

**To:** [aiframework](#)  
**Subject:** Comments to AI RMF  
**Date:** Wednesday, April 6, 2022 2:08:37 PM

---

Thanks very much for providing the draft of the AI RMF and for the wonderful workshop at the end of March. My sole comment is less on substantive detail and more related to how the RMF relates to other regulation and guidance. A big takeaway from the March workshop was the importance of interoperability of the RMF with other standards, etc.

The point I would like to see emphasized is that as a non-regulatory, volunteer measure, the RMF has to be considered within the confines of what is required under law and regulation. It may well be that an action to be taken or avoided for compliance with the RMF may in some manner conflict with an existing regulation or statute. There has recently been much written about the importance of “soft law” such as the RMF as opposed to actual laws that may impact AI systems. It might be good to emphasize that if there is some sort of conflict between compliance with the RMF and compliance with an existing law or regulation, the RMF must be considered secondary.

I note that the current draft does make passing reference to this issue, both in the “Attributes” sidebar on page 3 (item 9) and at 6.4 in saying that “compliance with internal or external policies or regulation is a universal aspect of the governance function in risk management.”

While this is helpful, I do think it would be better to clarify that if there’s ever a conflict between a regulation/statute and the RMF, the RMF considerations must yield. In other words, laws and regulations act as a constraint within which the RMF must operate.

As this is a simple concept, I will not further elaborate here but stand by to help out if any of the above is unclear or if I can be of further assistance.

Respectfully,

Stuart Meyer

Stuart Meyer  
[Fenwick](#) | Partner |