

July 5, 2022

**To:            Ambassador Susan Rice, Director, Domestic Policy Council  
                  Dr. Alondra Nelson, Deputy Assistant to the President, Office of Science  
                  and Technology Policy  
                  Chiraag Bains, Deputy Director of the DPC for Racial Equity and Justice  
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**Subject:       Recommendations to the Interagency Policy Committee on AI and Equity**

On behalf of a working group of civil rights, civil liberties, human rights, technology policy, and research organizations, we write to provide recommendations to the Domestic Policy Council (DPC) and the Office of Science and Technology Policy (OSTP) regarding civil rights, equity, and artificial intelligence (AI).<sup>1</sup>

Civil rights and technology research and policy organizations [have long cautioned that](#) data-driven technologies should be designed and used in ways that respect the values of equal opportunity and equal justice. With this in mind, we applaud the Biden administration’s work to create an Interagency Policy Committee (IPC) on AI and equity issues. We are enthusiastic about the prospect of an empowered IPC whose focus includes equity and civil rights in AI technology, and we are eager to provide support for this important work. This memorandum provides a brief set of overarching recommendations for the IPC’s consideration. It then provides a set of issue-specific recommendations and opportunities, informed by organizations that are active and well-versed on the issues.

## **I.    Key Challenges and Cross-Cutting Recommendations**

We urge the development, implementation, and enforcement of policy on data-driven technologies that protects civil rights, prevents unlawful discrimination, and advances equal opportunity. The creation of a robust interagency coordination process is essential in this effort.

Our recommendations are built on a specific understanding of ways the development and deployment of AI systems have exacerbated harms experienced by marginalized communities. It is important for the IPC to keep these considerations central to its work. The dominant narrative surrounding the research and deployment of AI in American society centers the possibility of AI technology to facilitate potential economic growth and geopolitical

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<sup>1</sup> Today’s terminology places many technologies in the broad frame of “AI.” However, we are not only concerned by the latest advances, but also by the long line of technologies that purport to measure people’s attributes and predict behavior, some of which have been used for decades. The most consequential technologies that are shaping people’s rights and opportunities today are often not new — for instance, some statistical pretrial risk assessment tools date back to at least the 1990s, and consumer credit scoring algorithms like FICO emerged in the 1980s. While “AI” may be an attractive shorthand and starting point — particularly in light of recent applications of biometrics and face recognition — this Administration must consider the impact of a broader scope of technologies and data practices, much of which may not be considered “AI.”

competitiveness, overshadowing and obscuring harms already being experienced by marginalized communities. These narratives about the potential for AI, which consistently position questions about ethics, accountability, and civil rights as secondary, are exacerbated by the private sector's outsized presence and influence in AI research and policy development. Industry and government alike have rushed to develop and adopt AI systems, without devoting sufficient attention to enforcing preexisting civil rights protections or creating new legal and regulatory guardrails to mitigate harms.

As it stands today, automated and algorithmic systems (including but not limited to systems using AI) are already in widespread use, without meaningful transparency, oversight or accountability mechanisms in place to detect, prevent or remedy threats to civil rights, civil liberties and broader consumer interests. Federal agencies that use AI themselves, regulate industries using or developing AI, or direct federal research and development funding priorities, have not yet taken sufficient steps to create and maintain policies that prevent this technology from violating existing laws or preventing technology-driven harm.

The IPC is in a unique position to change this dynamic. To uphold the Biden administration's commitment to center racial equity throughout federal policymaking, the IPC could lead critical work to support and coordinate policy efforts among federal agencies using and regulating AI. The IPC can facilitate knowledge sharing and coordination around frameworks for regulation, procurement, standards, and the auditing of AI systems. Additionally, the IPC can work to establish a strong foundation for future best practices, regulation, research investments, and other approaches to prevent future harms.

Centering equity, civil rights, and material impacts in discussion of AI policy — avoiding excessively theoretical discussion, particularly about general purpose AI systems and potential economic growth — is both a challenge and opportunity the IPC is well-positioned to address.

We offer the following cross-cutting recommendations for the IPC's consideration:

**Publicly elevate the IPC's work.** Pointing to a coordinated, interagency effort on AI and equity would send a powerful message to the American public that the administration is working to understand and address the benefits and risks from further deployment of AI in society, while also signaling to the private sector and federal agencies that there is dedicated space for deeper exploration of the issues and the development of robust policy responses.

**Demonstrate Presidential commitment to these issues consistent with the administration's continuing call for equity across the government.** Advancing that goal through public remarks and engagement from senior White House leadership will show that this is a priority. The White House should use its convening power to organize public events, facilitating issue experts and community organizations to engage on these questions in informed, effective ways.

**Leverage the AI Bill of Rights.** The public launch of the AI Bill of Rights provides further opportunity for the administration to demonstrate its commitment on these issues. Efforts to implement Bill of Rights principles and recommendations can be coordinated through the IPC, a vehicle the administration can marshal in an effort to demonstrate the utility of the Bill of Rights through both short-term opportunities (for example, publishing a report on government uses of AI and recommendations for upholding civil rights protections in those use cases) and long-term efforts (funding and implementing a research and development agenda that advances privacy, safety and ethics).

**Ensure AI policy and processes are consistent and informed by the concerns of impacted communities.** As AI is being adopted and used across the government, the IPC can also fill an important role by ensuring that policies and processes related to equity in the use of AI are consistent. Current government efforts to address AI range from NIST's Risk Management Framework to the financial services regulators' Request for Information on the responsible use of AI, with many other examples. Given that breadth, the IPC can play an important role in harmonizing efforts, sharing expertise, and building a culture that prioritizes the responsible use of AI. For example, the IPC can promote resource and information-sharing between agencies, harnessing technical expertise, training materials and playbooks that have relevance across sectors. The IPC can urge agencies to dedicate resources to these questions and share templates for effective ways of accessing necessary technical expertise. Finally, the IPC could create a blueprint for agencies to establish a durable process for identifying and engaging with communities potentially impacted by the use of AI. Impacted communities must play a central role in identifying concerns with the deployment and use of AI and informing policy responses.

## **II. Issue-Specific Opportunities and Recommendations**

The following section offers potential opportunities and approaches for the IPC to pursue in various issue areas impacted by AI technology. We have arrived at these recommendations through working group discussions and consultation with other stakeholders. Our working group discussions are informed by an assessment of our ongoing efforts, collective priorities, and gaps in the field; however, it is important to note that these suggestions are intended as a starting point, not an exhaustive list of ways in which the IPC could engage.

While AI touches nearly every issue area, we recognize the IPC will need to focus its efforts on a more narrow set of issues to have meaningful impact, especially in the short term. Below is a subset of issues that represent an opportunity for meaningful policy change or progress.

### **1. Procurement**

- **Through the Office of Management and Budget (OMB), issue new guidance as to how to interpret and apply the principles for government use of AI set forth in**

Executive Order 13960,<sup>2</sup> placing new emphasis on equity, civil rights, and responsible design and use. This guidance could draw on and amplify the forthcoming AI Bill of Rights and NIST AI Risk Management Framework.<sup>3</sup> OMB could also direct agencies to complete the inventory of agency AI use cases referenced in the EO and ensure that such inventories include an express focus on how agencies are considering questions of equity, civil rights, and responsible design and use.

- **Direct OMB to issue a new policy memorandum on federal agency procurement and use of AI**, advising agencies on how to navigate unique challenges raised by AI acquisition and use.<sup>4</sup>
  - Such guidance could address, among other factors: vendors' commitments to pre- and post-acquisition testing for AI-driven harms and barriers; negotiation of intellectual property rights to allow for auditing and enhanced transparency; and meaningful public participation and input in systems' adoption and design.
  - The memorandum could adapt relevant aspects of Executive Order 14028, which urged the standardization of contractual requirements and documentation to address cybersecurity risks.<sup>5</sup> For example, the memorandum could advise that requests for proposals (RFPs) and contracts should designate agencies and contractors' responsibilities for systems' design, development, documentation of data sources, scope of training and testing data, third-party evaluation of underlying technologies for harmful bias, harms incident reporting mechanisms, and risk and equity impact assessments pre- and post-deployment.<sup>6</sup>
- **Include guidance and resources about the acquisition of AI tools in the TechFAR Handbook and Learning Center.**<sup>7</sup> The guidance could emphasize, for example, the importance of pre- and post-deployment testing requirements, and advise how to account for such requirements with sample language for RFPs and contracts. TechFAR resources could also clarify that market research and analyses of agency need, contractor qualifications, and risk should include studies on disparate impacts of the types of AI systems contemplated, recognition of harm reduction and equitable outcomes as evaluation factors, and review of offerors' past performance with respect to their systems' prior harms.

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<sup>2</sup> Exec. Order No. 13960, [Promoting the Trustworthy Use of Artificial Intelligence in the Federal Government](#), 85 Fed. Reg. 78939 (Dec. 3, 2020).

<sup>3</sup> Nat'l Inst. of Standards and Tech., [Draft AI Risk Management Framework](#) (March 2022).

<sup>4</sup> The AI in Government Act of 2020, P.L.116-260, Division U, Title I, required OMB to develop a memorandum to inform agencies' acquisition and use policies for AI, recommending best practices to protect civil rights and civil liberties, mitigate biases or unintended consequences in the use of AI, and address inequities or risks indicated in agencies' inventories. We are unsure of the status of this work, but we believe OMB has an important opportunity by completing such guidance, including with a public consultation process as described in the bill, and the requirement for agencies to publicly report their plan to achieve consistency with the Memorandum, and for OMB to update the Memorandum at least once every two years.

<sup>5</sup> Exec. Order No. 14028, [Improving the Nation's Cybersecurity](#), 86 Fed. Reg. 26633 (May 12, 2021).

<sup>6</sup> See e.g., World Econ. Forum, [Guidelines for AI Procurement](#) (Sept. 2019).

<sup>7</sup> [TechFAR Handbook](#).

- Through OMB guidance or otherwise, **develop standard requirements that should be incorporated into grants or other provisions of federal funding to state or local agencies for acquisition of new technologies.** Such requirements should include, for example, robust and independent pre- and post-acquisition auditing and reporting, and reflect the obligation enshrined in Title VI for federal agencies not to use racially discriminatory technologies and to comply with associated requirements (*see more on this below*). OMB can build off the work currently being conducted by the American Rescue Plan Implementation Team in the context of federal funding of identity verification solutions for state workforce agencies.

## 2. Title VI, Grant Conditions and Guidance for Technology Development

- **Urge the Department of Justice (DOJ) to develop rules and guidance for preventing violations of Title VI by potentially discriminatory technologies.** Building on the Biden administration's commitment to strengthen Title VI enforcement, the Department of Justice, led by its Civil Rights Division, and in consultation with relevant federal agencies (e.g., NIST), and consistent with the DOJ's June 22, 2022 memorandum on implementation and enforcement of Title VI and the Safe Streets Act, should develop protocols and guidance for companies or agencies developing technology to be used by public actors, and grant conditions for applicants to prevent violations and permit evaluation of compliance with Title VI or other civil rights laws for data-driven and automated decision-making systems.
  - For discretionary funds, this protocol should embrace a holistic, sociotechnical evaluation to assess whether covered technologies create an unacceptable risk of Title VI violations prior to an agency's decision to procure, fund or implement covered technologies. This protocol should ensure that covered technologies do not facilitate disparate impact or enable disparate treatment against protected classes, and require technologies used in grant programs to make publicly available data and information necessary to assess whether their use of the technology is in compliance with Title VI or other civil rights laws. The protocol or guidance should serve as the basis for future agency rulemaking on implementing a risk-based governance approach with respect to how the federal government procures, funds, develops, and implements these technologies in sensitive domains that implicate civil and human rights such as housing, employment, policing, immigration, and public benefits.
  - At a minimum, the Title VI risk-based protocol, grant conditions or other guidance should require that any federal agency, prior to taking an agency action, assess whether the technology presents either: (1) a prohibited risk to civil and human rights and should be banned from use altogether; (2) a high risk to civil and human rights and should be subject to agency preclearance and stringent disclosure and transparency requirements; or (3) a moderate risk to civil and human rights and should be subject to robust transparency and accountability measures for scientific validation and disparate impact or treatment.

- The Civil Rights Division of the DOJ should increase staff so that it can be involved in overseeing and evaluating Title VI-funded programs using the established protocols and guidance.
- Further, the DOJ should develop and issue a Notice of Proposed Rulemaking that discusses the requirements of Title VI, begins to build a record for discrimination concerns regarding facial recognition technology and other biometric or AI technologies, and proposes rules to apply to all entities within the Department's Title VI jurisdiction.

### 3. Housing, Employment & Credit

- **Establish cross-sector initiatives focused on uses of AI that impact homebuyers, tenants, workers, and consumers.**
  - The Department of Housing and Urban Development (HUD), Equal Employment Opportunity Commission (EEOC), Department of Labor (DOL), Consumer Financial Protection Bureau (CFPB), and related agencies face similar challenges in understanding and regulating the risks of AI-driven technology. The agencies could consider establishing a formal working group to share information and approaches, on issues such as: (1) overcoming the information gaps in their respective sectors to better understand which AI tools are being used, by whom, and how they are being used with what effects; (2) understanding and responding to the unique risks caused by data-driven advertising for housing, jobs, and credit; and (3) approaches to meaningful auditing and transparency.
  - The IPC could encourage additional coordination with the Interagency Task Force on Fair Lending to develop shared guidance and strategies to combat unlawful discrimination that limits targeted online advertisements for housing, jobs, and credit opportunities on the basis of protected characteristics including race and ethnicity.
  - The IPC could coordinate relevant agencies to develop federal standards for conducting civil rights audits and assessments of algorithmic systems that affect covered areas, such as housing, jobs, and lending. This includes developing new testing methods to uncover discrimination in digital systems that mediate access to economic opportunities, under the government's own testing programs, such as DOJ's Fair Housing Testing Program in the Housing and Civil Enforcement Section.
  - A working group could share information and learn from each other's efforts and provide a common space to meet with outside experts. The working group could also explore needs related to training agency investigators and conducting research studies on AI-driven technologies, including Congressional action to increase or designate funding for such purposes.

#### 3a. Housing

- **As the costs of rent rise across the nation, coordinate among HUD, CFPB, DOJ, and other agencies to ensure that arbitrary, discriminatory barriers do not prevent renters from achieving housing security, particularly in the use of background checks to screen rental applicants.**
  - HUD has already acknowledged that housing providers likely violate antidiscrimination laws when they apply blanket policies of screening out prospective tenants because they have a criminal or eviction history. HUD should expand this guidance to clarify that any policy or practice, automated or otherwise, of evaluating potential tenants based on eviction, credit, or criminal histories is likely to have a disparate racial impact and must be narrowly tailored. HUD should also clarify that its guidance on tenant screening and antidiscrimination for federally subsidized housing providers also applies to all other housing providers' Fair Housing Act obligations.
  - HUD, the Federal Trade Commission (FTC), and CFPB could coordinate to ensure that the tenant screening industry receives heightened scrutiny. This coordination could include, for example, an investigation under Section 6(b) of the FTC Act to study how companies obtain, match, and report information such as criminal records, eviction and other civil court records, and credit and financial information. The study should investigate how companies compile tenant screening reports and scores, the extent to which the underlying records are inaccurate, and the extent to which the tenant screening industry complies with its obligations under the Fair Credit Reporting Act.
- **Further recommendations about ways to address technology's role in housing discrimination** are available in this [joint letter from a coalition of civil rights and technology groups to Secretary Marcia Fudge](#) and other leaders, dated July 2021 (pp.15-23).

### 3b. Employment

- **The IPC should publicly support and amplify the EEOC's Initiative on AI and Algorithmic Fairness**, including the recent DOJ/EEOC guidance about employers' legal obligations with respect to AI under the Americans with Disabilities Act. The IPC could call for the EEOC to similarly publish guidance that details employers' legal obligations under Title VII with respect to AI-driven employment practices, and the IPC could direct the DOJ to do the same. The White House could host an event that lifts up examples of algorithmic harms and strategies that agencies with civil rights enforcement authority can take to address them, with DOJ/EEOC's work featured as a recent, concrete win. The IPC could similarly highlight the DOL/EEOC HIRE Initiative on reimagining equitable hiring and recruitment practices as another important effort.
- **Set clear standards for the use of AI in employment by federal agencies and federal contractors.** The government should set the model for how employers

responsibly approach the use of AI in hiring and advancement. Auditing and transparency requirements developed for contractors can also be adapted into more expansive EEOC guidance on best practices for employers to audit AI-driven tools for disparate impact.

- OMB and the Office of Personnel Management, in consultation with the Department of Labor, could issue guidance to federal agencies regarding the use of AI-driven tools in federal hiring and workforce management, including warnings regarding potential discriminatory effects and requirements for regular and dynamic auditing and transparency.
  - The Office of Federal Contract Compliance Programs could require federal contractors to disclose their use of AI hiring tools, report data regarding potential disparate impacts, and require contractors to audit their tools pre- and post-deployment periodically. Such efforts would help fill an important information gap in how AI hiring tools are being used and their effects.
- **Expand/build upon DOL's [Good Jobs Initiative](#) to include a focus on technology in the workplace**, with an emphasis on the use of AI in employment-related decisions from hiring through termination, and in monitoring workers' productivity and performance. The White House could direct DOL to publish technical assistance that explains how AI-driven tools can unfairly and discriminatorily affect the quality of workers' jobs and the opportunities available to them, addressing the impact of AI-based employment actions on compensation, job benefits, professional advancement, physical and mental health, and the ability to speak out against poor workplace conditions.
  - **Further recommendations about ways to address technology's role in hiring discrimination** are available in this [joint letter from a coalition of civil rights and technology groups to Secretary Marty Walsh, the EEOC](#) and other agencies, dated July 2021 (pp.6-14).

#### 4. Education

- **Encourage the U.S. Department of Education (ED) to support information gathering, provide guidance, and conduct enforcement to curb the use of algorithmic systems and data-sharing practices that have discriminatory effects** on LGBTQ+ students, students of color, and students with disabilities, including how they run afoul of Title IX, Title VI, and the ADA and Section 504 of the Rehabilitation Act, respectively, which can include the use of student activity monitoring software, public social media monitoring, exam proctoring software, facial recognition to access student facilities, and AI tools to evaluate students for academic performance or emotional state.
  - As part of this effort, ED and DOJ could re-issue and expand their 2016 Dear Colleague Letter establishing procedures to protect the privacy of transgender and nonbinary students to include a greater focus on technology-related risks.<sup>8</sup>

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<sup>8</sup> U.S. Dept. of Educ. & U.S. Dept. of Just., [Dear Colleague Letter on Transgender Students](#), May 13, 2016 (rescinded Feb. 22, 2017).



- ED could clarify how the term “education records” in the Family Educational Rights in Privacy Act applies to modern education records, such as the vast datasets utilized for algorithmic systems and artificial intelligence. Parallel guidance should address the significant concerns about inequities caused by remote proctoring, expanding its previous guidelines for in-person testing to address this new practice which has proliferated during the pandemic.
- **Coordinate efforts to address the monitoring of students’ activities online**, which has been shown to lead to excessive and disparate disciplinary impacts, chill speech, out LGBTQ+ students, and worsen the school-to-prison pipeline. Among other activities, the IPC could:
  - Urge ED to gather more information about student activity monitoring by adding questions to ED’s Civil Rights Data Collection about the privacy and equity impacts of this practice.
  - Take steps to clarify that the Children’s Internet Protection Act does not require pervasive, technologically sophisticated monitoring of students online (for example, through guidance, a policy statement, or possibly rulemaking from the FCC).

## 5. Criminal Legal System

- **Coordinate an inter-agency and inter-branch working group review of risk assessment systems that directly or indirectly limit people’s freedom and liberty.**
  - Coordinate with the Department of Justice, the Department of Homeland Security, and the Administrative Office of the U.S. Courts to review existing risk assessment systems that materially affect people’s liberty including, but not limited to, the federal Pretrial Risk Assessment (PTRA), the Post Conviction Risk Assessment (PCRA), the Risk Classification Assessment (RCA), and the Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN).
  - This review should assess whether or not the accused, the incarcerated, their counsel, and the public have access to: a complete description of the design and testing process, a list of factors the tool uses and how it weighs them, the thresholds and data used to determine labels for risk scores, the outcome data used to develop and validate the tool, clear definitions of what an instrument forecasts and for what time period, and the error rate of the tool. If not, the working group should coordinate to ensure each piece of information is made readily available.
  - The review should assess whether or not any risk assessment developed by the federal government has advanced racially equitable release, classification, or transfer. If not, the use of the risk assessment should be discontinued.
- **Especially given the Supreme Court decision in *Dobbs* and continued state efforts to further criminalize reproductive healthcare and abortion access, immediately**

**expand review required under Executive Order 14074 to include additional algorithmic and surveillance technology.<sup>9</sup>**

- While Section 13(d)(1) of this Executive Order required a study of biometric technology and predictive algorithms, numerous additional algorithmic and surveillance technologies used by law enforcement agencies risk fueling current disparate criminalization and mass incarceration of Black and Brown people in the U.S — especially as law enforcement turn to new technologies to surveil providers and those seeking abortions across the United States.
- The IPC should expand on the study required by the Executive Order and include review of the following technologies and practices: social media surveillance programs, mobile device forensic tools, aerial surveillance tools, networked surveillance cameras, automated license plate readers, automated gunshot detection systems, as well as geofence and keyword search warrants. The use of these tools should be reviewed for risks to civil rights and liberties, including privacy violations, and particularly for populations likely to be targeted such as communities that disproportionately experience law enforcement harm and pregnant people seeking abortions.
- Reviews of grantmaking operations and activities of grant recipients by federal agencies that provide grants to state, local, and territorial law enforcement as required by Section 20 of the Executive Order should include consideration of the expanded list of technologies above, and require consultation with civil rights, civil liberties, criminal defense and data privacy organizations to inform prerequisites, oversight, and accountability for federally funded recipients.
- **Federal Guidance on Policing Technologies:** As a way to preempt techno-solutionist law enforcement responses to public safety crises — including the tragedies in Buffalo and Uvalde — the IPC should develop comprehensive, interagency guidance for federal (and state or local) law enforcement agencies that incorporates the following:
  - Categorical prohibition on the use of certain policing/carceral technologies that present unacceptable risks to civil and human rights (e.g., predictive policing/risk assessments/social scoring, facial recognition (especially real-time facial recognition & facial identification, etc.);
    - At a minimum, prohibitions on contracting with or procuring technologies from private technology vendors that fail to meet minimum standards to be determined by appropriate federal oversight entities that include civil rights components. Minimum standards should examine such factors as whether the company has been banned in other countries or implicated in

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<sup>9</sup> Exec. Order No. 14074, [Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety](#), 87 Fed. Reg. 32945 (May 25, 2022).

rights' violations. These minimum standards should be developed with input from civil and human rights organizations.

- Prohibition or preclearance requirements prior to funding or technical assistance to law enforcement agencies that are currently under investigation or subject to a consent decree for systemic rights violations;
- Requiring law enforcement agencies as a condition of federal funding to engage in prior public notice/comment and obtain explicit local democratic authorization for procuring policing/carceral technologies;
- Processes for the public to request, access, and delete biometric data relied upon by federal law enforcement agencies, in addition to periodic mass purges of large biometric datasets relied upon for law enforcement activities and federal prosecutions.

## 6. Face Scans and Government Services

- Issue a **Government Vendor Face Purge and Face Scan Transparency Mandate**, implementing accessible and non-discriminatory alternatives to using biometric technologies, including facial recognition technologies, for access to all government services and benefits. After the overreach of the IRS in adopting ID.Me with little public scrutiny, no one should be forced to share sensitive biometric data to interact with government agencies. Large datasets of faces are subject to leaks and security breaches. Mandating a purge will put necessary checks on companies like Clearview AI and ID.me who can use government-facilitated data collection to refine private applications. France, Australia, Italy and the UK have already done this. The United States can and should take an even stronger stance.
  - Within 3 months: The IPC should work with the Algorithmic Justice League and other organizations to define a responsible data strategy for governmental agencies and vendors to purge existing faces from databases leveraged for services and benefits. This includes faces and faceprints collected and stored as part of government procurement, as well as artificial intelligence and machine learning models trained with that information without active informed consent.
  - Within 6 months: The IPC should publicly announce the strategy, naming the governmental agencies and vendors it has contacted, and the plan for a purge over the next six months. This should include naming the accessible and non-discriminatory alternatives directed or already implemented.
  - Within 12 months: The IPC should publicly announce the outcome of its 12-month goal for the **Government Vendor Face Purge and Face Scan Transparency Mandate**, and define any strategy and consequences needed for purging remaining faces with a specific deadline, if applicable.
- As part of the **Government Vendor Face Purge and Face Scan Transparency Mandate**, to support due process rights, anyone who is pulled up as a match in a

government face search must be notified and given the vendor details and source used to collect their face, with a pathway to contest false matches.

## **Conclusion**

We applaud the Biden administration's commitment to creating a new IPC that can align critical work happening within federal agencies and demonstrate leadership at the intersection of AI and equity. This work promises to raise the bar for both the public and private sector to center the material impacts of technology on marginalized communities and explore the potential of AI in ways that are rooted in the protection of civil rights and liberties and that are deeply consulted with a wide range of experts and communities.

Thank you for your commitment to centering equity in AI policy. With any questions or further comments, please contact Corrine Yu (Senior Advisor to the President and Interim Executive Vice President of Campaigns and Programs, The Leadership Conference on Civil and Human Rights) at [Yu@civilrights.org](mailto:Yu@civilrights.org).