

Policy Approaches and Risk Management for Artificial Intelligence

Presentation to the
Courts, Corrections, and Justice
Interim Committee

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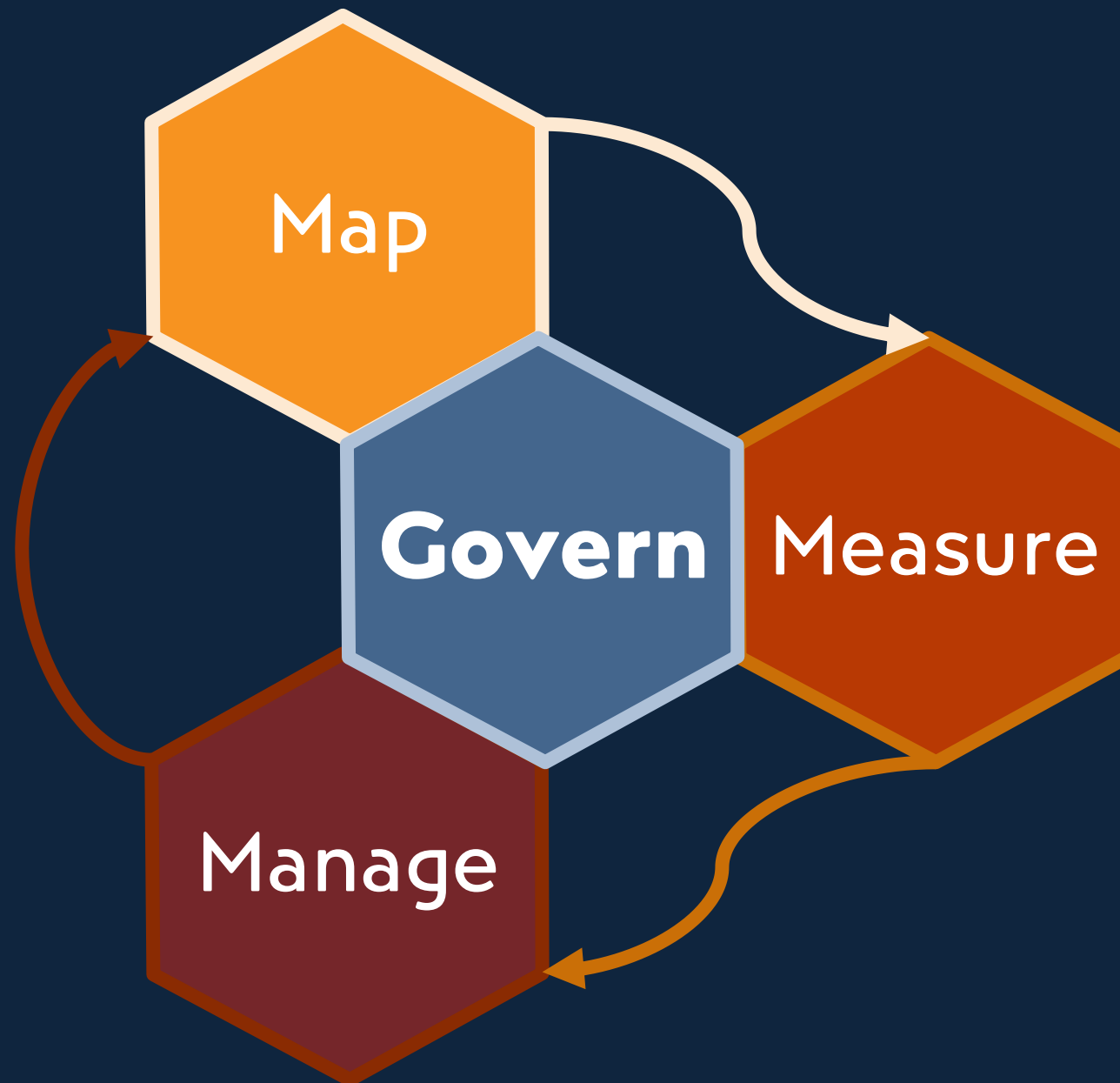
I. Agenda

- I. Agenda - Why I'm Here
- II. Taxonomy for Artificial Intelligence
- III. Federal Action on AI
 - Congress and Executive Orders
 - NIST AI Risk Management Framework
 - AI in Critical Infrastructure
- IV. Risk Management for New Mexico Infrastructure
- V. Resources for Policymakers
- VI. **Recommendation:** Improve the State's capacity to Govern, Map, Measure, and Manage AI

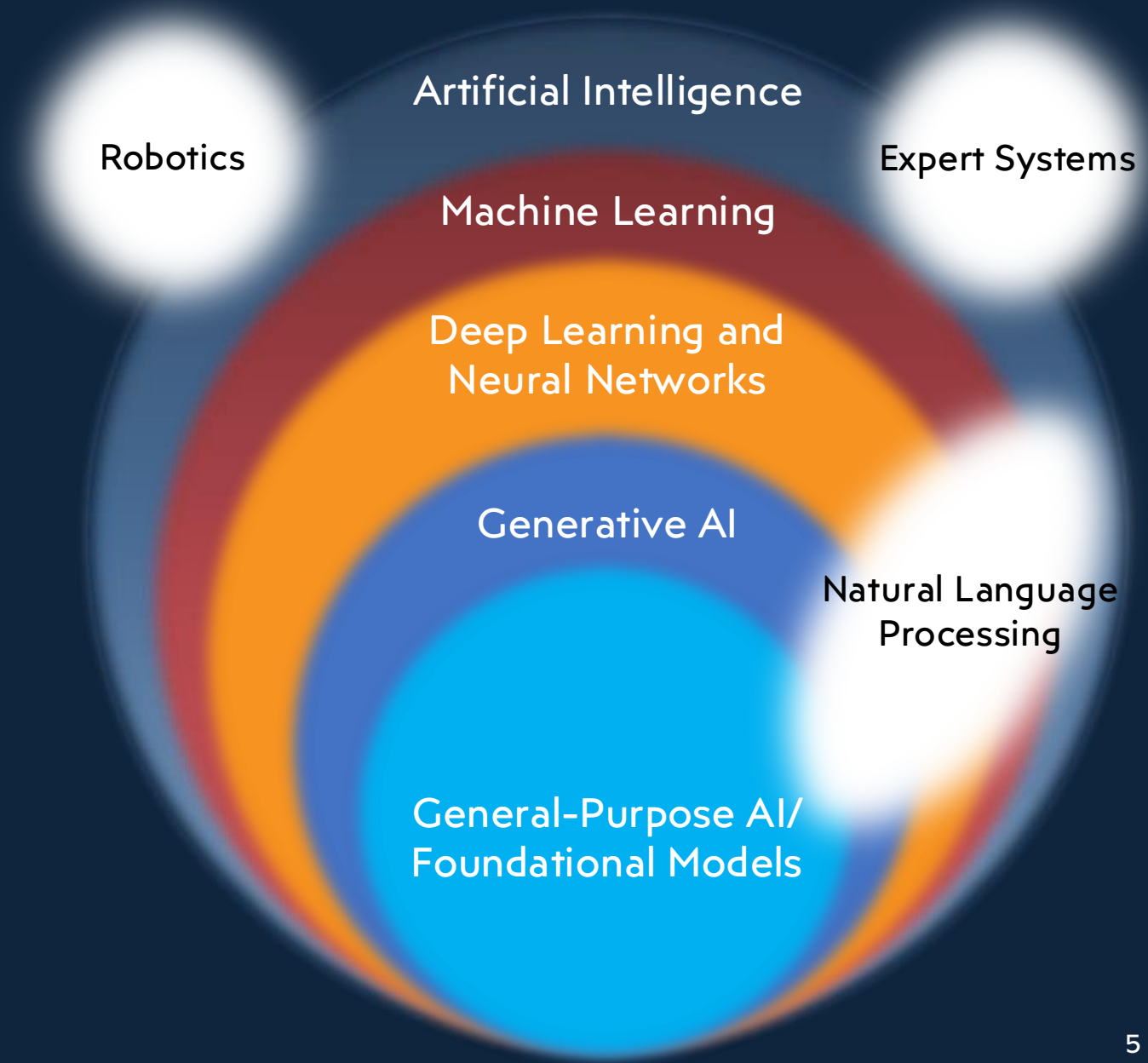
I. **Agenda** Why I'm Here

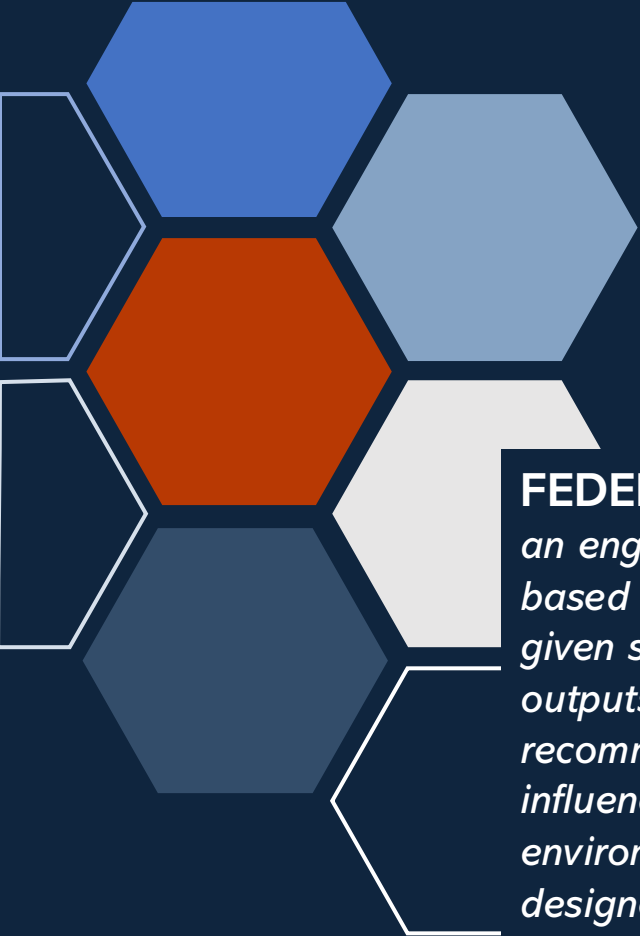
- OBAE Mission
 - Broadband: Last mile, middle mile, long haul fiber
 - Education and Consumer Protection: Digital Literacy
 - Federal Compliance: CIPA/COPPA under E-Rate
 - Tribal Sovereignty and Collaboration
- OBAE Resources
 - Middle Mile Map
 - Permitting and Right of Way
- Risk to BEAD – AI Executive Order
- 14 Years Staff in the United States Senate

II. Taxonomy for AI



II. Taxonomy for AI





II. Taxonomy for AI

Artificial Intelligence [System]:

FEDERAL STANDARDS

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.

(NIST AI RMF, adapted from OECD Recommendation)

STATE LAW

an engineered or machine-based system that varies in its level of autonomy and that can, for explicit and implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(HB 28 – 2026) compare to NMSA §1-19-26 and NMSA §61-3-3

FEDERAL LAW

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- (A) perceive real and virtual environments; (B) abstract such perceptions into models through analysis in an automated manner; and (C) use model inference to formulate options for information or action.

(P.L. 116-283)

Article I, Section 8, Clause 5:

[The Congress shall have Power to . . .] Fix the standard of weights and measures;

Article I, Section 8, Clause 3:

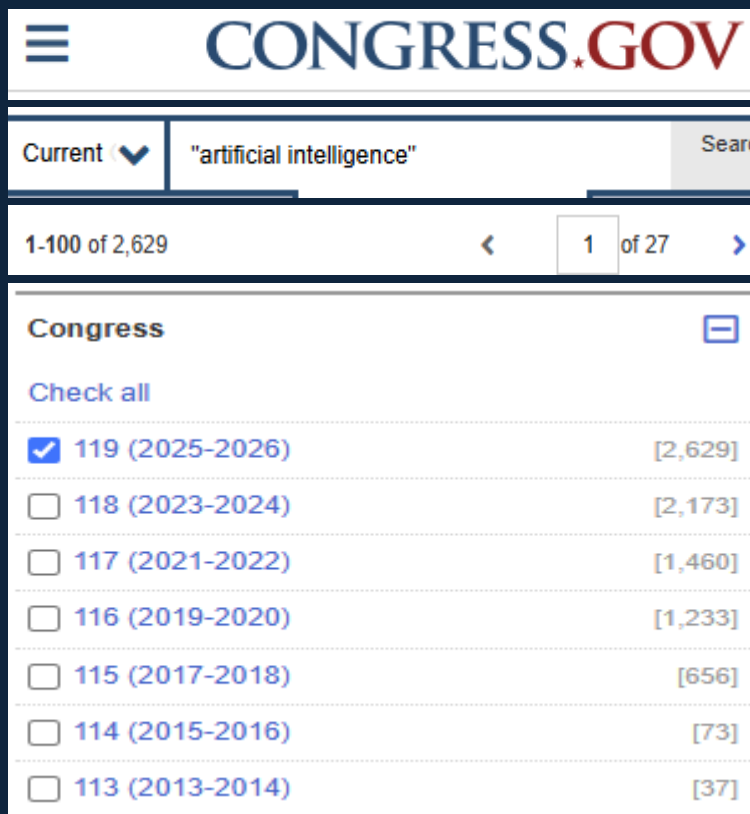
[The Congress shall have Power . . .] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

III. Federal Action on AI

- A. Congress
- B. Executive Orders
- C. NIST AI Risk Management Framework
- D. AI in Critical Infrastructure

III. Federal Action

A. Congress



The screenshot shows the CONGRESS.GOV website with a search for "artificial intelligence". The results are filtered by Congress, with the 119th Congress (2025-2026) selected. The table lists the number of bills introduced in each Congress.

Congress	Count
119 (2025-2026)	[2,629]
118 (2023-2024)	[2,173]
117 (2021-2022)	[1,460]
116 (2019-2020)	[1,233]
115 (2017-2018)	[656]
114 (2015-2016)	[73]
113 (2013-2014)	[37]

- No federal legislation establishing regulations for the development or use of AI or prohibitions on AI – NO PREEMPTION... yet
- Congress debating between regulating AI (safety, averting risk, security) and accelerating innovation
- In the absence of legislation, U.S. instead focused on 1) executive action through the White House or federal agencies, 2) whether federal agencies need additional authorities; and 3) voluntary commitments from industry

Source: Harris, Laurie, "Regulating Artificial Intelligence: U.S. and International Approaches and Considerations for Congress". Congressional Research Service, Library of Congress, June 2025

III. Federal Action

B. Executive Action

EO 14365 (December 2025)

- Evaluation of State AI laws
- Targeted Colorado AI Act which was then repealed and replaced by the Automated Decision-Making Technology Act (ADMTA) in June 2026
- June 2026 FTC Policy Statement “address how State laws requiring alterations to the accurate outputs of AI models can conflict with the requirements of the FTC Act”
- NTIA forthcoming guidance on BEAD non-deployment funding (\$280 million to NM OBAE)

EO 14409 (June 2026)

- Security of frontier models



III. Federal Action

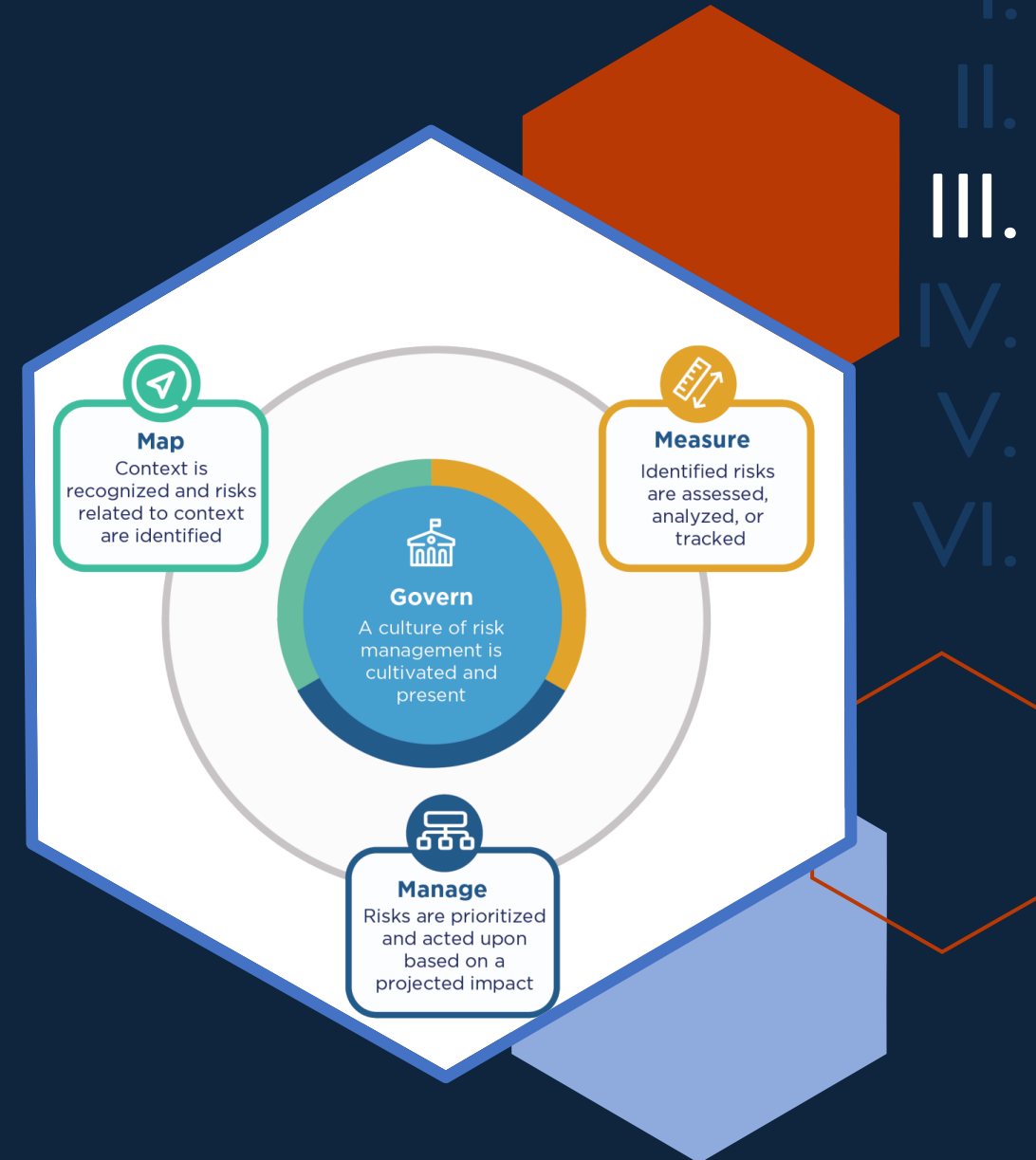
C. NIST AI Risk Management Framework

Equip organizations and individuals who play an active role in AI system lifecycle:

“offer a resource to the organizations designing, developing, deploying, or using AI systems to help manage the many risks of AI and promote trustworthy and responsible development and use of AI systems”

RMF intent:

- flexible
- voluntary
- rights-preserving
- non-sector-specific
- use-case agnostic



III. Federal Action

C. NIST AI Risk Management Framework

Framing Risk

I.
II.
III.
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VI.

Harm to People

- **Individual:** Harm to a person's civil liberties, rights, physical, or psychological safety, or economic opportunity.
- **Group/Community:** Harm to a group such as discrimination against a population sub-group.
- **Societal:** Harm to democratic participation or educational access.

Harm to an Organization

- Harm to an organization's **business** operations.
- Harm to an organization from **security** breaches or monetary loss.
- Harm to organization's **reputation**.

Harm to an Ecosystem

- Harm to interconnected and interdependent elements and resources.
- Harm to the global **financial system**, supply chain, or interrelated systems.
- Harm to **natural resources**, the **environment**, and planet.

III. Federal Action

C. NIST AI Risk Management Framework

AI Risks and Trustworthiness

Safe

Secure &
Resilient

Explainable &
Interpretable

Privacy-
Enhanced

Fair – With
Harmful Bias
Managed

Accountable
&
Transparent

Valid & Reliable

III. Federal Action

C. NIST AI Risk Management Framework

AI System Lifecycle

Key Dimensions	Application Context	Data & Input	AI Model	AI Model	Task & Output	Application Context	People & Planet
Lifecycle	Plan and Design	Collect and Process Data	Build and Use Model	Verify and Validate	Deploy and Use	Operate and Monitor	Use or Impacted by
Testing, Evaluation, Verification, Validation	Audit & impact	Internal & external validation	Model testing	Model testing	Integration & compliance	Audit & impact	Audit & impact

Source: Tabassi, Elham. Artificial Intelligence Risk Management Framework (AI RMF 1.0). NIST AI 100-1. Gaithersburg, MD: National Institute of Standards and Technology, 2023.

IV. AI in Critical Infrastructure



- I.
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- VI.

IV. AI in Critical Infrastructure

**NIST AI RMF Profile on Trustworthy AI in Critical Infrastructure
(Discussion Draft) intentionally deconflicted from cybersecurity**



Chemical



Emergency Services



Healthcare & Public Health



Commercial Facilities



Energy



Nuclear Reactors/Materials/Waste



Communications



Financial Services



Government Services & Facilities



Critical Manufacturing



Food & Agriculture



Water & Wastewater Systems



Dams



Transportation Systems



Defense Industrial Base



Information Technology

Source: NIST AI RMF Profile on Trustworthy AI in
Critical Infrastructure, Community of Interest
Discussion Draft, August 3, 2026

IV. AI in Critical Infrastructure

Incident 1

Dutch childcare benefits scandal (Toeslagenaffaire) (Government Services)

Description

Machine learning module used by the Dutch tax authority wrongly flagged non-Dutch families for benefit termination

Risk Management

- 3) Define risks
- 8) Incident response
- 9) Provide AI-aware training

Incident 2

Detroit facial recognition wrongful arrest (Emergency Services)

Police department relied on facial-recognition match (9th best)

- 2) Define robustness
- 3) Define risks
- 9) Provide training

Incident 3

Air Canada chatbot hallucination (Transportation)

Generative AI customer-service chatbot fabricated bereavement-fare policy that contradicted with actual

- 1) Establish requirements
- 2) Define robustness
- 12) Validate AI-generated logic



Source: NIST AI RMF Profile on Trustworthy AI in Critical Infrastructure, Community of Interest Discussion Draft, August 3, 2026

IV. AI in Critical Infrastructure

actionable risk management activities

Practice 1: Establish requirements for success

Practice 2: Define AI Robustness, Resilience, and Quality of Service expectations

Practice 3: Define risks, policies, and oversight for automated AI and agentic behavior

Practice 4: Define procedures for emergency avoidance override, recovery, and situation awareness

Practice 5: Implement identity and access management for AI agents, systems, and tools

Practice 6: Integrate visibility of the external supply chain of AI into vendor and 3rd party risk management

Practice 7: Manage internal AI supply chain and data provenance

Practice 8: Incorporate AI-aware incident analysis and response procedures

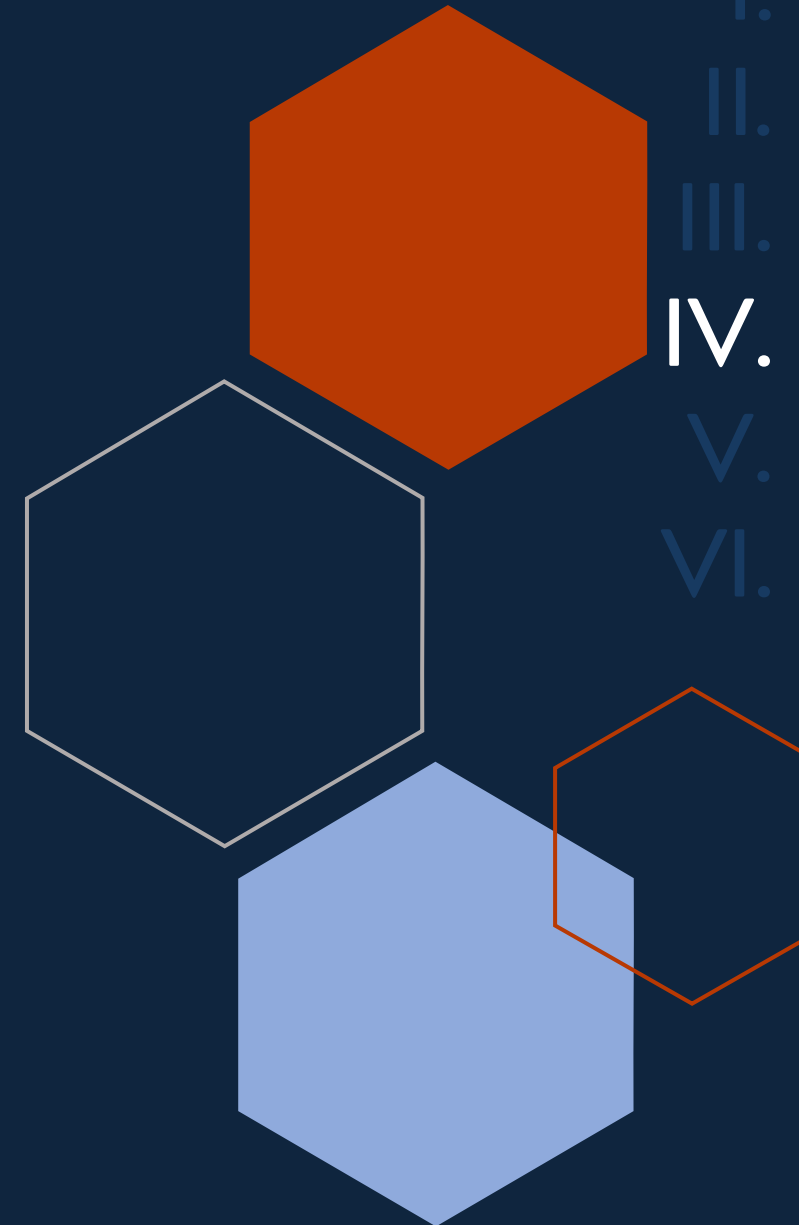
Practice 9: Provide calibrated, needs-based risk management training

Practice 10: Implement multi-tiered AI system logging and audit capabilities

Practice 11: Maintain AI-aware mission continuity and disaster recovery planning

Practice 12: Validate AI-Generated Operational Logic and Artifacts

Source: NIST AI RMF Profile on Trustworthy AI in Critical Infrastructure, Community of Interest Discussion Draft, August 3, 2026



V. Resources

- [NIST AI Risk Management Framework, 2023](#)
- [NIST AI Resource Center \(AIRC\)](#)
- [NIST AI RMF Crosswalk](#)
- [AI RMF Profile on Trustworthy AI in Critical Infrastructure Concept Note and Discussion Draft](#)
- [Congressional Research Service Products: Artificial Intelligence](#)
- [NCSL's Artificial Intelligence Database](#)

Crosswalk Document List	
Document title	Description
Crosswalk ISO/IEC 23894 and NIST AI RMF (Revised)	Revised crosswalk between ISO/IEC 23894 and the NIST AI Risk Management Framework (Aug 14, 2024)
Crosswalk ISO/IEC 42005 and NIST AI RMF	Crosswalk between ISO/IEC 42005 and the NIST AI Risk Management Framework (Aug 14, 2024)
Crosswalk NIST AI 600-1.1 + Singapore/IMDA AI Verify	Crosswalk between NIST's AI Risk Management Framework Generative AI Profile (AI 600-1.1) and Singapore / IMDA AI Verify Testing Framework (May 28, 2025)
Crosswalk NIST AI RMF + J-AISI	Crosswalk between NIST's AI Risk Management Framework and Korea's Guidebook for Development of Trustworthy AI (December 2024)
J-AISI/NIST Crosswalk-1 Terminology	J-AISI/NIST Crosswalk-1 Terminology (December 2024)
J-AISI/NIST Crosswalk-2 Terminology	J-AISI/NIST Crosswalk-2 Terminology (December 2024)

[BACK TO RESULTS](#)

• **AI Overview: Technology and Regulation**—products that provide a general overview of AI, including a taxonomy of AI terminology, cross-sector issues, and governance.

• **Generative AI**—products that focus on the subset of GenAI technologies that are able to generate new content, such as text, images, audio, video, or computer code, or music.

• **AI and Biological Sciences**—products that cover the intersection of AI and biological sciences, as well as aspects of laboratory automation and design.

• **AI and Defense**—products that cover the intersection of AI and the defense sector.

• **AI, Economics, and Labor**—products that cover AI's effect on the economy and labor.

• **AI and Elections**—products that cover the intersection of AI and elections.

• **Facial Recognition and Biometric Technologies**—products that cover facial recognition and biometric technologies, including examples of use by federal agencies.

• **AI and Finance**—products that cover the use of algorithms and AI technologies in finance.

• **AI and Health Care**—products that cover applications of AI use that are related to health care services AI-related activities.

• **AI and Infrastructure**—products that cover AI infrastructure, including development and AI-enabled services.

• **AI and Patents**—products that cover the intersection of AI and patents, such as whether inventions made using AI are patentable.

• **AI and Right of Publicity**—products that cover the intersection of AI and the right of publicity, such as unauthorized commercial uses of a person's likeness.

V. Resources

NM AI Consortium



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VI. Recommendation

The State of New Mexico must improve its capacity to **govern AI: map, measure, and manage.**

A decorative graphic on the left side of the slide, consisting of a cluster of hexagons in various shades of blue, orange, and white, arranged in a honeycomb-like pattern.

Thank you

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