

Testimony of Dr. Rumman Chowdhury
January 15, 2026
Senate Standing Committee on Internet and Technology

Members of the Committee, thank you for the opportunity to testify on the New York Artificial Intelligence Act. My name is Dr. Rumman Chowdhury, and for nearly a decade my work has focused on turning responsible AI principles into practice through independent evaluations, algorithmic audits, and public-interest testing of high-risk AI systems.

This bill recognizes that artificial intelligence already mediates core life opportunities in New York—employment, housing, health care, financial services, and law enforcement—often with little transparency or oversight. By classifying these as “high-risk AI systems” and requiring audits, risk-management programs, and meaningful user rights, the bill locates AI governance where it belongs: in enforceable obligations, not voluntary ethics pledges.

From my experience evaluating AI in settings like hiring, credit, content moderation, and public safety, certain evaluation practices consistently work—and others consistently fail. What works are context-specific, socio-technical evaluations: tests that combine technical measurement with lived-experience input from the communities affected, conducted continuously over the system life cycle and aligned with frameworks like NIST’s AI Risk Management Framework, with clear accountability for remediation when harms are identified.

What does not work are one-off, “checkbox” bias scans divorced from actual deployment conditions. These typically test on sanitized data, ignore how models are used in organizations, and rarely consider interaction effects with existing practices or downstream decision-making. In other words, they evaluate the model in the lab, not the system in the world, and they fail to surface the very forms of algorithmic discrimination this bill is designed to prevent.

Critically, robust regulation of high-risk AI does not stifle innovation; it enables it. In safety engineering there is a saying: brakes help you drive faster. The existence of reliable brakes does not slow cars down—brakes create the conditions under which drivers can safely go farther, faster, with confidence. The same is true here: clear guardrails, mandatory audits, and user rights give both companies and the public confidence that AI can be used in certain domains without becoming an uncontrolled experiment on people’s lives.

The bill’s requirement for independent, periodic third-party audits for high-risk AI systems is particularly important. The most meaningful improvements have come when evaluations are run by entities structurally independent of product and revenue teams and when results are tied to concrete risk-mitigation obligations. Provisions such as independence rules for auditors, regular audits for both developers and deployers, and a public database of redacted reports move New York toward a model of credible evaluation and public accountability.

To make this work, New York should nurture an independent ecosystem of AI auditors, much like other sectors where outside evaluation is now taken for granted. In financial services,

independent accounting and audit firms review statements under recognized standards and markets rely on that external assurance. In pharmaceuticals and medical devices, independent clinical trials and post-market surveillance are prerequisites for access to the market. In all of these domains, independent evaluation did not kill innovation; it professionalized it, creating a skilled, trusted community whose job is to ask hard questions, find flaws before they become disasters, and translate technical detail into risk that boards, regulators, and the public can understand. AI needs the same: a professionalized, diverse community of auditors, researchers, and civil-society experts, including community-based organizations and public-interest technologists with lived experience of the harms these systems can create.

Safe harbor is an important mechanism to balance innovation and accountability. Developers who take reasonable, documented steps to prevent high-risk uses—such as contractual restrictions, technical safeguards, and clear disclosures—are shielded from some obligations when their systems are not actually deployed in high-risk contexts. At the same time, if New York wants a strong ecosystem of independent evaluators, it must ensure legal protections for those who do the work of evaluation. Auditors, internal risk teams, and independent researchers must be able to speak candidly about risks without fear of retaliation or frivolous lawsuits. Protecting whistleblowers inside developer and deployer organizations is a crucial step, and extending that spirit of safe harbor to good-faith evaluators will help avoid silencing those who seek the public good.

High-risk AI systems are already shaping the lives of New Yorkers. The New York AI Act responds by setting a clear expectation: if you profit from deploying AI that affects people's fundamental rights, you must evaluate it, manage its risks, and be accountable when it discriminates. Done well, this framework will not only protect New Yorkers but will also create a predictable environment where responsible companies can innovate with confidence—knowing the rules of the road and trusting that the “brakes” of independent evaluation will allow them to move toward beneficial uses of AI.

Thank you for your attention and for your work on this critical legislation.