

September 29, 2023

Kenrick Sifontes
Audit Director
Office of the State Comptroller
Division of State Government Accountability
59 Maiden Lane, 21st Floor
New York, NY 10038

Re: New York State Audit Report of Artificial Intelligence Governance

Dear Audit Director Sifontes:

The NYC Office of Technology and Innovation (OTI), appreciates the opportunity to respond to the State Comptroller’s February 16, 2023 audit on Artificial Intelligence Governance. Your office requested that within one hundred and eighty (180) days of the release of this report, OTI “advise the State Comptroller on the steps that were taken to implement [its] recommendations..., and where recommendation were not implemented, the reasons why.” OTI’s responses are titled individually under “OTI Response to Recommendation [number]” below:

Recommendation 1

Use relevant AI governance frameworks to assess the risks of AI used by City agencies.

OTI Response to Recommendation 1:

In its audit response, OTI agreed with the recommendation that relevant artificial intelligence (AI) governance frameworks represent invaluable reference points for considering and addressing issues of AI risk. OTI continues to track and evaluate general governance and risk-specific frameworks. OTI further indicated that it is preparing an AI Action Plan to build on prior City efforts to support productive use of AI while helping to ensure appropriate governance. OTI expects to publish its Action Plan well before the end of the calendar year. The Plan will address the City’s need to establish a governance framework for AI, including a risk assessment framework. Once the Action Plan is published, OTI will begin developing the components of the governance framework, including risk assessment policies, and will leverage existing frameworks in that development.

Recommendation 2

Review past AMPO policies to identify areas that need to be strengthened by OTI.

OTI Response to Recommendation 2:

In its audit response, OTI agreed that previous policies and efforts play an important role in future policy development. The policies and efforts of the former Executive Order 50 of 2019 have been a point of

reference in the development of the AI Action Plan and will continue to be an important reference for policy development after the Action Plan is published.

Recommendation 3

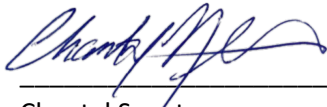
Implement policies to create an effective AI governance structure.

OTI Response to Recommendation 3:

In its audit response, OTI indicated its belief that an effective AI governance structure is one that acknowledges the diversity of AI use cases and the challenges of a complex web of existing regulation and policy. In its AI Action Plan, OTI will outline its ensuing concrete steps in navigating this complex landscape through policy development and other efforts to enable productive and responsible AI use by City agencies.

Thank you for the opportunity to provide this additional information.

Sincerely,



Chantal Senatus
Deputy Commissioner, Legal Matters