

White House Urged to Implement its Artificial Intelligence Bill Of Rights: Implications for Government Contractors



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As the use of artificial intelligence continues to dominate the news cycle, a group of 60 public interest organizations including the National Fair Housing Alliance, Public Citizen, the Brennan Center for Justice, and Consumer Action sent a [letter to President Joe Biden](#) on September 5, 2023 to urge that the administration bind both federal agencies and government contractors to the [AI Bill of Rights](#) released by the Biden-Harris administration in early 2022.

The AI Bill of Rights promotes the responsible use of artificial intelligence through guiding principles of ensuring safe and effective systems, providing algorithmic protections against discrimination, protection of data privacy, ensuring systems provide adequate notice and transparency with respect to the operation of AI systems, and promoting human-based alternatives and considerations when appropriate.

The co-authors of the letter represent a wide array of industries where AI regulation is needed including technology, labor, consumer, and human rights groups. Chief among the concerns addressed in the letter is the

need to ensure that federal agencies and contractors are subject to a comprehensive set of regulations that ensure their use of AI systems is free from discriminatory practices. With the recent [settlement of the Equal Employment Opportunity Commission's lawsuit against iTutorGroup Inc.](#), a first-impression case in which iTutorGroup's use of an AI-powered hiring system was alleged to have discriminated against candidates over a certain age, discriminatory outcomes and biases of AI systems are top of mind for lawmakers.

For businesses reliant on government contracts, this letter is of particular interest. While the letter urges the Biden-Harris Administration to bind federal agencies to the AI Bill of Rights, the letter emphasizes that the government's contractors and vendors must also be accountable to those standards. As the next presidential election cycle looms, government contractors should be wary that these policies may be implemented soon, as President Biden may look to capitalize on the increased attention to discrimination and the use of AI. If this is the case, the Blueprint for an AI Bill of Rights should be given adequate attention by government contracting businesses that use or may wish to use AI systems for government contracts.

Businesses that may be impacted by these regulations should be well-equipped and familiar with the policies and procedures of the Blueprint for an AI Bill of Rights and would be wise to create internal corporate governance policies that incorporate these principles to better position themselves to obtain government contracts in the future. While the AI Bill of Rights provides an adequate framework for governing how businesses should use AI, businesses should ensure an internal AI policy is tailored specifically to their business and provides adequate protection to the business-specific risks associated with the unregulated use of AI in business operations.

For more information on the Blueprint for an AI Bill of Rights and how best to implement its principles while providing adequate protection against business risks associated with AI, please reach out to [Lippes Mathias's AI Practice Group](#).