CAP | CENTER FOR DEMOCRACY & TECHNOLOGY | The Leadership Conference on Civil and Human Rights

Center for American Progress
1333 H Street NW, Suite 100E
Washington, DC 20005

202.682.1611

americanprogress.org

September 5th, 2023

President Joseph Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Vice President Kamala Harris
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Transmitted via email

Dear President Biden and Vice President Harris,
We, the undersigned civil, technology, labor, consumer, transparency, accountability, and human rights groups, call upon the Biden-Harris administration to make the White House Blueprint for an AI Bill of Rights (AI Bill of Rights)[1] binding U.S. government policy for the federal government's use of AI systems in the forthcoming AI Executive Order (AI EO).[2] We agree in particular that AI tools must be demonstrated to be safe and effective and free from algorithmic discrimination, two of the core principles of the AI Bill of Rights. This is a central and vital concern for a broad group of organizations[3] and for the American public, and an absolute requirement for the deployment of AI tools and systems by the federal government.

The Biden-Harris administration deserves credit for moving aggressively to address the challenges and opportunities of AI, in particular for the considerable amount of time and effort put into the year-long effort to develop the AI Bill of Rights. Now with the acceleration of generative AI and rapid AI deployments, it is essential for the White House to require that government deployment and use of AI centers equity and civil rights, keeping with the values outlined in several prior executive orders and its own AI Bill of Rights.

The AI Bill of Rights' five principles—Safe and Effective Systems, Algorithmic Discrimination Protections, Data Privacy, Notice and Explanation, and Human Alternatives, Consideration, and Fallback—and accompanying technical, regulatory, and policy practices are essential guardrails that will secure the rights and ensure the safety of the American public and those workers impacted by these technologies.

---

1   The White House Office of Science and Technology Policy, "Blueprint for an AI Bill of Rights," (Washington: The White House, 2022), available at https://www.whitehouse.gov/ostp/ai-bill-of-rights/.

2   White House, "Biden-Harris Administration Secures Voluntary Commitments from Leading Artificial Intelligence Companies to Manage the Risks Posed by AI," Fact Sheet, July 21, 2023, available at https://www.whitehouse.gov/briefing-room/statements-releases/2023/07/21/fact-sheet-biden-harris-administration-secures-voluntary-commitments-from-leading-artificial-intelligence-companies-to-manage-the-risks-posed-by-ai/ .

3   Center for American Progress, "Civil Rights, Tech Groups Call on Biden To Protect Public from Harms of AI," Letter, August 3, 2023, available at https://www.americanprogress.org/wp-content/uploads/sites/2/2023/08/Letter-to-WH-on-AI-EO.pdf; National Urban League, "August 8th letter to the White House on AI," Letter, August 8, 2023, available at https://nul.org/sites/default/files/2023-08/2023.08.08%20National%20Urban%20League_Executive%20Order%20on%20AI.pdf.

We the undersigned groups affirm our belief that the Biden-Harris administration's forthcoming AI Executive Order should:

- Make the White House AI Bill of Rights a requirement for all AI systems used by all federal agencies, contractors, and grantees in the forthcoming AI Executive Order.

- Make the AI Bill of Rights binding U.S. government policy for the entire federal government, without exemption for any part of the federal government, including law enforcement or the national security community.

- Lay out an aggressive timeline calling for the submission of agency implementation plans to the Executive Office of the President within 90 days and for full implementation within a year of the AI EO being issued.

- Direct agencies to pursue the creation and implementation of regulations needed to realize the goals of the AI Bill of Rights. New regulations would be in addition to enforcing existing civil rights protections and antitrust law.

- Lead on data privacy by adopting standards for data minimization for federal agencies and supporting federal privacy legislation.

It is critical that the administration's forthcoming AI EO implement the AI Bill of Rights. Our groups would not consider it sufficient to merely include the AI Bill of Rights in the forthcoming OMB AI guidance or direct agencies to assess their tools under the National Institute of Standards and Technology's AI Risk Management Framework (NIST AI RMF).

Federal agencies funding, acquiring, or using an AI system have a responsibility to ensure that the system works and is fit for purpose. AI systems that are biased are broken and not fit for purpose, and the decisions made using those systems cannot be trusted. The White House must ensure that AI systems used by the government, its contractors, vendors, and grantees are accountable to the American people.

The Biden-Harris administration has the perfect opportunity in the upcoming AI EO to implement the values outlined in the White House's own AI Bill of Rights, and we hope that the administration will not miss their chance to promote the responsible and rights-respecting use of these new technologies.

Thank you for your attention to these issues. For any questions or for further discussion, please contact Adam Conner, Vice President for Technology Policy at the Center for American Progress, at aconner@americanprogress.org, Anita Banerji, Senior Program Director, Media & Technology, at the Leadership Conference for Civil and Human Rights at banerji@civilrights.org, or Samir Jain, Vice President of Policy at the Center for Democracy and Technology, at sjain@cdt.org.

Sincerely,
The Undersigned:

Center for American Progress

The Leadership Conference on Civil and Human Rights

Center for Democracy & Technology

Data & Society

Lawyers' Committee for Civil Rights Under Law

NAACP

Public Citizen

Public Knowledge

UnidosUS

Access Now

Accountable Tech

American Federation of Teachers

American Oversight

Asian Americans Advancing Justice - AAJC

Autistic Women & Nonbinary Network

Brennan Center for Justice

Civic Sundays

Color Of Change

Communications Workers of America

Consumer Action

Demand Progress

Demos

Fight for the Future

Free Press

Georgetown Center on Poverty and Inequality

Global Project Against Hate and Extremism

Government Information Watch

Hip Hop Caucus

Indivisible Georgia Coalition

Institute for Local Self-Reliance

Investor Alliance for Human Rights

Japanese American Citizens League

Judge David L. Bazelon Center for Mental Health Law

Kapor Center

Library Futures

Main Street Alliance

Missouri Voter Protection Coalition

MoveOn

MOVPC

Muslim Advocates

Muslim Public Affairs Council (MPAC)

National Center for Learning Disabilities

National Council of Asian Pacific Americans (NCAPA)

National Disability Rights Network (NDRN)

National Employment Law Project

National Fair Housing Alliance

National Health Law Program

National Urban League

National Women's Law Center

NETWORK Lobby for Catholic Social Justice

NOW – National Organization for Women

Open Markets Institute

PFLAG National

Philadelphia Jobs with Justice

Progressive Change Institute

Rethink Trade

Rise Economy (formerly California Reinvestment Coalition)

Service Employees International Union

Sikh American Legal Defense and Education Fund (SALDEF)

TechEquity Collaborative

The Digital Democracy Project

The Tech Oversight Project

The Value Alliance

United Church of Christ Media Justice Ministry

We Act Radio

cc:

Jeff Zients, Assistant to the President and White House Chief of Staff

Bruce Reed, Assistant to the President and Deputy White House Chief of Staff

Lorraine Voles, Assistant to the President and Chief of Staff, Office of the Vice President

Arati Prabhakar, Assistant to the President for Science and Technology and Director, White House Office of Science and Technology Policy

Shalanda Young, Assistant to the President and Director, Office of Management and Budget

Lael Brainard, Assistant to the President and Director, National Economic Council

Jake Sullivan, Assistant to the President for National Security Affairs, National Security Council

Neera Tanden, Assistant to the President and Domestic Policy Advisor, Domestic Policy Council