

## **Frequently Asked Questions on the National Artificial Intelligence Advisory Committee Nominations Requirements and Process**

### **Q. When are nominations for the Committee and Subcommittee on Artificial Intelligence and Law Enforcement due?**

**A.**

- Nominations to serve on the inaugural Committee and Subcommittee on Artificial Intelligence and Law Enforcement must be submitted by 5:00 p.m. Eastern Time on October 25, 2021.
- After initial members are appointed, nominations for the Committee and Subcommittee will be accepted on an ongoing basis and will be considered as and when vacancies arise.

### **Q. What is required for a nomination submission?**

**A.**

- The Federal Register Notice announcing the call for nominations contains all necessary details to apply for membership.
- A summary of the candidate's qualifications should be included with the nomination. This includes specifying the field of eminence for which the candidate is qualified and, where applicable, an indication as to whether the nominee currently serves or formerly served on Federal advisory boards or in Federal employment.
- Each nomination letter should state:
  - Whether the candidate seeks to serve on the Committee, the Subcommittee, or both, and
  - That the candidate acknowledges the responsibilities of serving and will actively participate in good faith in the tasks of the Committee or Subcommittee, as appropriate.
- Self and third-party nominations are permitted. Third-party nominations should state that the candidate agrees to the nomination.
- Nominees should:
  - Represent broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities—including civil rights and disability rights organizations—or Federal laboratories.
  - Represent geographic diversity and be qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, or economic competitiveness relate to artificial intelligence.
  - Possess the ability to contribute to recommendations on topics including: the current state of U.S. AI competitiveness and leadership; progress in implementing the National AI Initiative; the state of science around AI; issues related to AI and the U.S. workforce; how to leverage National AI Initiative resources; the need to update the National AI Initiative; the balance of activities and funding across the

National AI Initiative; whether the strategic plan developed or updated by the Interagency Committee established under Section 5103(d)(2) of the AI Initiative Act is helping to maintain U.S. leadership in AI management, coordination, and activities of the national AI Initiative; adequacy of addressing societal issues; opportunities for international cooperation; issues related to accountability and legal rights; and how AI can enhance opportunities for diverse geographic regions.

**Q. Does the nomination have to be in a certain format?**

A.

- No specific format is required. Nominations should contain all necessary details to apply for membership. (*See question* on requirements for nominations)

**Q. Can someone be nominated solely to serve on the Subcommittee on Artificial Intelligence and Law Enforcement? Or do they have to be a member of the full Committee and then selected to serve on the Subcommittee?**

A.

- Nominations may be submitted to serve on *either* or *both* the Committee or Subcommittee on Artificial Intelligence and Law Enforcement.
- Members of the Subcommittee do not necessarily have to be members of the full Committee.
- Subcommittee membership may be drawn in whole or in part from the Committee and the Department of Commerce requires that each subcommittee include at least one member of the Committee.

**Q. Who may submit a nomination? Is a letter from a Member of Congress, industry Chief Executive Officer, or other prominent leader required?**

A.

- No, there are no statutory restrictions or requirements on who may submit a nomination. Nominations, be they self-nominations or from a third-party, should contain all necessary details to apply for membership. Selections will be based on expertise and merit. (*See question* on requirements for nominations)

**Q. May I nominate myself?**

A.

- Yes, self-nominations may be submitted.

**Q. Can more than one person from the same employer, organization, or industry area be nominated?**

**A.**

- Yes. Any qualified candidate who can contribute to the statutory mission of the Committee may be nominated. (*See questions* on requirements for nominations and diversity)

**Q. Can Federal employees be nominated for the Committee or Subcommittee?**

**A.**

- Yes, under Section 5104 of the National Artificial Intelligence Initiative Act of 2020 (Pub. L. No. 116-283) Federal employees may be nominated to serve on the Committee or Subcommittee. (*See question* on service capacity for more information)

**Q. In what capacities of membership will members of the Committee serve?**

**A.**

- Members of the Committee who are not full-time or permanent part-time Federal officers or employees and appointed for their individual expertise and experience will be appointed to serve as Special Government Employees (SGEs). Members appointed on for individual expertise will serve as Representatives. Members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102.3.130(h) to serve as Regular Government Employee (RGE) members. Members will be individually advised of the capacity in which they will serve.

**Q: What would happen if a potential conflict arises between the Committee or Subcommittee and my organization or place of employment? Would membership on the Committee or Subcommittee impact my business or organization?**

**A:**

- Members shall abide by the Federal Advisory Committee Act, as amended, and associated regulations, and Federal laws and rules of ethics. Members may be expected to recuse themselves from discussions and decisions presenting a conflict of interest, as determined on a case-by-case basis.

**Q: The call for nomination says that the Commerce Department seeks a diverse Committee and Subcommittee membership. How is the department fostering diversity in the nomination and selection process?**

**A.**

- The Department of Commerce is partnering with the Office of Science and Technology Policy, the Departments of Defense, Energy, State, and Justice, and the Office of the Director of National Intelligence to engage many parts of government, industry, and society in promoting this opportunity.

- To reach candidates with a wide range of professional and technical expertise, from all backgrounds and corners of the nation, broad outreach is ongoing to Congress, industry, nonprofit and civil society organizations (including those focused on privacy, civil rights, and disability rights), labor, the scientific community (including national laboratories, the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, and academic institutions), and the defense and law enforcement communities.
- Members will represent broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities, including civil rights and disability rights organizations, and Federal laboratories. Members will represent geographic diversity and be highly qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, and economic competitiveness related to artificial intelligence.

**Q. How many members will be on the Committee?**

**A.**

- The Committee will have no fewer than nine members.

**Q. What is the time commitment for Committee members and when would the Committee begin its work?**

**A.**

- Committee members serve three-year terms and may serve two consecutive terms at the discretion of the Secretary.
- Committee meetings will be conducted at least twice per year at the call of the Designated Federal Officer (DFO) or Alternate DFO in consultation with the Committee Chairperson. Additional meetings may be called by the President or DFO.
- The Committee will begin work soon after its members are appointed.

**Q. Who selects the Committee and Subcommittee members from the nominees?**

**A.**

- The Secretary of Commerce appoints members to the Committee and the Subcommittee on Artificial Intelligence and Law Enforcement.
- In addition, the Secretary of Commerce will appoint the Chairperson and Vice Chairperson of the Committee from among the members of the Committee.
- The Commerce Department will consult with the National AI Initiative Office (NAIIO) in the White House Office of Science and Technology Policy (OSTP) before the Secretary selects members.
- In selecting the members, the Secretary of Commerce will seek and consider recommendations from Congress, industry, nonprofit organizations, the scientific community (including the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, and academic institutions), the defense and law enforcement communities, and other appropriate organizations.

**Q. What is the role of the National Institute of Standards (NIST) in this process?**

**A:**

- The Secretary of Commerce delegated management and administrative support of the Committee selection process to NIST. NIST will conduct initial review of nominations and ensure they meet the statutory qualifications to be selected for the Committee.
- The Director of NIST makes recommendations to the Secretary of Commerce consistent with the Committee's Membership Balance Plan and considering the sectors the candidates may represent, the scientific and technical expertise needed, and the existing representation on the Committee. In addition, a review will be conducted to ensure compliance with Federal governance requirements, including compliance with the Committee's Charter and Membership Balance Plan.
- The Secretary of Commerce will make the final decision on appointments to the Committee.

**Q. What are the roles of NIST and the National AI Initiative Office (NAIIO) in the White House Office of Science and Technology Policy (OSTP) in managing the Committee?**

**A.**

- Section 5104 of the National Artificial Intelligence Initiative Act of 2020 (Pub. L. No. 116-283) requires the Secretary of Commerce to establish the Committee in consultation with the Director of the Office of Science and Technology Policy, the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Attorney General, and the Director of National Intelligence.
- The Secretary of Commerce has designated NIST to provide day-to-day management and administrative support to the Committee. NIST will support the Committee and ensure compliance with the requirements of the Federal Advisory Committee Act (FACA), governing federal statutes and regulations, and Department of Commerce policies and procedures.
- The statute specifies that the Committee will advise the President and the NAIIO on matters related to the AI National Initiative. NAIIO will be consulted and involved directly as NIST provides management and administrative support to the Committee.