes; ensuring data privacy by design; providing appropriate notice about and explanation of AI systems to the public; and offering individuals appropriate choices about their participation in AI systems. And earlier this year, the National Institute of Standards and Technology issued an [AI Risk Management Framework](#), following on its earlier issuance of similar frameworks in the cybersecurity and privacy space.

With the current Request for Comment, NTIA enters the fray, seeking to develop policy recommendations on how actors in the AI ecosystem should assess whether risks associated with an AI system have been appropriately evaluated and mitigated—in other words, how to hold stakeholders accountable for whether or not they have developed, deployed, and maintained AI systems that are trustworthy and safe.

NTIA identifies six broad categories related to AI accountability and asks a series of policy and design questions under each of its categories related to the goal of effective accountability measures: AI Accountability Objectives; Existing Resources and Models; Accountability Subjects; Accountability Inputs and Transparency; Barriers to Effective Accountability; and AI Accountability Policies.

Of particular note, NTIA has requested comment on the appropriate role and scope of various tools in promoting AI accountability, including:

- Internal assessments
- External audits (both cooperative and adversarial)
- Governance policies
- Documentation requirements in promoting accountability for AI systems
- Legal or other certification standards
- Employee training and recruitment of a diverse workforce

NTIA is also seeking comment on the roles various entities should play in establishing accountability, including the relative roles of government, AI companies, industry-wide bodies, civil society organizations, and other private entities.

Lastly, the Request for Comment seeks input on the unique challenges of AI accountability, such as the timing of assessments given the evolving lifecycle of AI systems, and the data privacy, security, and intellectual property concerns for datasets.

NTIA's ultimate policy recommendations on these topics could very well influence oversight of AI systems for years, if not decades, to come. Accordingly, stakeholders should watch this proceeding closely and consider whether to more directly engage in the proceeding.

Please contact [Adrienne Fowler](#), [Tricia Paoletta](#), [Daeyeong Kim](#), or the HWG attorney with whom you regularly work if you are interested in having HWG monitor or file in this proceeding.

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