

Automating Decision-Making System (ADS) Definition Guidance

Use this document to help determine if a system in your application inventory is an Automated Decision-Making System (ADS)

ADS Definition/Guidance – ADS is not

What systems or applications that should not be included in the Automated Decision-Making System (ADS) inventory:

If a system is making decisions based on state or federal law that specifies the criteria that should be used in determining eligibility, judgments, and conclusions. In this case automated decisions are based on rules defined by law and there is no discretionary judgment that is performed by the ADS.

Examples:

- Eligibility to title a vehicle or vessel.
- When a driver's license can be renewed.
- Issuance of a business or professional license.
- Issuance of a fishing license.
- When fees should be charged for a specific transaction.

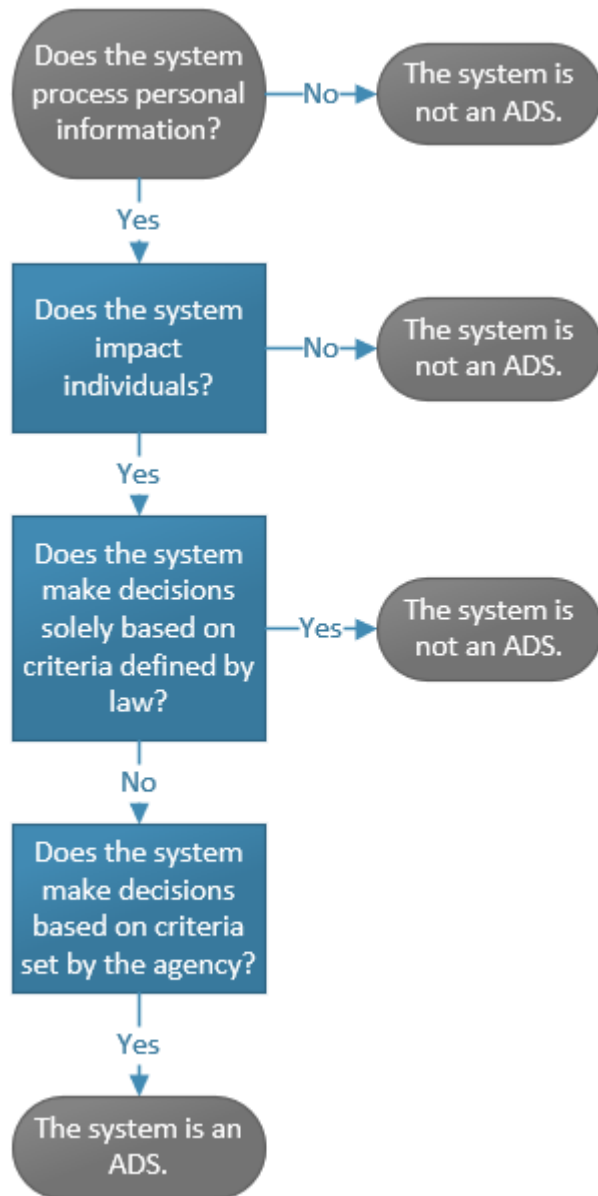
ADS Definition/Guidance – ADS is

When should a system or application be included in the Automated Decision-Making System (ADS) inventory:

If a system makes automated decisions based on algorithms that include an interpretation of specific criteria not set by state or federal law to make a decision, judgment, conclusion, or determine eligibility for a service that affects individuals it should be included in the ADS inventory.

Examples:

- Who is likely to recidivate based on subjective risk criteria.
- Which households should receive services based on risk of becoming homeless.
- Assessment of penalties or loss of benefits not based on rules defined in law.



Personal information is any information that could be used to identify a specific individual.

A **system impacts individuals** if it makes decisions that cause a person to be treated different in the nature or amount of governmental interaction with that person.

A decision is **solely based on criteria defined by law** when the law does not leave room for agency discretion or interpretation in implementing the definition.

An **agency sets its own criteria** when it (1) develops criteria without guidance from a state or federal law, or (2) exercises discretion or interpretation in implementing a state or federal law.