July 9, 2024

Dear Friends,

We are coming off the 4th of July holiday where we enjoyed fireworks and heard readings, historic references, and commentary on the importance of our nation's Declaration of Independence and what those values mean in our country and around the world.

For me, the words that seemed most relevant were not from our past but from Supreme Court Justice Sotomayor's dissent in the recent decision on presidential immunity. The final paragraph is a warning sign for the nation.

"Never in the history of our Republic has a President had reason to believe that he would be immune from criminal prosecution if he used the trappings of his office to violate the criminal law. Moving forward, however, all former Presidents will be cloaked in such immunity. If the occupant of that office misuses official power for personal gain, the criminal law that the rest of us must abide will not provide a backstop. With fear for our democracy, I dissent."

You can read the entire decision, Justice Sotomayor's dissent, and the dissent of Justice Brown Jackson HERE.

This newsletter includes details regarding my legislation to provide oversight of state agency use of automated decision-making and artificial intelligence systems when taking consequential actions. This was a major priority of the Assembly Science and Technology Committee, which I chair.

For students seeking financial aid for college, SUNY has provided a resource to help completing the *Free Application for Federal Student Aid* (FAFSA®) forms. See below. A few weeks ago, I attended the annual address of SUNY Chancellor John King. He highlighted the effort to make sure New York High School students were not forfeiting available financial aid dollars because they did not have help with the application process. This tool helps address that problem.

Among the many events I attended were a recent Larchmont Rotary Club's Annual Hommocks Essay Contest Luncheon and the 50th Anniversary of Blind Brook High School. There are stories attached for each.

Finally, I include my comments at the [City of Rye Memorial Day Ceremony](#) to honor those who have given their lives for the service of our country and the values in which we believe. Throughout the Memorial Day week, I was able to attend ceremonies in every community on the Sound Shore. Each event was different, highlighting different readings and themes. Every VFW and American Legion places their own emphasis and follows their own traditions from past years. They are all meaningful and are continuing reminders of the importance of remembering what those who serve in our armed forces mean to freedom and our way of life.

As always, do not hesitate to contact me or my staff on issues in this e-mail or any matter in which we can be helpful. My office number is 914-939-7028.

Warm regards,

Assembly Passes First in the Nation Legislation to Provide Oversight and Assessment of State Agency Use of Automated Decision-Making

Assemblyman Otis speaking at an Albany press Conference on his legislation to provide oversight for the use of automated decision-making and AI systems by state agencies. The legislation passed both houses of the legislature in June.

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(Albany, NY) – Assemblyman Steve Otis (AD – 91) Chair of the Assembly Science and Technology Committee and State Senator Kristen Gonzalez (SD –

59) Chair of the Senate Internet and Technology Committee are pleased to announce passage of the 'Legislative Oversight of Automated Decision-making in Government Act" (LOADinG Act)' in both houses. This legislation will provide assessment, transparency, and oversight of automated decision-making systems used for high stakes decisions by state agencies affecting individuals (A9430-B).

The legislation requires that state agencies provide an assessment and disclosure to the legislature of all automated decision-making systems used for decisions affecting individual receipt of public benefits, rights, civil liberties, safety, welfare, or statutory and constitutional rights. In addition, this legislation will:

- Establish procedures that require meaningful human review when state agencies use automated decision-making systems in actions involving delivery of public benefits to individuals or that impact the rights, civil liberties, safety, or welfare of an individual.
- Require the completion of impact assessment reports covering the objectives, accuracy, fairness, and vulnerabilities of systems to be used.
- Require that agencies stop using systems determined to produce discriminatory or biased outcomes by the impact assessment. The impact assessments would be provided to the Legislature and posted on state agencies websites.

Assemblyman Otis said, "Automated decision-making and artificial intelligence provide great tools for improving services. These tools must be accompanied by guardrails, transparency, and oversight to make sure that management of these systems remain controlled by humans and that they do not provide faulty, biased, or discriminatory outcomes. This legislation is the first in the nation to establish a statutory framework to provide state agencies and the public with a

process for ongoing assessment of the evolving use of automated decision-making."

Senator Gonzalez said, "The LOADinG Act is the first step towards ensuring that the increasingly fast adoption of AI within all aspects of life is implemented with ethical responsibilities in mind. As a human being that has experienced first-hand the implications of AI misinformation and bias, not only do we have to address the systems in place that are accessible to the public– we must first address this potential bias within our own state agencies."

Caitrionia Fitzgerald, Deputy Director of the Electronic Privacy Information Center (EPIC) said, "There is currently little oversight as to whether AI systems are producing results that are accurate, fair, and unbiased. The public disclosure of impact assessments required by the LOADinG Act is a strong step towards providing critical oversight of AI systems affecting New Yorkers' lives."

Mario Cilento, President of the New York State AFL-CIO, "We strongly support the LOADinG Act to ensure that AI is used responsibly. We commend Assemblyman Otis for shepherding this through the Assembly and are pleased that it passed in the Senate. We urge Governor Hochul to sign this critically important bill to balance using artificial intelligence in state government as an efficiency tool and ensuring it does not replace jobs or human decision-making. Vital transparency, disclosures on its uses and applications, and worker protections must be enacted to ensure that AI positively impacts our economy."

Mary E. Sullivan, President, Civil Service Employees Association (CSEA), "With this legislation, New York will lead the nation in the responsible use of Artificial Intelligence in the public sector. This bill will ensure the state is transparent when AI is used and that it will supplement, not replace, the public

sector workforce. This legislation is a critical first step to ensure that New York is prepared to deal with this emerging technology."

Wayne Spence, President, NYS Public Employees Federation, "PEF has been growing increasingly concerned with the unregulated proliferation of Artificial Intelligence (AI) systems in state agencies. We are thankful for the efforts of State Senate and Assembly majorities and the bill sponsors -- Assembly Science and Technology Committee Chairperson Steven Otis (D-AD 91) and Senate Internet and Technology Committee Chairperson Kristen Gonzalez (D-SD 59) for passing groundbreaking legislation to address this situation. The Legislative Oversight of Automated Decision-making in Government (LOADinG) Act (S.7543-B/A.9430-A) requires an official inventory of existing AI products being used by state agencies; prohibits the use of AI in public assistance benefit determinations; enhances regulation, transparency, periodic testing and human oversight of current and future AI products used to administer or deliver services; and protects workers against potential layoff or displacement issues arising from the expanded use of AI.

The LOADinG Act is the most advanced and meaningful regulatory approach in the nation regarding government procurement and usage of AI. This legislation is needed to protect the people of New York from potential unintended consequences arising from the rapidly evolving development and implementation of AI systems for government administration and the delivery of services. If enacted, this legislation would allow the state and policymakers to understand how and where AI is being deployed and build confidence that such systems will have appropriate human oversight and periodic review to protect against implicit biases and/or inappropriate AIgenerated decisions. We urge Governor Hochul to sign this important piece of legislation into law."

The legislation provides a process for agencies to redact assessments where disclosure would negatively impact health or safety of the public, privacy rights, or ability of the agency to protect its information technology or operations. Redaction would also be available for systems used to preserve the security of automated decision-making systems or protect, investigate, or prosecute crimes such as identity theft, fraud, harassment, malicious or deceptive illegal activities, or to investigate, report or prosecute those responsible for activity.

Last fall the Assembly Science and Technology Committee and the Assembly Labor Committee held a hearing in Albany on the significance of automated decision-making in today's workplace. This legislation provides the tools for state government to assess and control the use of automated decision-making in consequential decision-making.

Meals on Main Street Grand Opening

In June I joined the ribbon-cutting and grand opening of Meals on Main Street in Port Chester at for their new building at 509 Main Street. Thanks to their mobile pantry trucks and portable food hubs, Meals on Main Street is able to supplement the work of Westchester County pantries and soup kitchens to deliver recovered food and farm-fresh produce to families in need where they live. Food insecurity can happen in all communities and Meals on Main Street is doing good work in meeting people where they are. Learn more about their mission on their website HERE.

A clip of my remarks at the grand opening can be found HERE.

Larchmont Rotary Club Annual Hommocks Essay Contest

For more than 30 years, the Larchmont Rotary has sponsored a writing contest at the Hommocks Middle School. Working with the English Department to develop a relevant theme, Rotary has celebrated the winners each year at an Awards luncheon. Past winners have gone on to become professional writers and we like to think our encouragement helped!

The theme for the 6th, 7th, and 8th graders this year was: "Humans have a need to belong. Are there times when you have or have not felt like you belong? Could you help other people feel more like they belong?"

I am pictured above with participants at the Larchmont Rotary Club's Annual Hommocks Essay Contest Luncheon Six Hommocks students won awards. Congratulations to:

Gr 6 - Lyla Sheida and Eiley Vasquez

Gr 7 - Nathalie Alvarez Peraz and Jonah Herzberg

Gr 8 - Anna Chaice and Jonah Hecht

50th Anniversary of Blind Brook High School

Pictured above are: BBHS Principal Dr. Jennifer Chirles, Superintendent Colin Byrne, School Board President Jeffrey Mensch, County Legislator Nancy Barr and School Board VP Samantha Smith.

The 50th Anniversary celebration for Blind Brook High School served as a homecoming and reunion for many former students who remained in the community and now have children in the Blind Brook School system. How things have changed in the building was a popular theme among the former graduates, faculty, friends, and family who gathered at BBHS on May 18 in recognition of the schools 50th anniversary. In 1973, Blind Brook Jr./Sr. High School in Rye Brook, NY opened its doors as a Grade 7-10 school, adding 11th

grade in 1974 and 12th grade in 1975. It graduated its first full class in 1976, with four students graduating early in 1975. I enjoyed talking to alumni, former staff, and current teachers about their experiences over the years.

Rye Historical Society July 4th

On July 4th I participated in a ceremony consisting of historical readings from throughout America's history. The event was organized by the Rye Historical Society and Leaders of Tomorrow and included the Declaration of Independence, Lincoln's Gettysburg Address, and readings that spanned the civil rights and women's suffrage movements.