



September 4, 2026

Attorney General Phil Weiser
Office of the Attorney General
Colorado Department of Law
Ralph L. Carr Judicial Building
1300 Broadway, 10th Floor
Denver, CO 80203

Re: Comments on the August 11, 2026 Draft Automated Decision-Making Technology and Conversational Artificial Intelligence Service Rules, 4 CCR 904-6

Dear Attorney General Weiser,

The AI Integrators Council (AIIC) serves as the primary voice for leading companies that integrate artificial intelligence into systems, platforms, and applications. The AIIC appreciates the opportunity to comment on the August 11, 2026 draft rules implementing Senate Bill 26-189, the Automated Decision-Making Technology Act (ADMT Act), and House Bill 26-1263, the Chatbot Safety Act. We are particularly encouraged that the draft rules address the central concern raised in our July 13, 2026 submission: the need to recognize the distinct role of the AI Integrator, or “Midstream Developer”, within the AI value chain. By defining a Midstream Developer in Rule 2.2 and assigning that role its own distinct obligations in Rule 4.2, the draft rules move past the binary Developer-Deployer framework and appropriately acknowledge that parties in the middle of the AI value chain occupy a distinct position, with different capabilities and responsibilities, from either end. We write to support that direction and to identify additional places where the draft rules can be further improved.

We support the Colorado government’s efforts to provide guidance and regulatory reforms for AI policy to promote U.S. innovation and advancement of this emerging technology. The AIIC was created to educate policymakers and other essential stakeholders about the complexity of roles, responsibilities, and relationships across the AI ecosystem and to advocate for policies based on an accurate understanding of this ecosystem. We are comprised of leading AI companies including Alteryx, Atlassian, Box, Cognizant, DocuSign, Peraton, SAIC, Salesforce, SAP, ServiceNow, and Twilio. The AIIC wishes to provide the following comments on the draft rules, organized around the new Midstream Developer role and the provisions that determine how far it reaches.

Comments on the August 11, 2026 Draft Rules, 4 CCR 904-6

1. The draft rules recognize a middle role in the AI value chain, and the AIIC supports that step

As AI continues to evolve and expand, the AIIC believes it is essential that state AI policies fully reflect the complexity of the AI value chain, particularly the critical role played by Integrators. Most state AI proposals to date have centered on binary definitions of “Developers” and “Deployers” of AI models. The August 11 draft is the first state rulemaking we are aware of to name a distinct role in between, and Colorado deserves credit for it.

The AI Integrator connects, configures, and embeds AI systems within existing organizational processes and technology environments, but does not control the upstream development of AI models or the downstream deployment and management of AI solutions for end users. The AIIC has published a whitepaper (<https://aiintegratorsCouncil.com/white-paper>) that describes this role in detail and sets out practical examples of Integrators in the AI value chain. The Midstream Developer definition in Rule 2.2 captures a meaningful part of this role. A “*party that integrates Covered ADMT as a component into its own Covered ADMT product, and then supplies that product to another Developer or a Deployer,*” is describing the integrator function. The AIIC advocates for forward-looking regulations on AI that recognize Integrators, other actors in the AI value chain, and policy that anticipates the continuing evolution of the technology stack.

2. The rules would benefit from stating where the Midstream Developer role ends and the Developer role begins

Our remaining concern is one of drafting rather than direction. The new role is titled Midstream Developer, and the draft rules do not say whether a Midstream Developer also carries the Developer obligations set out in section 6-1-1702, C.R.S. and Rule 5, or only the two documentation obligations in Rule 4.2. A regulated party reading the draft today could reach either conclusion. The AIIC asks the office to state the answer expressly. We also ask the office to confirm that the trade secret and other legal protections in Rule 5.3 are available to a Midstream Developer, both for its own proprietary information and for information it receives from an upstream Developer under confidentiality terms. As a related matter, the purpose statement in Rule 4.1 describes the rule as clarifying the roles of Deployers and Developers and does not mention Midstream Developers, even though Rule 4.2 is the only provision that gives the new role any obligations. Naming the role in the purpose statement would remove an easy argument that a Midstream Developer is simply a Developer by another name.

3. The Rule 2.2 definition, the Rule 4.2 obligation, and the Rule 4.2 example do not describe the same universe of products

In the example accompanying Rule 4.2, the duty to make documentation available to downstream customers attaches where a company’s AI system is “*marketed, advertised, configured, contracted, sold, or licensed to be used to Materially Influence a Consequential Decision.*” That qualifier is the right one, because it ties the obligation to how a product is actually offered. The definition in Rule 2.2 carries no equivalent limit, and the operative text of Rule 4.2 does not repeat it. We read the definition as already pointing in the same direction, since it requires the integrated product to itself be Covered ADMT. Carrying the qualifier into the definition and into the operative text of Rule 4.2 would, therefore, clarify what the office appears to intend rather than narrow it, and the AIIC asks the office to make that change so the three provisions read consistently. In practice, AI Integrators may embed AI features into a wide range

of business workflow tools, such as document routing systems, web intake forms, scheduling tools, AI customer service and support agents, or tools that can summarize key contract terms, account activity, or inventories for human review. These capabilities help people work more efficiently without independently deciding outcomes in areas like employment, credit, or healthcare. Absent the qualifier, a general purpose workflow tool that is capable of being pointed at a consequential decision, but is not offered for that purpose, could be swept into the definition. Likewise, the tool could be embedded as a step in a larger workflow that ends with a consequential decision being made, but is not itself intended to materially influence the decision. For example, the tool could simply surface or organize factual information within the larger workflow.

A related mismatch runs in the opposite direction. The operative text of Rule 4.2 reaches only a Midstream Developer that supplies a Developer or Deployer *“that further configures the Covered ADMT before Deploying it,”* a limit the Rule 2.2 definition does not contain. The result is that the definition and the obligation describe different populations. We ask the office to reconcile the two, and to confirm that a party that resells or hosts a Covered ADMT without integrating it into a product of its own, and a party that supplies only infrastructure or connectivity, is not a Midstream Developer.

4. The documentation obligation in Rule 4.2 depends on parties the Midstream Developer does not control

Rule 4.2 asks a Midstream Developer to reasonably obtain the upstream Developer documentation, and then to make all upstream Developer documentation available downstream. Those two standards are not the same. A Midstream Developer that makes a diligent request and is refused, or whose upstream supplier sits outside Colorado’s reach and produces no such documentation at all, would satisfy the first obligation and fail the second. The AIIC asks the office to confirm three points. First, that the Developer disclosure duties in section 6-1-1702, C.R.S. run to Midstream Developers and not only to Deployers, so that the documentation a Midstream Developer is asked to obtain can in fact be obtained. Second, that a documented good faith request, and a record of the upstream response, satisfies the obligation where the documentation is withheld or does not exist. Third, that a Midstream Developer may withhold or redact material on the same trade secret and legal grounds available to a Developer under Rule 5.3. We also note that Rule 4.2 refers to Developer documentation created pursuant to section 6-1-1704, C.R.S., while Rule 5.1 places the Developer disclosure obligations in section 6-1-1702, C.R.S. Clarifying which provision the office intends would help regulated parties scope the obligation correctly.

5. Integration and configuration are not the same as Deploying, and the rules could say so directly

The AIIC welcomes the new definition of Deploy in Rule 2.2, which turns on making *“use of Covered ADMT in a way that Materially Influences a Consequential Decision.”* That formulation correctly distinguishes the party that uses a system to influence a decision from the party that builds or embeds it. To remove any residual doubt, we ask the office to state expressly that a Midstream Developer does not become a Deployer by integrating, configuring, testing, or

hosting a Covered ADMT, or by supplying the review, logging, and record retention features that a Deployer uses to meet its own obligations under Rule 7.7. Integrators are frequently asked by customers to build those features. It would be an unfortunate result if answering that request converted the integrator into a Deployer of a decision it never makes.

6. Rule 7.7 would benefit from distinguishing artificial intelligence that assists a human reviewer from artificial intelligence that replaces one

Rule 7.7 provides that “*ADMT may not assist in the Meaningful Human Review.*” The AIIC supports the principle behind this provision. A human review that is performed by software is not a human review. Read literally, however, the provision reaches ordinary assistive functions that make human review workable at scale, including retrieving records, summarizing a file, translating a document, and otherwise surfacing and organizing information so a reviewer can conduct comprehensive and detailed human review. Several of the workflow tools described above exist for precisely that purpose. A reviewer who is denied those tools is likely to review less information, not more. The AIIC asks the office to consider a narrower formulation that bars artificial intelligence from substituting for the reviewer or determining the outcome of the review, while permitting assistive functions that organize, retrieve, translate, or summarize the material the reviewer considers. Rule 7.7 already requires the Deployer to document the reviewer’s identity, authority, training, and written justification, which gives the office a durable record for testing whether a review was genuinely human.

7. Standards, timing, and technical items

The absence of a comprehensive federal AI measure, combined with a growing patchwork of state laws, has created a shifting regulatory landscape that leaves Integrators navigating overlapping compliance obligations, uncertainty around liability standards, and frequent contractual disputes over who bears responsibility for bias mitigation, explainability, and post-deployment oversight, often forcing integrators to assume disproportionate risk for upstream design flaws. Fortunately, the National Institute for Standards and Technology (NIST) has provided a strong foundation through standards like the Generative AI Profile of the AI Risk Management Framework, which offers clear, practical guidance for managing AI risk across the value chain. We encourage the Attorney General to look to that NIST framework as a reference point when defining documentation and risk management expectations, and to ensure that the framework accounts for Integrators as distinct actors in the AI value chain. We note that Rule 14 already incorporates the Web Content Accessibility Guidelines and ISO/IEC 27566-1:2025 by reference, which demonstrates the office’s willingness to align Colorado’s rules with established external standards. The NIST framework is well suited to the same treatment for documentation and risk management expectations across the value chain.

On timing, the rules take effect January 1, 2027. The Rule 4.2 documentation chain is the one obligation in the draft whose fulfillment depends on the conduct of other parties, some of whom are not subject to Colorado law and may never generate the documentation the rule contemplates. The AIIC asks the office to consider a transition period, or a stated enforcement posture for the first year, limited to the multiparty documentation obligations in Rule 4.2. Finally, we note two apparent drafting items for the office’s consideration. Rule 6.1 describes its purpose

as clarifying “*Developer obligations to provide Adverse Outcome Disclosures*,” while the substance of Rule 6 places those obligations on Deployers. Rule 14.1 refers to public inspection during regular deployer hours where Rule 14.2 refers to regular business hours.

8. Obligations calibrated to control

To address issues, AI policy and regulatory efforts would benefit from a role based framework that assigns obligations in proportion to how each stakeholder’s actions impact risk. Crafting AI policies and technical frameworks to reflect these differentiated roles would clarify accountability, reduce litigation risk, and better align compliance with operational authority. In the context of the ADMT Act, this means Colorado’s rules would assign obligations in proportion to each stakeholder’s role, and would not treat AI Integrators as Developers or Deployers solely because they embed general purpose AI tools into administrative workflows. The Midstream Developer role in the August 11 draft is a substantial step toward that outcome. The clarifications described above would complete it.

Conclusion

We appreciate the Colorado Attorney General’s office’s continued work on regulation and guidance to support AI safety and innovation, and we appreciate in particular that the August 11 draft recognizes a distinct role between Developer and Deployer. The AIIC asks the office to complete that recognition by clarifying the boundary between the Midstream Developer and Developer roles, by scoping the definition to products actually offered to influence consequential decisions, by making the Rule 4.2 documentation obligation achievable in practice, and by distinguishing artificial intelligence that assists a human reviewer from artificial intelligence that replaces one. Doing so will strengthen policy clarity, prevent misallocation of liability to infrastructure and platform providers, and support responsible innovation across enterprise workflows and the companies driving AI adoption across industries.

Thank you for your leadership on these critical issues. We look forward to continued collaboration as you work to promote AI innovation.

Sincerely,

Wes McClelland
Executive Director
AI Integrators Council