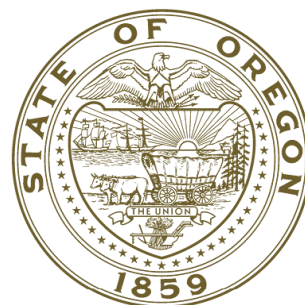


# Final Report and Recommendations Joint Task Force on Artificial Intelligence



## About this Report

This Task Force was created by [House Bill 4153 \(2024\)](#) to examine and identify terms and definitions related to artificial intelligence applied in technology-related fields that may be used for legislation.

This report includes task force recommendations on resources for terms and definitions related to artificial intelligence, as well as guidelines for drafting AI-related legislation in Oregon.



## Task Force Members

**Skip Newberry, Chair**, representing business leagues, including trade or professional associations

**Senator Aaron Woods**, Senate District 13

**Representative E. Werner Reschke**, House District 55

**Ameeta Agrawal**, representing public universities

**Reza Alavi**, designee from the Oregon Judicial Department

**Justin Brookman**, representing consumer advocacy groups

**David Edmonson**, representing business leagues, including trade or professional associations

**Alan Fern**, representing public universities

**Ellen Flint**, designee of the Attorney General

**Jimmy Godard**, designee of the State Chief Information Officer

**Jason Kistler**, representing local governments

**Sean McSpaden (non-voting)**, from the Legislative Fiscal Office

**Sara Tangdall**, having expertise in ethics and technology

**Kelsey Wilson**, representing business leagues, including trade or professional associations

*NOTE: Ameeta Agrawal replaced Madhusudan Singh in August 2024. Ellen Flint replaced Kimberly McCulloch in September 2024.*

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# Executive Summary

## Introduction

The Joint Task Force on Artificial Intelligence was created in 2024 by [House Bill 4153 \(2024\)](#). This bill directs the task force to examine and identify terms and definitions related to artificial intelligence applied in technology-related fields that may be used for legislation.

The task force was directed to begin with terms and definitions used by the United States Government and federal agencies, with those chosen by the task force aligning as closely as possible with federal rules. The task force sought input from a broad range of stakeholders, including representatives from higher education and consumer advocacy groups, as well as small, medium, and large businesses affected by artificial intelligence policies.

## Process

Task force members included two state legislators, one non-voting member from the Legislative Fiscal Office (LFO), and 11 members representing business leagues; public universities; local government; consumer advocacy groups; ethics and technology expertise; the Judicial Department; Attorney General; and the State Chief Information Officer.

The task force met virtually nine times from June 2024 through December 2024. Further, members divided into three workgroups that met independently to refine specific AI vocabulary, resulting in 30 terms to review in a questionnaire administered by LPRO. On November 15, the task force held a public hearing to receive additional feedback.

## Recommendations

### Recommendation 1: Definitions and Sources

The Joint Task Force on Artificial Intelligence recommends that AI-related terms and definitions in the *National Institute of Standards & Technology (NIST) Language of Trustworthy AI: An In-depth Glossary of Terms* should be the primary federal resource for drafting legislation in Oregon.

Secondary authoritative sources for AI-related terms and definitions include the following:

- International Association of Privacy Professionals (IAPP) *Key Terms for AI Governance*



- International Organization for Standardization (ISO) and International Electrotechnical Commission (IEC) *Policy ISO/IEC 22989: 2022*
- Organization for Economic Cooperation & Development (OECD) *AI Principles*
- European Union (EU) *EU Artificial Intelligence Act*

The Task Force also advises there may be industry-specific resources for AI-related terms and definitions; two examples are the Food and Drug Administration's FDA Digital Health and Artificial Intelligence Glossary and the National Association of Insurance Commissioners (NAIC) Model Bulletin: Use of Artificial Intelligence Systems by Insurers.

## **Recommendation 2: Guidelines for Drafting Legislation**

When drafting AI-related legislation in Oregon, the task force recommends the following guidelines around terms and definitions:

- The Task Force recommends using terms and definitions related to the uses and applications of AI technologies, rather than specific AI technologies.
- Be cautious when adding AI terms to existing statutes and laws regarding prohibited actions (i.e., illegal activity) and consider how legislation applies to how people and organizations use AI instead of AI technology.
- Recognize that AI technology is rapidly evolving, requiring ongoing legislative conversation and monitoring of its current and likely applications.
- When deciding whether to include an AI definition in statute, look first to see whether existing Oregon law may apply without a specific AI definition cited, whether a statute may be amended to clarify the use of AI, and whether a statute may benefit from the inclusion of an AI use-case as an example.
- Exercise caution when adopting other jurisdictions' AI definitions, as statutory terms change and differ.
- When choosing definitions, technical and/or science-based AI-related terms and definitions tend to have more longevity.

## **Access to Full Report**

The full report can be found at [JTFAI Final Report](#).

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## Task Force Process

### Charge and Background

[House Bill 4153 \(2024\)](#) (HB 4153) established the Joint Task Force on Artificial Intelligence. Co-sponsored by Representative Daniel Nguyen and Senator Aaron Woods, HB 4153 charged the task force with examining and identifying terms and definitions related to artificial intelligence (AI) that are applied in technology-related fields and may be used for legislation.

HB 4153 defined the composition of the task force and required members to seek input from a broad range of stakeholders, including from representatives of institutions of higher education and consumer advocacy groups, as well as small, medium, and large businesses affected by artificial intelligence policies.

Starting the process by examining specific AI-related language used by the United States government and relevant federal agencies, the task force identified terms and definitions that align as closely as possible with those used in federal rules.

While presenting the proposed measure to the Joint Committee on Information Management and Technology in February 2024, Representative Nguyen spoke on the need for standardized terminology in crafting future legislation in Oregon. He said he had concerns that as AI regulations were still in the early stages of development nationally, there could be unintended consequences if legislators were not using a standard vocabulary to describe AI.

### Task Force Timeline

The task force met a total of nine times from June 2024 to December 2024. Below is the timeline and process the taskforce used throughout the process. (Table 1)



**Table 1: Task Force Timeline**

Date	Meeting Type	Agenda and Discussion Items
<b>June 28</b>	Organizational Meeting	<ul style="list-style-type: none"> <li>• Member Introductions</li> <li>• Task Force Rules</li> <li>• Review House Bill 4153 and Timeline</li> <li>• Open Meetings and Public Records Training</li> <li>• Chair Election</li> </ul>
<b>July 19</b>	Informational Meeting	<ul style="list-style-type: none"> <li>• Foundational Documents for AI Definitions</li> <li>• Legislative Counsel Presentation</li> <li>• Workplan Discussion</li> </ul>
<b>July</b>		Workgroup Meetings
<b>August 9</b>	Informational Meeting	<ul style="list-style-type: none"> <li>• State AI Legislation</li> <li>• Workgroup Updates and Discussion</li> </ul>
<b>August</b>		Workgroup Meetings
<b>Aug. 30</b>	Informational Meeting	<ul style="list-style-type: none"> <li>• Applications Workgroup Report</li> <li>• Workgroup Tasks and Timeline</li> <li>• Outreach and Engagement Efforts</li> </ul>
<b>September</b>		Workgroup Meetings
<b>Sept. 20</b>	Informational Meeting	<ul style="list-style-type: none"> <li>• Technology/Methodology Workgroup Report</li> <li>• Ethics Workgroup Report</li> <li>• Definitions Discussion</li> <li>• Stakeholder Questionnaire Discussion</li> </ul>
<b>Oct. 11</b>	Informational Meeting	<ul style="list-style-type: none"> <li>• Questionnaire Review</li> <li>• Recommendations Discussion</li> <li>• Draft Report Review</li> </ul>
<b>Nov. 1</b>	Informational Meeting	<ul style="list-style-type: none"> <li>• Review Questionnaire Results</li> <li>• Recommendations Discussion</li> </ul>
<b>Nov. 15</b>	Public Hearing	<ul style="list-style-type: none"> <li>• Public Comment</li> <li>• Recommendations Discussion</li> </ul>
<b>Dec. 3</b>	Work Session	<ul style="list-style-type: none"> <li>• Adoption of Recommendations</li> </ul>
<b>Dec. 15</b>		<ul style="list-style-type: none"> <li>• Report Submitted to Legislature</li> </ul>

Source: Legislative Policy and Research Office (LPRO)





## Workgroup Process

At the August 30, 2024, meeting, the task force chose to divide the group's work among three workgroups:

- Applications Workgroup
- Ethics Workgroup
- Technology/Methodology Workgroup

These workgroups gathered independently and reported back to the task force during meetings, providing materials to the group as needed. These separate sessions were not attended by LPRO and had membership levels below the quorum.

### ***Applications Workgroup***

The Applications Workgroup was initially tasked with evaluating AI risk categories and definitions in the White House's *Blueprint for an AI Bill of Rights*, the National Institute of Standards and Technology (NIST)'s *AI Risk Management Framework*, and the *European Union Artificial Intelligence Act*, to make recommendations regarding categories and related definitions to the full task force. This group was directed to focus on the "[People & Planet](#)" category in Figure 1, described by NIST as representing "human rights and the broader well-being of society and the planet." The Applications Workgroup also identified entities with which it recommended the task force engage, pursuant to House Bill 4153 (2024).

### ***Ethics Workgroup***

The Ethics Workgroup was initially tasked with evaluating existing ethical AI frameworks, related definitions, and underlying principles, including those developed by the U.S. government and EU, as well as making recommendations to the full task force about which resources should be included in this report.

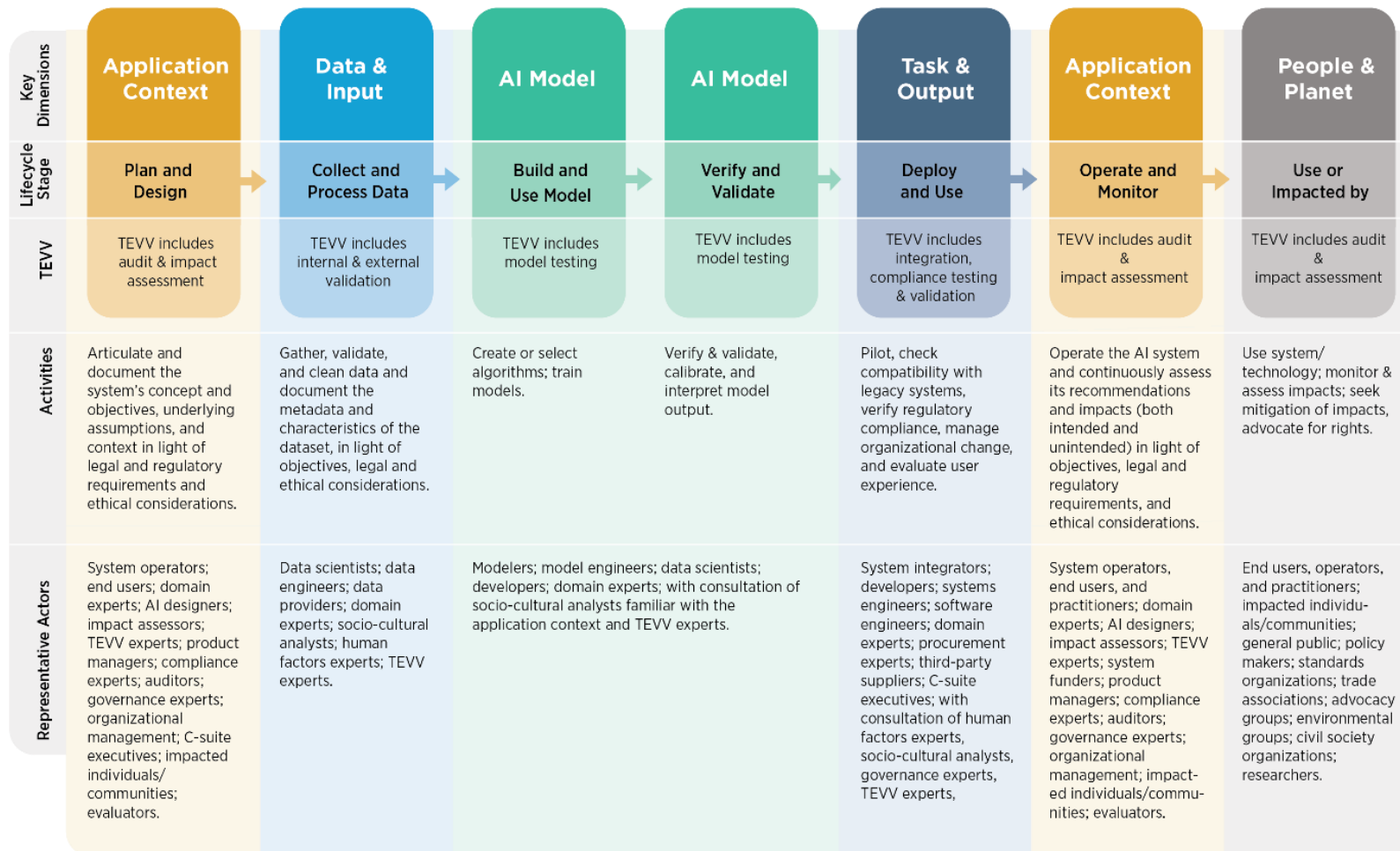
### ***Technology/Methodology Workgroup***

Initially tasked with evaluating *The Language of Trustworthy AI: An In-Depth Glossary of Terms*, the NIST *AI Risk Management Framework*, and other technical documents, the Technology/Methodology Workgroup recommended to the full task force which documents should be included in this report. This workgroup was directed to focus on the first 6 columns in Figure 1, described by NIST as [AI lifecycle stages](#).

As the task force's work proceeded, assignments for each workgroup were provided at the end of each meeting.



**Figure 1: Artificial Intelligence Lifecycle Stages**



Source: National Institute for Standards and Terms (NIST) AI Risk Management Framework



## ***Workgroup Membership***

**Table 2: Workgroup Members**

<b>Workgroup</b>	<b>Members</b>
<b>Applications</b>	Chair Newberry; Ameeta Agrawal; Sean McSpaden; Kelsey Wilson
<b>Ethics</b>	Senator Woods; Representative Reschke; Justin Brookman; Ellen Flint (previously Kimberly McCullough); Sara Tangdall
<b>Technology/Methodology</b>	Reza Alavi; David Edmonson (Rose Feliciano substituting); Alan Fern; Jimmy Godard; Jason Kistler

*Source: LPRO*

## **Meeting Summaries and Materials**

Task force meetings were held remotely on Microsoft Teams and were livestreamed, recorded, and posted for the public on the Oregon Legislative Information System (OLIS).

The following is a summary of the key points of discussions and decisions made in each meeting; links are provided for access to meeting recordings, full meeting summaries, and other task force meeting materials.

### ***Meeting 1: June 28, 2024***

#### **Organizational Meeting**

Senator Woods presided over the organizational meeting as interim chair until the task force elected a permanent chair. Members adopted the [task force rules](#) without objection and elected Skip Newberry to serve as the task force chair.

#### **Informational Meeting**

Legislative Counsel provided staff with a pre-recorded overview of public records law and open meetings ([link](#) to slides). Legislative Policy and Research (LPRO) staff gave an introduction to using OLIS and a background on [House Bill 4153 \(2024\)](#), which established the task force.



Members engaged in discussions about what they would like to see in a task force workplan. They also expressed a desire not to “reinvent the wheel” when it comes to definitions and referred to a list of artificial intelligence (AI) related definitions from the National Institute of Standards and Technology (NIST) as one possible starting point. Due to the large number of definitions in this list and the broad nature of the subject matter, the possibility of workgroups was considered to explore more specific subject areas and report back to the larger group. Members also noted there may be terms in existing Oregon statute that could be applied or modified to pertain to AI.

### **Meeting Materials**

- [Link](#) to staff slides
- [Link](#) to task force rules
- [Link](#) to member appointments
- [Link](#) to public records and open meetings act slides

### ***Meeting 2: July 19, 2024***

#### **Foundational Documents for AI Definitions**

LPRO staff introduced foundational documents for AI-related definitions:

- *The (White House) Blueprint for an AI Bill of Rights*
- *The Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence (2023)*
- *The European Union Artificial Intelligence Act*
- *The AI-Related Glossary of Terms from the National Institute of Standards and Technology (NIST)*

Staff also presented on Governor Kotek’s State Government Artificial Intelligence Advisory Council, which was formed via executive order in 2023 and is using the *Emerging Technology Prioritization Framework* by the Federal Risk and Authorization Management Program (FedRAMP) as a foundational document.

Chair Newberry reiterated that the legislation creating this task force gives greatest weight to federal definitions and frameworks, including the NIST glossary, and that this is a quickly changing arena, which should be kept in mind if any external documents are referenced in future legislation.



### ***Terms and Definitions in Statute, and Workplan Discussion***

Representatives from Legislative Counsel (LC) explained how statutory definitions are developed and used. New measures may define terms within the substance of the text or refer directly to specific existing definitions in the code. Legislation may incorporate external references to definitions, such as those in federal law, with the caveat that these definitions would remain static and therefore not be updated to include changes after the Oregon statute goes into effect.

LC noted long and complex definitions are difficult to put into statute, so members should consider how necessary or broadly applicable a definition might be. LC acknowledged the task of defining AI terms in statute may be difficult as technology changes and noted that in some cases, statute allows for a rulemaking process via state agencies. Building codes were cited as one example that uses technical definitions that can be updated by relevant agencies.

Initial member discussion covered an approach to AI definitions like those in use for building codes as one way of keeping the definitions current. Members noted challenges, including the following:

- the changing nature of AI
- defining terms with no specific legislation or use case at hand to apply
- the lack of an existing AI-related agency with the resources needed to perform this work
- the difference in terminology that may be needed for AI technology versus real-world applications

Members also asked for clarity on whether the task force is defining terms itself, or if it is finding existing definitions and recommending them to the legislature.

Members then discussed AI risk factors and whether applying a risk framework like that in the European Union AI Act would help the group focus its efforts. For example, using a chatbot online would pose a much different risk than using a large language model to make health care decisions.

The task force created workgroups to explore different aspects of AI covering three topics:

- ethics
- technology and methodology
- applications

Members present volunteered to staff these and noted concerns around accountability, safety, and transparency.



## Meeting Materials

- [Link](#) to LPRO Staff slides
- [Link](#) to the *Blueprint for an AI Bill of Rights*
- [Link](#) to the *Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence*
- [Link](#) to the *National Institute of Standards and Technology's AI Glossary*
- [Link](#) to Legislative Counsel Slides

## ***Meeting 3: August 9, 2024***

### **Artificial Intelligence Definitions: State Legislative Update**

The National Conference of State Legislatures (NCSL) presented on AI-related legislation and definitions adopted in other states. In 2023, 18 states and Puerto Rico enacted legislation or adopted resolutions regarding AI, and NCSL is currently tracking over 450 bills using 23 categories. There have been no enactments of major AI-related legislation at the federal level in the United States. NCSL staff noted that the European Union's Artificial Intelligence Act was the first comprehensive federal law passed by any entity.

NCSL shared that consensus does not exist on a uniform definition for AI and other AI-related terms, such as "automated decision systems," "machine learning," "algorithms," and "training data." As the field continues to develop, AI will be used in numerous applications, including translation, airport security, facial recognition, financial credit and insurance services, spam filters, as well as text autofill. Some states have looked at specific uses of AI technology, and at least 100 bills in 2024 covered the issue of deepfakes.

Task force members discussed AI-related topic areas, including the impact of AI laws and definitions on corporate decisions to locate or operate in one state over another.

Some members discussed the necessity of defining or using AI in statute; one posed the question whether AI terms could be removed from a statute defining them without impacting the effect or intent, given how many different definitions of AI have been presented to the task force.

Another member mentioned that in cases where AI itself is posing a new challenge, legislation may be needed to define AI, but that if AI is the method by which something illegal takes place, defining it would require more care. Discrimination was used as an example in which the act of discrimination is already prohibited in



law, but defining AI in the context of discrimination brings in questions regarding whether a definition too narrow implies that acts outside the statute's explicit scope would be permissible.

NCSL brought up different approaches to address these concerns. One approach would be to require impact assessments to gauge effects of AI related statutes, while another example was of states compiling inventories of government-related AI use cases to gather information. Members noted that risk categories that trigger certain requirements, such as in the European Union AI Act, could be adopted, or that legislation could define how AI is used rather than defining AI itself. Senator Woods asked that the group keep in mind the task force goal of looking at definitions that could be used in legislation and stated his preference that they be broad and not too "in the weeds."

### **Workgroup Updates and Discussion**

The Applications Workgroup reported it focused on evaluating risk categories and definitions using information from the foundational documents LPRO presented at the July 19 task force meeting. The workgroup identified a need to establish a framework to determine use cases of AI that will require a "human in the loop," as well as the importance of formal data governance and management. The workgroup noted numerous use case categories, including transportation, criminal justice, and natural resources, but that given time limitations of the task force's work, focusing on differences between them would not be possible. The workgroup referenced examples of other states using risk categories and use case inventories and recommended that outreach focus on engagement with Oregon associations who are member based.

The Technology and Methodology Workgroup discussed high-risk AI and existing definitions from NIST, the EU, and Colorado. The workgroup considered how definitions would be leveraged in different industries and scenarios, such as in health care, chatbots for provision of services, and crime analysis. The workgroup mentioned a next step would be to see how other states have leveraged definitions and where they converge or diverge, noting that legislation differs among states, and that these differences come from the variance in stakeholders as well as who may have influence in a given state.

The Ethics Workgroup posed questions about where it makes most sense to cover ethics as a separate topic. Task force members identified applications as underpinning both the Ethics and Technology/Methodology Workgroups. They suggested a collaborative document shared with all task force members that would



begin with the Applications Workgroup. This document would include a hierarchy of applications and AI use cases ranging from broad to more specific. This list would then be used to determine general definitions that may apply regardless of use case and allow members to consider what changes might be needed for certain applications of AI.

### **Meeting Materials**

- [Link](#) to slides: Artificial Intelligence Definitions: State Legislative Update

### ***Meeting 4: August 30, 2024***

#### **Applications Workgroup Report and Discussion**

The Applications Workgroup met to identify AI use cases in a variety of fields. The workgroup used ChatGPT to help accelerate their work in identifying the 10 most common terms and definitions by topic area, and they asked the program to describe use cases and information sources to help verify accuracy.

The workgroup concluded that some foundational AI terms are broad and would have few exceptions, while others have a narrow focus and apply to specific use cases. Some terms exhibit high amounts of variability, and the workgroup examined legislation passed in other states to help highlight nuances in certain terms.

#### **Workgroup Tasks and Timeline**

Task force members noted potential overlap in the workload and in the terms and definitions addressed by each workgroup. They also requested clarification on the structure of the final report and wanted to know more about what task force reports look like. Chair Newberry pointed out that law and technology change over time, and that the legislation creating the task force provides minimal guidance on the report format or subject matter to cover.

Senator Woods, who co-sponsored HB 4153 (2024), stated that the focus was ensuring legislators are using correct and consistent terminology and that the document the task force creates will likely change going forward. One member mentioned the possibility of asking Legislative Counsel (LC) to provide insight into how LC might use the task force's final work product when drafting AI-related legislation.





## Outreach and Engagement Efforts

Chair Newberry noted that in addition to producing a report providing guidance to legislators, another part of the task force's charge is conducting outreach to get additional perspectives and feedback on its work while keeping in mind the effective report deadline of December 1, 2024.

Members discussed the need to determine what kind of feedback the task force would like and noted that reaching out to potential groups and organizations ahead of sending them a questionnaire or feedback request would allow them to budget staff and time to respond more quickly.

Groups and organizations to target were listed in the Applications Workgroup meeting documents, and the other workgroup members were asked to add to the list. Chair Newberry mentioned he and other members could engage in personal outreach to organizations to help get the word out to solicit questionnaire and feedback responses.

## Meeting Materials

- [Link](#) to memo: Summary of Application Work Group meeting on August 5, 2024
- [Link](#) to memo: Summary of Application Workgroup meeting on August 19, 2024 & Follow Up Work
- [Link](#) to spreadsheet: Applications Work Group (use case examples, general)
- [Link](#) to memo: Applications Work Group (use case examples, low and high risk)
- [Link](#) to memo: Applications Work Group (terms and definitions)
- [Link](#) to memo: Applications Work Group (terms and definitions – subset)

## ***Meeting 5: September 20, 2024***

### **Workgroup Tasks and Timeline**

#### *Technology/Methodology Workgroup Report*

The Technology/Methodology Workgroup focused on the mechanics of artificial intelligence and looked at definitions from the EU, NIST, Stanford University, and the University of North Florida. The workgroup considered Oregon's data privacy law and suggested that definitions already present in statute do not need to be redefined but could be referenced in the task force report.

The workgroup placed its definitions into four categories:



- general software and system concepts
- AI disciplines
- AI methodologies and components
- AI application concepts

The workgroup noted AI is often described as an entity performing an action, but it might better be described as a discipline.

Task force members commented that paring definitions down to a core group was a good idea given time constraints and that knowing more about what definitions exist in statute would help avoid duplication or competing definitions in statute.

### *Ethics Workgroup Report*

The ethics workgroup reported they looked at existing ethics frameworks but paused that work to provide feedback for the Applications Workgroup's use case list. The Ethics Workgroup had questions regarding

- how frameworks help inform its work,
- whether listing use cases falls within the task force's scope,
- whether it duplicates work from Oregon's State Government Artificial Intelligence Advisory Council, and
- how these use cases compare to those found in other legislation examined by the task force.

The ethics workgroup concurred with earlier discussion that paring definitions down would help target definitions to what legislators would find most useful and provided "automated license plate reader" as one example definition that could be removed from the task force's list.

### **Definition Discussion**

Chair Newberry reiterated the task force's charge of focusing on federal definitions, noting that it may be helpful to identify common terms needed to understand AI, classify definitions, and identify authoritative sources of information.

Discussion covered how to coordinate the work being done among the three workgroups and the overlap between some definitions. Members liked the idea of

- pointing to a federal source in the report, then to EU, state, or standards bodies after that, and



- identifying terms of most importance, which would then allow legislators to determine which definitions make the most sense within the context of the specific policy areas.

Members considered how to include definitions in the questionnaire to stakeholders identified by HB 4153, with the idea that recipients would be asked to identify terms the task force is missing rather than engaging recipients on wordsmithing.

### **Questionnaire Discussion**

LPRO staff presented on

- the types of stakeholders the task force is required to contact,
- the stakeholders thus far identified by the task force,
- the task force timeline going forward, and
- an outline of the task force report, including the stakeholder questionnaire.

Chair Newberry suggested a questionnaire of 2-3 questions and through group discussion concluded

- one question should focus on terms and definitions,
- a second question would be on the sources of these, and
- a third question would focus on definitions but be more open ended.

Members also discussed the challenge of including definitions in the questionnaire while getting needed feedback. While the questionnaire will gather feedback on what the task force is missing, members had concerns that sending too many definitions could make the questionnaire too long and limit feedback. Oliver Droppers, LPRO Deputy Director for Policy Research, joined the meeting and pointed out LPRO's experience with questionnaires is that recipients may not complete it if it is too long.

Through discussion, the task force concluded that a list of 10 definitions from each of the three workgroups should be part of the questionnaire.

### **Meeting Materials**

- [Link](#) to initial list of definitions from the Technology/Methodology workgroup
- [Link](#) to LPRO presentation



## ***Meeting 6: October 11, 2024***

### **Stakeholder Questionnaire**

LPRO staff provided an update on the final stakeholder questionnaire, which has 30 definitions and asks recipients to specify their industry as well as whether they have an AI definition list they use. This questionnaire will be distributed to about 60 individuals and organizations suggested by task force members.

Group discussion covered questionnaire recipients, and LPRO and Chair Newberry clarified that organizations with large constituencies that will receive the questionnaire will be encouraged to send it to businesses and individuals they represent. Task force members can also distribute the questionnaire.

### **Task Force Recommendations**

LPRO staff gave the task force some guidance on how to consider recommendations, mentioning past discussion items regarding adoption of a definition list and sources for terms, use cases, and risk assessments. Staff noted task forces typically vote on recommendations, individually or all together.

Task force members had questions regarding quorum, voting eligibility, and the timeline. Staff noted that quorum is seven appointed, voting members, so substitutes would not be able to participate in the work session. Chair Newberry mentioned legislative leadership approved a report extension; the task force must still provide an update on December 1, but the final report is now due December 15, 2024.

### **Report and Timeline Update**

LPRO staff updated the task force on the report and timeline. The report will include the following elements:

- task force background
- meeting summaries
- timeline and process
- recommendations
- an appendix with questionnaire results
- questionnaire feedback and public comment

Staff reiterated that the questionnaire timeline and new December 15 report deadline should be kept in mind when scheduling a work session.



A task force member mentioned that recommendations could cover the larger context of the changing world of AI, and that it would be important to note that challenge to the legislature.

### **Meeting Materials**

- [Link](#) to LPRO presentation

### ***Meeting 7: November 1, 2024***

#### **Preliminary Questionnaire Results**

LPRO staff provided an overview of preliminary questionnaire results and received 187 complete responses to the questionnaire, with over 450 people having opened it. Respondents answered questions about each of 30 selected definitions as

- acceptable
- not acceptable
- neutral or
- do not know

Roughly every 10 questions, respondents had an opportunity to provide an open-ended response without a length limit. LPRO staff reviewed the definitions, agreement levels from respondents, and themes from written comments for each term. Based on standard deviation from the overall definition average, staff analyzed results to identify eight terms that had relatively high “not acceptable” and “neutral” definition responses:

- artificial intelligence
- AI system
- algorithmic discrimination
- bias
- deepfake
- distributor
- fairness
- trustworthy AI

Task force members were curious whether there were patterns of disagreement from specific industries to know where disagreement comes from. Staff noted this analysis will be shared at the next meeting and in the final report. Members also noted overlap between terms, such as “bias” and “discrimination,” and the need for better



differentiation in these cases. They also brought up applicability of federal law, such as laws regarding protected classes of people.

### **Draft Recommendations Discussion**

Chair Newberry led task force discussion regarding potential recommendations to the legislature, noting questionnaire respondents brought up both federal definitions and the NIST definitions, but that the NIST list alone would satisfy the task force charge of using federal sources. Further, the NIST list is also a living document with regular updates. He asked members for their thoughts, keeping in mind a final document should be helpful for legislators and not immediately obsolete.

Multiple members mentioned that knowing context for terms would be helpful, particularly given the evolving nature of AI as a field, and some members reported hearing discomfort with static definitions from their stakeholders. For example, knowing what policies or legislation that terms would apply to would make defining terms easier, as some terms can be context-specific, while others are more technical and have more longevity and broader applicability.

Some members also

- wanted to know what AI-related terms may already exist in statute,
- suggested that definitions be context-neutral, so legislators can modify them if needed, and
- expressed a preference that terms and definitions be clear and not too technical.

Some members reiterated curiosity about whether there were patterns among those who did not approve of AI terms in the questionnaire and whether respondents had provided their own sources for definitions, with one member suggesting a lot of disagreement on a term means that term is on the wrong track or should be excluded.

Other member comments included the following:

- AI is a computer system, and its use is being regulated, not its programming.
- Legislation in other states is fluid, also changes, and legislation is a negotiated process, so relying on other states' definitions could be problematic.
- Some definitions may be too specific while other important ones were not in the questionnaire list.
- Some definitions such as the one for deepfake cover intent, a concept beyond the task force's scope.
- Address overlap and potential hierarchies between AI terms.



- A resource guide and external definition source, or a list of principles instead of a list of terms, could be more useful to legislators and the task force charge.

#### Meeting Materials

- [Link](#) to LPRO presentation
- [Link](#) to all definitions suggested by the workgroups

### ***Meeting 8: November 15, 2024***

#### **Final Questionnaire Discussion**

During the previous meeting, task force members requested additional information about questionnaire replies.

LPRO provided data showing that of 187 respondents

- 31 respondents “straight-lined,” or gave the same answer to all 30 of the definitions in the questionnaire.

Of these 31 respondents

- 11 gave exclusively “acceptable” responses,
- 10 gave “not acceptable” responses,
- 5 gave “neutral” responses, and
- 5 do not know responses” for all definitions.

Of these respondents, those from the government sector were more likely to choose all “acceptable” answers, while those who declined to specify their sector were more likely to choose all “not acceptable” answers. Overall, straight-line answers were distributed among numerous sectors.

Respondents were also able to submit information on their own sources of definitions. Seven specifically mentioned the glossary from NIST. Single respondents recommended publications from the National Association of Insurance Commissioners, the Food and Drug Administration, and other entities.

Open responses noted AI is an emerging and evolving field. Some respondents wanted definitions tailored to Oregon contexts, while others wanted more national level standards. Health care and insurance sectors had concerns about different legislation in different states and state-level enforcement. Some noted they would want context on policy before supporting specific definitions.



## Public Hearing

The task force's draft recommendations were posted to OLIS, and a public hearing was scheduled. The public was able to register to testify before the task force members or to submit written comment.

No one signed up to testify before the task force, and one person submitted written testimony as of the meeting time. Chair Newberry noted the portal to submit written comment would be open until Sunday, November 17, at 10:00 am.

LPRO reviewed the task force charge of examining AI-related terms and definitions, beginning with those used by federal agencies, and making recommendations to the Legislative Assembly. The draft recommendations were compiled based on previous task force discussions and guidelines that members have suggested for legislators to consider when crafting AI-related legislation.

LPRO reminded the task force that the final recommendations and vote on those are scheduled for the December 3 meeting. Chair Newberry then opened up discussion on draft recommendations.

## Recommendation 1: Terms and Definitions Sources

*The Joint Task Force on Artificial Intelligence recommends that AI-related terms and definitions in the National Institute of Standards & Technology (NIST) Language of Trustworthy AI: An In-depth Glossary of Terms should be the primary federal resource for drafting legislation in Oregon.*

*Other authoritative sources for AI-related terms and definitions include:*

- *International Association of Privacy Professionals' (IAPP) Key Terms for AI Governance.*
- *International Organization for Standardization (ISO) and International Electrotechnical Commission (IEC) policy ISO/IEC 22989: 2022.*

Task force members expressed satisfaction with the draft recommendation covering terms and definitions. They suggested adding secondary resources, such as the AI principles from the Organization for Economic Cooperation and Development (OECD), and the European Union (EU) Artificial Intelligence Act.

Members also noted there are industry-specific sets of definitions that may be useful for legislation in their respective topic areas, with health care and industry suggested as potential examples to note in the report. They noted the main message is terms and definitions will change, and that a definition may not be suitable for all situations.





## **Recommendation 2: Guidelines**

*When drafting AI-related legislation in Oregon, the task force recommends the following guidelines around terms and definitions:*

- *Recognize that AI technology is rapidly evolving, requiring ongoing legislative conversation and monitoring.*
- *Consider the context if a definition in statute is needed by looking at existing Oregon law that may apply without a specific AI definition cited, or if a statute may need to be amended to clarify the use of AI.*
- *Exercise caution when adopting other states' AI definitions, as statutory terms change and differ between states.*
- *Be cautious when adding AI terms to existing statutes and laws regarding prohibited actions (i.e., illegal activity) and consider how legislation applies to the underlying AI technology versus how people and organizations use AI. The Task Force recommends regulating uses of AI technologies rather than attempting to regulate specific AI technologies.*
- *When choosing definitions, technical and/or science-based AI-related terms and definitions tend to have more longevity.*

Regarding these draft guidelines, members reiterated that the context of how AI is used is more important than the underlying technology of AI. They suggested breaking the first bullet point into two separate points and reverse the order, so the second sentence was given priority. Members again noted AI technology is rapidly evolving and changing. Members also suggested removing "regulate" from the recommendations and preferred language closer to "related to."

## **Meeting Materials**

- [Link](#) to written comments
- [Link](#) to LPRO presentation
- [Link](#) to draft task force recommendations
- [Link](#) to witness registration list

## ***Meeting 9: December 3, 2024***

This was the final meeting of the Joint Task Force on Artificial Intelligence. Chair Newberry opened a work session. LPRO staff walked members through the process of making a motion to adopt recommendations, reviewed the draft recommendations, and noted that a quorum was present.



Members discussed potential conflict between recommending use of the European Union's (EU) Artificial Intelligence Act, while also recommending caution when using other jurisdictions' statutory terms. Chair Newberry noted the recommendations suggest using caution with using terms from other states' or countries' legislation, but do not prohibit doing so, and that they are recommending the EU Act as a secondary source rather than a primary source.

Members suggested clarifying language for the guideline, "Exercise caution when adopting other states' AI definitions, as statutory terms change and differ between states." The word "states" was changed to "jurisdictions," while the sentence was shortened to remove "between states" from the end. LPRO made these adjustments on screen prior to members making a motion to adopt revised recommendations.

A member made a motion to adopt the task force recommendations. All 10 voting members present voted in favor of adopting the recommendations to the legislature, and Chair Newberry closed the work session.

Chair Newberry opened the floor for members to make final remarks to the task force. Members noted the difficulty of the work, and they made positive remarks regarding approach, civility, and engagement.

## **Stakeholder Outreach**

HB 4153 (2024) required the task force to seek input from a broad range of stakeholders, including stakeholders from institutions of higher education and consumer advocacy groups, as well as small, medium, and large businesses affected by artificial intelligence policies.

To meet this goal, the task force decided to send a questionnaire on 30 key terms and their definitions to a list of stakeholders for feedback. For the full list of questionnaire terms and definitions, please see Appendix A, Table A.1.

### **Questionnaire Methodology**

The questionnaire contained three types of questions: 3 introductory questions; 30 multiple-choice answers; and 3 open-response sections.

1. The introductory questions asked for the respondent's industry/sector, as well as if their industry or sector has a list or other source of AI-related definitions that the task force should be aware of.



- The 30 multiple-choice questions provide the AI-related term and the definition selected by the task force, followed by 4 response options: "acceptable," "not acceptable," "neutral," "I don't know."
  - Note: Answers to these 30 questions were required in order to complete the questionnaire.
2. Respondents also had 3 opportunities (every 10 definitions) to provide open-ended responses about one or more definitions. Note that the questionnaire did not limit the character count in these sections.
    - Note: Answers to these 3 open-ended questions were *not* required to complete the questionnaire.

The questionnaire was created and fielded in Qualtrics and distributed to an email list compiled by task force members. Responses were collected anonymously. Respondents were encouraged at the beginning and end of the questionnaire to share the questionnaire link with other Oregon-based organizations.

### **Questionnaire Results**

The questionnaire was open from October 14, 2024, to October 28, 2024, and 450 people began the questionnaire while 187 of them completed it. Only the completed questionnaires were analyzed.

See Table 3 for a breakdown of questionnaire respondents by sector or industry. The three most common professional areas among questionnaire participants were government, the information industry, and higher education.



**Table 3: Questionnaire Respondents by Sector or Industry**

Sector or Industry	Respondent Count
Government	31
Information	29
Higher Education	27
Health Services	21
Professional and Business Services	17
<i>[Declined to Answer]</i>	<i>15</i>
Financial Activities	14
Nonprofit	9
Manufacturing	9
Trade, Transportation, and Utilities	7
Self-Employment	4
Education K-12	3
Leisure and Hospitality	1
<b>Total</b>	<b>187</b>

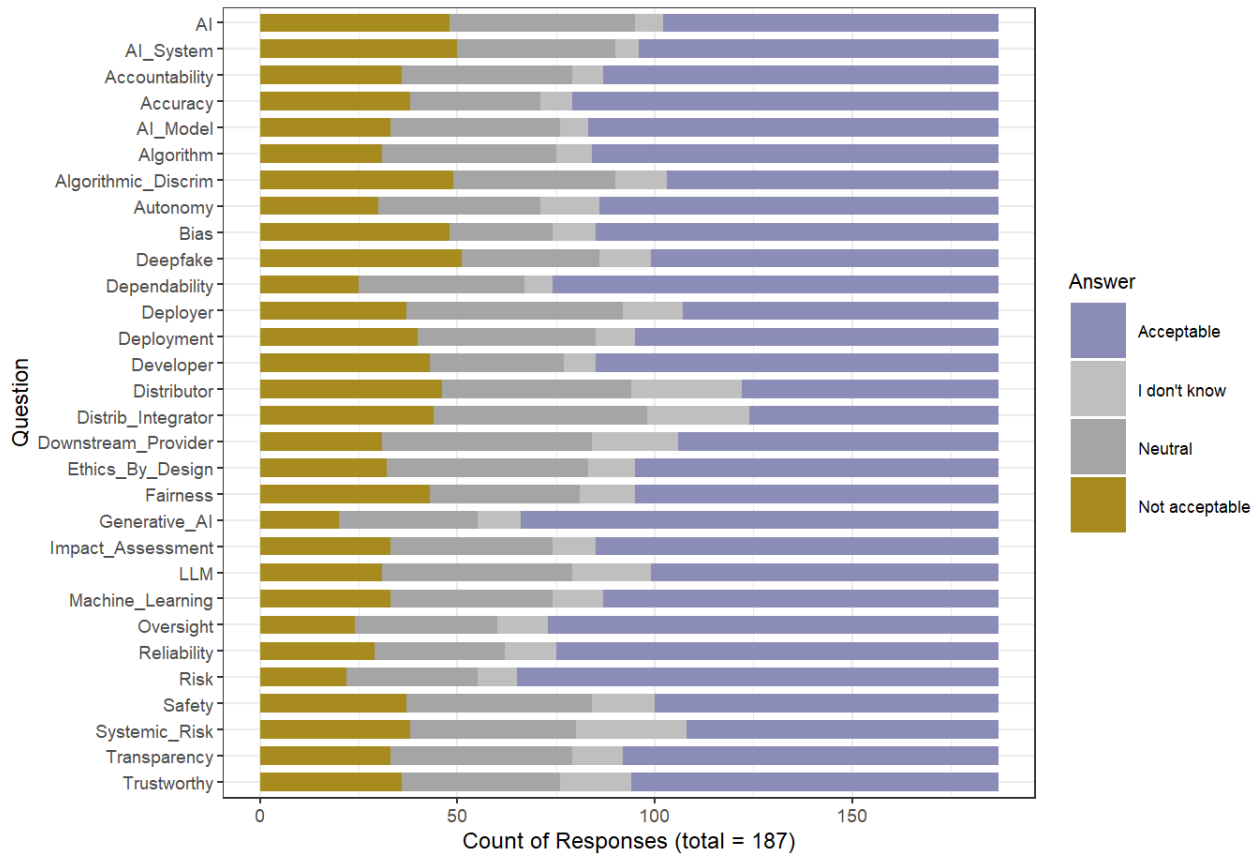
Source: LPRO

### Quantitative Analysis

Across all 30 definitions, on average respondents were most likely to respond that any given term was “acceptable,” followed by “unacceptable,” then “neutral,” then “I don’t know.” (See Table 4 for the questionnaire results displayed by definition and sorted alphabetically.) All respondents were required to give a multiple-choice response to the 30 questions. The three open-response questions were optional for questionnaire respondents, but 43 percent of respondents filled out at least one of those three sections, and 16 percent of respondents filled out all three.



**Table 4: AI Term Response Results**



Source: LRPO

At the November 10, 2024, meeting, a task force member requested additional analysis from LRPO. The member posed the question: Did any respondents provide the same answer across all 30 definitions (i.e. all “unacceptable” or all “acceptable”) And if so, did these types of respondents tend to work in specific industries?

There were a total of 31 respondents who provided the same answer across all definitions. Of those, 11 marked all definitions as “acceptable,” 10 marked all definitions as “unacceptable,” 5 marked all as “neutral,” and another 5 marked all “I don’t know.” See Table 5 for a breakdown of those 31 respondents by their industry/sector.



**Table 5: Response Trends by Sector/Industry**

Sector or Industry	Respondent Count	All "Acceptable"	All "Neutral"	All "Not acceptable"	All "I don't know"
Government	31	4	2		
Information	29	1			
Higher Education	27	1			
Health Services	21	1	1	1	
Professional and Business Services	17	1	1	2	1
<i>[Declined to Answer]</i>	15	1		3	3
Financial Activities	14		1		
Nonprofit	9			1	1
Manufacturing	9	2		1	
Trade, Transportation, and Utilities	7			1	
Self-Employment	4			1	
Education K-12	3				
Leisure and Hospitality	1				
<b>Total:</b>	<b>187</b>	<b>11</b>	<b>5</b>	<b>10</b>	<b>5</b>

Source: LPRO

**Qualitative Analysis: Identifying Least Popular Terms**

Of the 30 definitions, eight definitions were identified as eliciting high levels of disagreement and/or low levels of agreement including: artificial intelligence; AI system; algorithmic discrimination; bias; deepfake; distributor; fairness; and trustworthy AI. "High levels of disagreement" was defined as terms with a response count of "Not Acceptable" more than 1 standard deviation above the overall mean of "Not Acceptable" responses.

Open-response data for these eight definitions was extracted and analyzed via deductive thematic analysis, and the qualitative data was presented to the task force on November 1, 2024. The thematic analysis identified two main themes for the open-response data: suggestions to replace the entire definition with another definition, and suggestions to revise specific parts of the definition. A third miscellaneous category was also created to capture respondent commentary that



does not fit into the first two categories. For more information on the specific comments and themes for the eight terms, please see Appendix B, Table B.1.

### **Qualitative Analysis: Broad Themes**

While most participants provided open-response feedback on one or more specific definitions, some participants elected to provide broad recommendations or commentary about the challenges of defining AI terms.

Broad comments were separated from definition-specific comments and were thematically analyzed using an inductive approach. The following themes were identified:

- Scoping terms is difficult – terms were often described as too ambiguous or too broad.
- AI is an emerging, constantly evolving field so definitions become outdated quickly.
- There is tension between the desire to tailor definitions to Oregon contexts, and the desire to standardize them nationally.
  - Respondents in healthcare and insurance sectors reported concerns about adhering to a patchwork of legislation and enforcement.
- Policy context is needed before most people/organizations will provide support for a specific definition.
- Consider aligning terms with existing, regularly updated standards (NIST, ISO/IEC).
- Some respondents think we should always assume AI is inherently neutral (and remove any references to sociological concerns), and others think AI should never be assumed to be neutral.
- Respondents showed considerable appetite for strategies of measurement, benchmarking, and monitoring of the social and economic impacts of AI-related legislation.

## **Task Force Recommendations**

The Joint Task Force on Artificial Intelligence, established by House Bill 4153 in 2024, was tasked with examining AI-related terms and definitions for potential legislative use. The task force began with definitions used by federal agencies and incorporated additional industry definition sources to identify 30 high-priority terms and definitions.



Feedback on these terms was elicited from a range of stakeholders (including higher education, consumer advocacy groups, and industry) via a questionnaire. Consistent themes from the questionnaire included the difficulty of scoping definitions within an emerging and evolving field, and a wide desire to understand the policy context of any given definition before strong support can be given by stakeholders.

## Task Force Recommendations

### ***Recommendation 1: Definitions and Sources***

The Joint Task Force on Artificial Intelligence recommends that AI-related terms and definitions in the *National Institute of Standards & Technology (NIST) Language of Trustworthy AI: An In-depth Glossary of Terms* should be the primary federal resource for drafting legislation in Oregon.

Secondary authoritative sources for AI-related terms and definitions include the following:

- International Association of Privacy Professionals (IAPP) *Key Terms for AI Governance*
- International Organization for Standardization (ISO) and International Electrotechnical Commission (IEC) *Policy ISO/IEC 22989: 2022*
- Organization for Economic Cooperation & Development (OECD) *AI Principles*
- European Union (EU) *EU Artificial Intelligence Act*

The Task Force also advises there may be industry-specific resources for AI-related terms and definitions; two examples are the Food and Drug Administration's *FDA Digital Health and Artificial Intelligence Glossary* and the National Association of Insurance Commissioners (NAIC) Model Bulletin: *Use of Artificial Intelligence Systems by Insurers*.

### ***Recommendation 2: Guidelines for Drafting Legislation***

When drafting AI-related legislation in Oregon, the task force recommends the following guidelines around terms and definitions:

- The Task Force recommends using terms and definitions related to the uses and applications of AI technologies, rather than specific AI technologies.
- Be cautious when adding AI terms to existing statutes and laws regarding prohibited actions (i.e., illegal activity) and consider how legislation applies to how people and organizations use AI instead of AI technology.
- Recognize that AI technology is rapidly evolving, requiring ongoing legislative conversation and monitoring of its current and likely applications.





- When deciding whether to include an AI definition in statute, look first to see whether existing Oregon law may apply without a specific AI definition cited, whether a statute may be amended to clarify the use of AI, and whether a statute may benefit from the inclusion of an AI use-case as an example.
- Exercise caution when adopting other jurisdictions' AI definitions, as statutory terms change and differ.
- When choosing definitions, technical and/or science-based AI-related terms and definitions tend to have more longevity.



## Appendix A: Questionnaire Terms and Definitions

**Table A.1: Terms and Definitions from the Stakeholder Questionnaire**

Term	Definition	Resource Link
Accountability	The obligations and responsibilities of an AI system's developers and deployers to ensure the system operates in a manner that is ethical, fair, transparent and compliant with applicable rules and regulations (see also fairness and transparency). Accountability ensures the actions, decisions and outcomes of an AI system can be traced back to the entity responsible for it.	<a href="#">IAPP Key Terms for AI Governance</a>
Accuracy	The degree to which an AI system correctly performs its intended task. It is the measure of the system's performance and effectiveness in producing correct outputs based on its input data. Accuracy is a critical metric in evaluating the reliability of an AI model, especially in applications requiring high precision, such as medical diagnoses.	<a href="#">IAPP Key Terms for AI Governance</a>
AI Model	A component of an information system that implements AI technology and uses computational, statistical, or machine-learning techniques to produce outputs from a given set of inputs.	<a href="#">Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence</a>
AI System	Any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.	<a href="#">Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence</a>
Algorithm	A set of computational rules to be followed to solve a mathematical problem. More recently, the term has been adopted to refer to a process to be followed, often by a computer.	<a href="#">National Institute of Standards &amp; Technology</a>
Algorithmic Discrimination	Any use of a software system, including but not limited to an artificial intelligence system, that violates state or federal anti-discriminations law.	Created by some members of Technology/Methodology subgroup



Term	Definition	Resource Link
Artificial Intelligence	A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. 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.	<a href="#">Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence</a>
Autonomy	A system’s level of independence from human involvement and ability to operate without human intervention. [Different AI systems have different levels of autonomy.] An autonomous system has a set of learning, adaptive and analytical capabilities to respond to situations that were not pre-programmed or anticipated (i.e., decision-based responses) prior to system deployment. Autonomous or semi- autonomous AI systems can be characterized as "human-in-the-loop", "human- on-the-loop", or "human-out-of-the loop" systems depending on their level of meaningful involvement of human beings.	NIST Glossary – with some modifications
Bias	The presence of prejudice or favoritism in AI systems that leads to unfair or discriminatory outcomes. AI can inherit biases from training data or human input, affecting groups based on gender, race, age, etc.	<a href="#">IAPP Key Terms for AI Governance</a>
Deep Fake	Multimedia that has either been synthetically created or manipulated using some form of machine or deep learning (artificial intelligence) technology. Other terms used to describe media that have been synthetically generated and/or manipulated include Shallow/Cheap Fakes, Generative AI, and Computer Generated Imagery (CGI).	<a href="#">National Security Administration</a>
Dependability	Ability to perform as and when required	<a href="#">NIST Glossary</a>
Deployer	A second party performing the deployment of an artificial intelligence software or system to a first-party customer.	Created by some members of



Term	Definition	Resource Link
		Technology/Metho dology subgroup
Deployment	Phase of an artificial intelligence project in which a system is put into operation and customer issues are resolved	<a href="#">National Institute of Standards &amp; Technology</a>
Developer	A general term that includes artificial intelligence developers or manufacturers of systems, system components, or system services; systems integrators; vendors; and product resellers. Development of systems, components, or services can occur internally within organizations or through external entities	<a href="#">National Institute of Standards &amp; Technology</a>
Distributor	a natural or legal person in the supply chain, other than the provider or the importer, that makes an AI system available on the Union market	<a href="#">European Union AI Act. Article 3: Definitions.</a>
Distributor/ Integrator	Natural or legal person that knowingly resells a General Purpose AI System, or integrates a General Purpose AI System into a software application and offers said integration to the general public. An Integrator is neither a Developer nor a Deployer, nor will any person be deemed an Integrator as a result of offering or redistributing preexisting information technology infrastructure.	Created by some members of Technology/Metho dology subgroup
Downstream Provider	a provider of an AI system, including a general-purpose AI system, which integrates an AI model, regardless of whether the AI model is provided by themselves and vertically integrated or provided by another entity based on contractual relations	<a href="#">European Union AI Act. Article 3:Definitions.</a>
Ethics by Design	An approach to technology ethics and a key component of responsible innovation that aims to integrate ethics in the design and development stage of the technology. Sometimes formulated as "embedding values in design." Similar terms are "value-sensitive design" and "ethically aligned design."	<a href="#">NIST Glossary</a>



Term	Definition	Resource Link
Fairness	An attribute of an AI system that prioritizes relatively equal treatment of individuals or groups in its decisions and actions in a consistent, accurate and measurable manner. Every model must identify the appropriate standard of fairness that best applies, but most often it the AI system's decisions should not adversely impact, whether directly or disparately, sensitive attributes like race, gender or religion.	<a href="#">IAPP Key Terms for AI Governance</a>
Generative AI	the class of AI models that emulate the structure and characteristics of input data in order to generate derived synthetic content. This can include images, videos, audio, text, and other digital content.	<a href="#">Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence</a>
Impact Assessment	A risk management tool that seeks to ensure an organization has sufficiently considered a system's relative benefits and costs before implementation. In the context of AI, an impact assessment helps to answer a simple question: alongside this system's intended use, for whom could it fail?	<a href="#">NIST Glossary - definition 1</a>
Large Language Model	A class of language models that use deep-learning algorithms and are trained on extremely large textual datasets that can be multiple terabytes in size. LLMs can be classed into two types: generative or discriminatory. Generative LLMs are models that output text, such as the answer to a question or even writing an essay on a specific topic. They are typically unsupervised or semi-supervised learning models that predict what the response is for a given task. Discriminatory LLMs are supervised learning models that usually focus on classifying text, such as determining whether a text was made by a human or AI.	<a href="#">NIST Glossary</a>
Machine Learning	a set of techniques that can be used to train AI algorithms to improve performance at a task based on data.	<a href="#">Executive Order on the Safe, Secure, and Trustworthy Development and</a>



Term	Definition	Resource Link
Oversight	The process of effectively monitoring and supervising an AI system to minimize risks, ensure regulatory compliance and uphold responsible practices. Oversight is important for effective AI governance, and mechanisms may include certification processes, conformity assessments and regulatory authorities responsible for enforcement.	<a href="#">Use of Artificial Intelligence</a> <a href="#">IAPP Key Terms for AI Governance</a>
Reliability	An attribute of an AI system that ensures it behaves as expected and performs its intended function consistently and accurately, even with new data that it has not been trained on.	<a href="#">IAPP Key Terms for AI Governance</a>
Risk	The combination of the probability of an occurrence of harm and the severity of that harm	<a href="#">European Union AI Act. Article 3: Definitions.</a>
Safety	A broad term, which may refer to designing, developing and deploying AI systems that minimize AI harms from misinformation, disinformation, deepfakes, hallucinations and other unintended behaviors. It may also refer to mitigating and managing malicious use or rogue behavior. Safety also encompasses the prevention of existential or unexpected risks that may arise from advanced AI capabilities reflected in foundation models.	<a href="#">IAPP Key Terms for AI Governance</a>
Systemic Risk	A risk that is specific to the high-impact capabilities of general-purpose AI models, having a significant impact on the Union market due to their reach, or due to actual or reasonably foreseeable negative effects on public health, safety, public security, fundamental rights, or the society as a whole, that can be propagated at scale across the value chain.	<a href="#">European Union AI Act. Article 3: Definitions</a>



Term	Definition	Resource Link
<p>Transparency</p>	<p>A broad term that implies openness, comprehensibility and accountability in the way AI algorithms function and make decisions. However, the specific meaning of transparency may vary depending on context. May refer to the extent to which information regarding an AI system is made available to stakeholders, including disclosing if AI is used through techniques like watermarking, and explaining how the model works through model or system cards for example. It also refers to maintenance of technical and nontechnical documentation across the AI life cycle to keep track of processes and decision-making, which can also assist with auditability of the AI system. In the open-source context, transparency may refer to making the source code publicly accessible.</p>	<p><a href="#">IAPP Key Terms for AI Governance</a></p>
<p>Trustworthy AI</p>	<p>In most cases, this term is used interchangeably with the terms responsible AI and ethical AI, which all refer to principle-based AI development and AI governance, including the principles of security, safety, transparency, explainability, accountability, privacy and nondiscrimination/non-bias (see also bias), among others.</p>	<p><a href="#">IAPP Key Terms for AI Governance</a></p>

*Source: Listed references organized by LPRO*



## Appendix B: Questionnaire Analyses

**Table B.1: Questionnaire Terms With the Least Consensus**

Term	Suggestions to Replace	Suggestions to Revise	Other Suggestions
Artificial Intelligence	<ul style="list-style-type: none"> <li>- A definition of a field of research/study.</li> <li>- Consider NIST or CA state instead.</li> </ul>	<ul style="list-style-type: none"> <li>- Tailor &amp; sharpen.</li> <li>- Update w/ language about generative AI.</li> <li>- Remove anthropomorphic language.</li> </ul>	<ul style="list-style-type: none"> <li>- The definition should not encompass related concepts such as: google searches, computer programs, other statistical methods, or Instagram filters.</li> </ul>
AI System	NA	<ul style="list-style-type: none"> <li>- Tailor and sharpen.</li> <li>- Consider "AI Enhanced" or "AI Supplemented."</li> </ul>	<ul style="list-style-type: none"> <li>- Need for breadth of definition across different sectors and technologies.</li> </ul>
Algorithmic Discrimination	<ul style="list-style-type: none"> <li>- White House OSTP definition</li> </ul> <p>Another term that doesn't imply similar legal liability as human-to-human discrimination.</p>	NA	NA
Bias	NA	<p>Add disability and other groups, instead of (or in addition) to "etc."</p> <p>Define specific sub-types of bias relevant to information industry (representation, algorithmic, and/or measurement bias).</p>	<p>Bias already has an established, non-sociological meaning in information industry.</p>
Deepfake	NIST definition (updated October 2024)	Separate from generative AI.	Sectors (e.g. healthcare) beyond media.





Term	Suggestions to Replace	Suggestions to Revise	Other Suggestions
		<p>Add language on “intent to do harm” or “intent to manipulate.”</p> <p>Avoid restricting fictional art.</p> <p>Clarify &amp; narrow the definition.</p>	
Distributor	NA	<p>Replace “Union Market.”</p> <p>Replace “a natural or legal person” with “a legal entity.”</p>	Cases when the distributor is the provider of the system (i.e. MS marketplace, google marketplace, etc.)
Fairness	NA	<p>Include reference to “algorithmic or AI fairness.”</p> <p>Replace ‘equal’ with ‘equitable.’</p>	<p>Fairness can vary depending on the specific application and context of the AI system.</p> <p>There’s a desire to measure fairness “objectively” with benchmarks, but no specific suggestions.</p>
Trustworthy AI	NA	<p>Add references to fairness and equity.</p> <p>Add “accuracy” to the list of principles.</p> <p>Clarify what “trustworthy” of AI will require of industry.</p>	NA



**Table B.2: Resources Identified by Questionnaire Respondents**

Organization	Resource Name	Count
National Institute of Standards and Technology (NIST)	The Language of Trustworthy AI: An In-Depth Glossary of Terms	7
National Association of Insurance Commissioners (NAIC)	NAIC Model Bulletin: Use of Artificial Intelligence Systems by Insurers	3
Food and Drug Administration (FDA)	Medical Device (SaMD) framework, the FDA AI/ML Action Plan	2
Agency for Healthcare Research and Quality (AHRQ)	Not Specified	1
Association for the Advancement of Artificial Intelligence (AAAI)	Not Specified	1
City of San Jose, Government AI Coalition	AI Policy Manual, AI Fact Sheet, others	1
Coalition for Health AI	Assurance Standards Guide & Assurance Reporting Checklist	1
Colorado Senate	CO SB 169 (Restrict Insurers' Use Of External Consumer Data)	1
Department of Regulatory Agencies, Division of Insurance	3 CCR 702-10: Unfair Discrimination	1
National Telecommunications and Information Administration (NTIA)	AI Accountability Policy Report: Glossary of Terms	1
New York State Department of Financial Services	Insurance Circular Letter No. 7	1
Organisation for Economic Co-operation and Development (OECD)	Recommendation of the Council on Artificial Intelligence	1
Roadster Capital	Responsible AI for Startups	1
Stanford University Center for Human-Centered Artificial Intelligence	Artificial Intelligence Definitions	1
The Synthetic Sentience Research Foundation	Not Specified	1
WCET	AI Education Policy & Practice Ecosystem Framework	1
Wikipedia	Glossary of Artificial Intelligence	1