



National  
Urban League

July 7, 2023

Arati Prabhakar  
Director and Assistant to the President for Science and Technology  
Office of Science and Technology Policy  
Executive Office of the President  
1650 Pennsylvania Avenue NW  
Washington, DC 20504

**Re: *National Priorities for Artificial Intelligence***

Docket No.: OSTP-TECH-2023-0007

Submitted electronically via regulations.gov

Dear Director Prabhakar,

The National Urban League (NUL) submits this letter to the Office of Science and Technology Policy (OSTP) in response to the Request for Information on National Priorities for Artificial Intelligence. NUL is a historic civil rights organization with 92 affiliates across 36 states and D.C. that advocates for the economic empowerment of Black communities and other historically underserved communities largely concentrated in urban America. Our organization recognizes that we are at the crux of a technological revolution with artificial intelligence at the center and this moment has created an urgent need for civil rights to be prioritized in policy creation and implementation. Research and user experiences have clearly demonstrated that AI has the potential to further marginalize those who are already most at risk of being excluded from a wide range of life opportunities including, but not limited to, equitable access to employment, education, housing, healthcare, and civic engagement. Advancements in AI simultaneously present unique opportunities to advance equity, improve the delivery of government services, and provide economic opportunities to diverse communities as workers and business owners. The National Urban League applauds the Biden administration for its focus on AI across a wide range of sectors and we urge the administration to act thoughtfully and urgently to produce policies that uphold civil rights, promote competition, reduce consumer harm, and protect democracy.

***Advancing Equity and Strengthening Civil Rights***

***Question 9***

As Dr. Alondra Nelson, the former Principal Deputy Director of the Office of Science and Technology Policy for Science and Society stated, it is essential to recognize our “longstanding, innovative, and critical engagement with science and technology as Black people.”<sup>1</sup> The communities we represent throughout the Urban League movement are rightfully skeptical of new technologies, but our communities are also optimistic about how technology can transform our lives for the better. For example, AI can reduce our workload and allow

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<sup>1</sup> C. Brandon Ogbunu. “How Afrofuturism Can Help the World Mend,” *Wired Magazine* (July 15, 2020), <https://www.wired.com/story/how-afrofuturism-can-help-the-world-mend/>.



opportunities to contribute to society creatively, engage civically, and increase time to thoughtfully address caretaking responsibilities for children, aging adults, or those with healthcare needs. AI can also assist in the delivery of government benefits through improved interagency coordination in determining eligibility, notification of eligibility, and enrollment in programs. This will reduce the administrative burden on the government and will allow more opportunities to improve the delivery of services. Effective delivery of government services can also dramatically increase government trust by lessening the “time tax” which has broadly been defined as the “levy of paperwork, aggravation, and mental effort imposed on citizens in exchange for benefits.”<sup>2</sup> Programs of particular interest to NUL that could be delivered more effectively include student loan debt relief, Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Medicaid, Affordable Connectivity Program (ACP), Child Tax Credit (CTC), and the Low Income Home Energy Assistance Program (LIHEAP).

Also, for AI to truly enhance equity there must be a workforce that reflects the diversity of the country and AI regulations must include strong civil rights protections. NUL remains concerned that bias in AI can further marginalize people of color, women, people with disabilities, low-income people, and other systemically oppressed groups because these groups can appear both hyper-visible and invisible in datasets. Harms are especially profound in high-risk or dangerous situations such as interactions with law enforcement/the criminal-legal system. Further, there are concerns about a lack of transparency and deployment of technology without proper risk assessments. One of the many ways to mitigate risks in AI systems and to ensure civil rights are protected is by ensuring Black workers are included and leading at all levels throughout the research, design, development, and deployment stages. The absence or strategic marginalization of a diverse workforce will have adverse effects on those we represent and will undermine the country’s leadership in this technological revolution.

Similarly, AI regulations must include strong civil rights protections including in comprehensive federal privacy legislation. As NUL has previously stated, the use of algorithms and other data-driven practices “can lead to increased over-policing of communities that are already overpoliced—namely, communities of color, unhoused individuals, and immigrants—by using the cloak of scientific legitimacy and the supposed unbiased nature of data.”<sup>3</sup> During the 117<sup>th</sup> Congress, our organization supported the *American Data Privacy and Protection Act* (ADPPA), which would prohibit “the collection and use of data in ways that discriminate based on race, color, religion, national origin, sex, and disability.”<sup>4</sup> It would also require companies to conduct impact assessments in order to “identify biases and mitigate harms” and to “evaluate their algorithms for bias at the initial design phase before they are deployed.”<sup>5</sup> This bill or similar legislation is an important step towards fostering equity. Additionally, in the absence of such legislation, agencies must foster a regulatory environment with strong civil rights protections concerning the use of data in both commercial and government AI tools.

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<sup>2</sup> Annie Lowery, “The Time Tax,” *The Atlantic*, (July 27,2021),

<https://www.theatlantic.com/politics/archive/2021/07/how-government-learned-waste-your-time-tax/619568/>.

<sup>3</sup> Matthew Guariglia, Technology Can’t Predict Crime, It Can Only Weaponize Proximity to Policing, September 3, 2020, <https://www.eff.org/deeplinks/2020/09/technology-cant-predict-crime-it-can-only-weaponize-proximitypolicing>.

<sup>4</sup> Alisa Valentin, “Privacy Rights are Civil Rights,” *Black Women’s Roundtable Annual Report: Black Women in the United States & Key States*, (March 15, 2023), <https://bwrunity.files.wordpress.com/2023/03/bwr-annual-report-2023-final.pdf>.

<sup>5</sup> *Id.*



### ***Question 10***

One key approach to understanding the impacts of AI systems on underserved communities is through ongoing community engagement during policy design. It is imperative for the administration to continue to host listening sessions with impacted communities. NUL encourages outreach beyond the Washington, D.C. area to urban, suburban, and rural communities throughout the nation. Listening sessions could be hosted at libraries, schools, and the headquarters of community-based organizations, such as Urban League affiliates, as well as virtually, in a way that is easily accessible via mobile applications. The administration should also consider collaborating with philanthropy to ensure people are compensated for childcare, travel, and food costs when they participate in such feedback sessions.

Additionally, careful consideration must be shown to Black communities, including those with disabilities, who experience marginalization in the workforce, health care, education, and criminal-legal systems even with the absence of AI. History and recent research demonstrate that Black communities remain over-surveilled which has led to tracking of racial justice protestors, improper arrests, the use of excessive force, and deaths.

In regard to health surveillance and communities with disabilities, researchers have shown that “in order to access benefits, use an app or connected device, or even secure medical treatments, many people must consent to using technology and the data practices associated with it, without having a complete, meaningful opportunity to weigh alternative options and make informed choices about how they want data about their health to be handled.”<sup>6</sup> People with disabilities are particularly, and rightfully, concerned about how their data will be used with third parties “because it could be used to make or influence health care decisions, predict outcomes, or modify or deny services to disabled people potentially in a discriminatory way.”<sup>7</sup> There must also be special consideration for the ways in which Black and other communities of color interact with the healthcare system, as AI can worsen medical racism through wrong decisions about how much care certain patients receive, inaccurate predictions of life-threatening diseases, or widespread use of non-inclusive hardware devices.<sup>8</sup>

One safeguard that is important for protecting Black communities in the AI revolution is ensuring there is continued involvement of Black technologists and civil rights experts in the creation of AI, which will help produce new, inclusive ways to innovate. If the demographics of those leading AI creation are marked by homogeneity, the technology and users will be negatively impacted. There are many leading Black thinkers in this sector making valuable advancements in new programs that promote inclusion, ways to eliminate bias in algorithms, and

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<sup>6</sup> Lydia X.Z. Brown, Ridhi Shetty, Matthew U. Scherer, and Andrew Crawford. “Ableism And Disability Discrimination in Surveillance Technologies.” Center for Democracy and Technology, (May 2022), <https://cdt.org/wp-content/uploads/2022/05/2022-05-23-CDT-Ableism-and-Disability-Discrimination-in-NewSurveillance-Technologies-report-final-redu.pdf>.

<sup>7</sup> *Id.*

<sup>8</sup> Crystal Grant. “Algorithms Are Making Decisions About Health Care, Which May Only Worsen Medical Racism,” ACLU, (October 3, 2022), <https://www.aclu.org/news/privacy-technology/algorithms-in-health-care-may-worsen-medical-racism>.



systems to provide financial support to budding AI professionals. Those ideas should be replicated at scale throughout industry and the government.

### ***Question 13***

As stated in a recent letter signed by the National Urban League, there are several actions the federal government should take to account for the inequitable impacts of AI.<sup>9</sup> For example, to combat algorithmic discrimination, the new guidance from the Department of Housing and Urban Development (HUD) on tenant screening algorithms should be implemented without delay and the Occupational Safety and Health Administration (OSHA), Equal Employment Opportunity Commission (EEOC), Department of Justice (DOJ), and Department of Labor (DOL) should all issue and enforce further guidance on hiring technology, workplace surveillance, and algorithmic worker management. The DOJ should also increase efforts to prevent algorithmic discrimination and inaccuracies by ensuring “that the funding, procurement, and use of law enforcement technologies and other criminal-legal technologies advance equitable public safety and criminal justice practices, particularly for communities who often experience adverse disparate racial impacts.”<sup>10</sup> As stated in our above response, the administration should also work to strengthen the public dialogue by convening diverse experts to discuss effective approaches for identifying and mitigating algorithmic harms, such as “by modeling participatory processes that center impacted communities.”<sup>11</sup>

The White House should fully staff the National AI Initiative Office and ensure that the Interagency Policy Committee on AI and Equity functions effectively. The administration should also highlight examples of harms that occur because of AI and make clear that developers and deployers of automated systems have a responsibility to address them.<sup>12</sup> Lastly, because the Federal Trade Commission (FTC) has a significant role to play, they should issue and enforce “a rule that minimizes the amount of information collected, which could ultimately eliminate some of the bias and unfair practices that derive from the use of predictive algorithms.”<sup>13</sup> In the interim, the FTC should “consider robust transparency, auditing, and testing requirements for entities that choose to use potentially damaging systems.”<sup>14</sup>

### ***Bolstering Democracy and Civic Participation***

#### ***Questions 14 and 16***

To equip people to interact with AI systems in a way that fosters strong civic engagement, it is imperative to combat disinformation and misinformation. It is not effective to only debunk each falsehood retroactively; proactive steps must be taken. For example, the federal government should invest and encourage private sector investment in media and digital

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<sup>9</sup> The Leadership Conference on Civil and Human Rights. Letter to Neera Tanden, Arati Prabhakar, and Shalanda Young on “Next Steps to Advance Equity and Civil Rights in Artificial Intelligence and Technology Policy,” (June 13, 2023), <https://civilrightsdocs.info/pdf/policy/letters/2023/DPC-OSP-OMB-AI-Letter.pdf>.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *See supra* note 4.

<sup>14</sup> *Id.*



literacy skills.<sup>15</sup> It is also important for people of color to be employed at and leading companies to foster a diverse media environment. Similarly, it is important to invest in voter education efforts to ensure that people know the location and hours of their polling place, deadlines for registering, rules for absentee voting, and awareness about government resources that are already in place such as vote.gov. Also, localities should receive more investments so they are prepared for possible cyberattacks on voting infrastructure. This might entail requiring polling places to keep emergency paper ballots on hand in case of machine or printer malfunction, as paper ballots can be audited to confirm that machine counts are aligned with counts by humans.<sup>16</sup>

Additionally, polling places could be required to keep provisional ballots on hand in the event of cyberattacks or problems with registration databases that make it unclear who is eligible to vote.<sup>17</sup>

### ***Question 15***

The *State of Black America* is the National Urban League's annual publication that includes thought leadership and policy recommendations from key figures in politics, civil society, and industry on how to build a more equitable country. Recent issues have featured the urgent need to address disinformation and misinformation which has impacted the integrity of our elections and led to a rise in hate and extremism. During the 2016 election, the Russian entity, Internet Research Agency (IRA), implemented various tactics to undermine our election and Black audiences were targeted online more than any other group, with 38% of US-focused ads purchased by the IRA.<sup>18</sup> One tactic used by these bad actors was posing as members of activist groups to spread disinformation, decrease trust, and discourage voting for a particular candidate, or voting in general.<sup>19</sup> There has also been an increase in Spanish-language falsehoods being spread across platforms. The absence of strong data privacy and AI regulations with civil rights protections alongside the urgent need to scale the presence of technologists in the government are key challenges posed to democracy by AI systems.

Disinformation thrives in times of uncertainty. The changes to voting mechanisms that have resulted due to the Covid-19 pandemic have created prime conditions for bad actors to take advantage of confusion surrounding elections to spread falsehoods.<sup>20</sup> The onslaught of false information and divisive racial election advertisements demonstrate the threat posed by algorithms and AI systems. These threats could continue to worsen as AI technology advances through the increased prevalence of large language models (LLMs) such as ChatGPT.

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<sup>15</sup> National Urban League, *The Lewis Latimer Plan for Digital Equity and Inclusion*, (March 30, 2021), <https://nul.org/program/lewis-latimer-plan>.

<sup>16</sup> Lawrence Norden and Gowri Ramachandran, "Pandemic Precautions: How to Protect the 2020 Election Inside and Outside Polling Places," (2020), National Urban League, *State of Black America: Unmasked*.

<sup>17</sup> *Id.*

<sup>18</sup> Testimony of the National Urban League. U.S. House of Representatives. Committee on House Administration. A Growing Threat: The Impact of Disinformation Targeted at Communities of Color, (April 28, 2022), <https://docs.house.gov/meetings/HA/HA08/20220428/114642/HHRG-117-HA08-Wstate-ChaneyJ-20220428.pdf>.

<sup>19</sup> Bret Shafer, "Race, Lies, and Social Media: How Russia Manipulated Race in America and Interfered in the 2016 Elections," (2019), National Urban League, *State of Black America: Getting 2 Equal: United Not Divided*.

<sup>20</sup> *Id.*



*Promoting Economic Growth and Good Jobs; Innovating in Public Services*

**Question 17**

**Health:** If harnessed appropriately, AI could be used to improve healthcare outcomes and decrease or eliminate pervasive racial disparities.<sup>21</sup> For example, the United States has the highest maternal mortality rate among high-income countries. Rates of morbidity and mortality are worse in ethnic and racial minorities, especially Black and Indigenous birthing persons. CDC data suggests 60% of maternal deaths are preventable. One proposed strategy to combat this would use a combination of AI (e.g., machine-learning algorithms) and data from electronic health records to predict which pregnant people have a high risk of complications from childbirth. For example, a system could input a health indicator (e.g., vital signs) into the electronic health record, use it to identify who might be at risk, and alert medical staff accordingly. Once high-risk patients are identified, digital technology could be utilized to monitor them and improve their access to care during pregnancy.<sup>22</sup> Finally, patients identified as high-risk could be referred to hospitals with better resources for their deliveries.

Additionally, AI models have been created to measure the severity of arthritis based on knee pain. A model was created that more closely measured patient-reported pain than to the diagnosis given by radiologists, particularly in Black patients.<sup>23</sup> This demonstrated a potential ability of the model to remedy unexplained and unscientific disparities in pain management between Black and white patients that have historically pervaded the medical system.<sup>24</sup> However, experts have also warned that if unchecked, AI could replicate and amplify systemic racism rather than countering it.<sup>25</sup> It is important to make sure that the personnel developing healthcare-related algorithms and AI systems are diverse, as this can help ensure that the technology is equitable and properly serving a diverse population.<sup>26</sup>

**Education:** AI systems have the potential to help teachers become more effective and efficient with their time. Systemic racism has resulted in Black students becoming concentrated in low-income schools and districts. Consequently, Black students are more likely to attend schools that have high percentages of novice teachers in almost every state across the country. In 25% of states, schools serving the greatest percentages of Black students have at least twice the percentage of first-year teachers as schools serving the fewest.<sup>27</sup> Meanwhile, research demonstrates that effective teachers can transform the lives of students and their families. In fact, a single great teacher can increase the total lifetime earnings of a typical classroom of students

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<sup>21</sup> The Lancet Digital Health. “Can Artificial Intelligence Help Create Racial Equality in the USA?” (February 8, 2021). DOI: [https://doi.org/10.1016/S2589-7500\(21\)00023-6](https://doi.org/10.1016/S2589-7500(21)00023-6).

<sup>22</sup> Cesar Padilla, Gillian Abir, Mark Zakowski, and Brendan Carvalho. “How AI Could Help Doctors Reduce Maternal Mortality,” *Harvard Business Review*, (August 9, 2021), <https://hbr.org/2021/08/how-ai-could-help-doctors-reduce-maternal-mortality>.

<sup>23</sup> See *supra* note 21.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> The Education Trust. *Getting Black Students Better Access to Non-Novice Teachers*, (December 2021), <https://edtrust.org/wp-content/uploads/2014/09/Getting-Black-Students-Better-Access-to-Non-Novice-Teachers-December-2021.pdf>; Claire Chen. “AI Will Transform Teaching and Learning. Let’s Get it Right.” Stanford University-Human Centered Artificial Intelligence, (March 9, 2023), <https://hai.stanford.edu/news/ai-will-transform-teaching-and-learning-lets-get-it-right>.



by more than a million dollars.<sup>28</sup> While Black students should have access to experienced and high-quality teachers, AI – if used in conjunction with other supports – could be helpful in assisting new teachers become more effective faster.

**Transportation:** Throughout history, transportation systems have not equitably served Black communities through segregated transit and the prioritization of highways over clean and accessible public transit. The Congressional Black Caucus Foundation recommended that autonomous vehicles should be prioritized as a “public electric, shared mobility option” which could help fill existing mobility gaps in Black communities.<sup>29</sup> Additionally, autonomous vehicles could be actively leveraged to counter past inequities by increasing the transportation security in communities that traditionally lack their own vehicles and access to private transportation. Additionally, this technology could help increase access to foods for those living in “food deserts,” improve the safety of public transportation systems (through less driver impairment and lower accident rates) and reducing geographic isolation from healthcare opportunities by providing quicker and cheaper transportation options.<sup>30</sup>

### **Questions 18, 19, 24, and 25**

It is widely understood that there is bias in the use of predictive analytic algorithms. Examples include lending algorithms calculating higher interest rates for borrowers from Historically Black Colleges and Universities (HBCUs), platforms using advertisement algorithms that allow housing advertisers to “exclude by race,” and facial recognition technology used by law enforcement showing the highest error rates amongst subjects who were women, Black, and 18-30 years old.<sup>31</sup> When marginalized groups are defined as “risk factors,” it impacts their access to housing and loans, and results in increased criminalization.<sup>32</sup>

The Biden Administration has stated in the *Blueprint for an AI Bill of Rights* that people “should be protected from abusive data practices via built-in protections and... should have agency over how data about [them] is used.”<sup>33</sup> Additionally the blueprint recommends “proactive equity assessments as part of the system design,” “pre-deployment and ongoing disparity testing and mitigation,” “independent evaluation and plain language reporting in the form of an algorithmic impact assessment,” and “access to reporting that confirms [one’s] data decisions have been respected and provides an assessment of the potential impact of surveillance

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<sup>28</sup> Ray Chetty, John N. Friedman, and Jonah E. Rockoff. “Great Teaching: Measuring Its Effects on Students' Future Earnings.” *Education Next*, (Spring 2023), <https://www.educationnext.org/great-teaching/>

<sup>29</sup> Regan F. Patterson, “New Routes to Equity: The Future of Transportation in the Black Community,” Congressional Black Caucus Foundation, (September 2020), <https://www.cbcbinc.org/wp-content/uploads/2020/10/NewRoutesToEquity-Final5.pdf>.

<sup>30</sup> Brian Woolfolk. *Autonomous Vehicles: Leveraging Technology for Diverse Community Benefit*. Chamber of Progress, (June 2022), <https://progresschamber.org/autonomous-vehiclesleveraging-technologyfor-diverse-communitybenefit/>.

<sup>31</sup> See *supra* note 4; Julia Angwin, Ariana Tobin and Madeleine Varner, “Facebook (Still) Letting Housing Advertisers Exclude Users by Race,” *ProPublica*, (November 21, 2017), <https://www.propublica.org/article/facebook-advertising-discrimination-housing-race-sex-national-origin>.

<sup>32</sup> Matthew Guariglia, “Technology Can’t Predict Crime, It Can Only Weaponize Proximity to Policing,” Electronic Frontier Foundation, (September 3, 2020), <https://www.eff.org/deeplinks/2020/09/technology-cant-predict-crime-it-can-only-weaponize-proximitypolicing>.

<sup>33</sup> The White House, Office of Science and Technology Policy. *Blueprint for an AI Bill of Rights*. (October 2022). <https://www.whitehouse.gov/ostp/ai-bill-of-rights/#discrimination>.



technologies on [individual’s] rights, opportunities, or access.”<sup>34</sup> NUL supports the implementation of these goals into federal law. In addition, we again urge investments in Black researchers and technologists intimately involved in the development of and research about outcomes from AI, and that Black workers are employed in and leading at all levels of the AI ecosystem.

Large language models such as ChatGPT have sparked debate not only over job replacement, but also over futurism and ethics. As we are met with AI that can respond in human convention and pass the Turing Test (which helps determine if a computer is capable of thinking like a human), people are rightfully posing ethical and existential questions about the future of society, especially for marginalized communities. Machine learning researchers have highlighted potential futures where AI could create a society that emphasizes marginalization, even with AI that is not as exceedingly advanced as that predicted in “technological singularities”.<sup>35</sup>

There are also concerns about the business decisions that are reliant on AI with little oversight and regulation and without clear ethical standards.<sup>36</sup> As artificial intelligence advances to places beyond our current understanding, it is necessary that we examine the fundamental risk that AI will not be aligned with civil and human rights needs. Policies must be humanist and work towards AI advancement that benefits all. Technology policy positions throughout the federal government should be equitably staffed to include people of color, women, people with disabilities, LGBTQ+ people, and those from other marginalized communities. An Office of Civil Rights must be created at federal agencies of jurisdiction.<sup>37</sup> Additionally, federal agencies need to regulate the market for AI deployment, especially in sectors with a higher likelihood of affecting people’s wellbeing, such as housing, banking, healthcare, policing, and education. Should civil rights issues arise, an Office of Civil Rights within these agencies allows a quicker and more cohesive response to such threats.

Federal agencies of jurisdiction should not only be guided by a broad mission to protect civil rights and strive for equity, but by a clearer code of ethics when pushing industry towards a humanistic and inclusive AI future. Such a code of ethics could include the following guidance:

1. Artificial intelligence used to evaluate humans must always do so in a way that does not discriminate against people based on any one race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation.
2. Artificial intelligence and its applications should be geared towards bettering the human condition, including freedom of thought and expression, advancement of artistic and creative ability, and protection of democratic principles.
3. Artificial intelligence systems and associated decisions should be transparent and explainable.

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<sup>34</sup>*Id.*

<sup>35</sup> Dan Hendryks. *Natural Selection Favors AIs over Human*, Center for AI Safety, (May 2023). <https://arxiv.org/pdf/2303.16200.pdf>.

<sup>36</sup> *Id.*

<sup>37</sup> See *supra* note 4.





## *Economic Empowerment: Protecting Workers and Job Creation*

### *Questions 17, 20, 22, and 27*

The expansion of the artificial intelligence sector promises opportunities for job creation across the American economy. However, as this new sector in the tech industry grows, Black and Latino workers remain poorly represented in high-paying jobs in the technology and information services sector.<sup>38</sup> As noted in the National Urban League’s *Lewis Latimer Plan for Digital Equity and Inclusion*, people of color have been excluded from the technology sector. In 2002, Black people accounted for nearly 11% of the workforce, but only 8% of computer and mathematical jobs.<sup>39</sup> Those numbers remained roughly the same 14 years later in 2016. Similarly, the Latino workforce grew from 12.6% of the overall workforce in 2002 to 16.7% in 2016, yet only grew from 5.5% to 6.8% in computer and mathematical professions.<sup>40</sup>

Diversifying the tech workforce is important for ensuring our communities are in decision-making positions about the deployment and utilization of these new technologies.<sup>41</sup> The tech sector has resulted in massive amounts of wealth accumulation based on both the creativity and data of Black users. However, this wealth has not been distributed equitably to Black and Latino communities. As data-driven AI increases in prominence, and artificial art/text generators become more popular, it is important for Black workers and business owners to benefit financially from machine learning that draws from their own creativity and intellectual property.

We believe there are several ways that inclusion of Black workers in the technology sector should continue to be encouraged by the federal government. For example, similar to our *Lewis Latimer Plan*, we believe that the Department of Commerce, the Federal Trade Commission, the Small Business Administration, and the Department of Labor should create and continue to bolster a wide coalition of civil rights organizations and industry stakeholders to form a task force to develop and monitor best practices, guidelines, and standards for AI developers, software companies, social media companies, and regulatory bodies.<sup>42</sup> These best practices should be published and promoted by these agencies. Further, private entities focused on AI production should be incentivized to adopt initiatives promoting a more diverse and inclusive corporate structure.<sup>43</sup> The demographics of individuals employed in the sectors that shape the AI industry should be tracked, published, and consistently updated by the Department of Labor.<sup>44</sup> Such solutions are a good first step in furthering the pathways for diversity and inclusion in these sectors.

Considering the complexities of AI and the rapid pace of its advancement, proper education about this new sector and associated jobs require focus from the federal government. As noted in our *Lewis Latimer Plan*, “there is a mismatch between the jobs that people from low-income communities and communities of color have training to do and the jobs of the future.”<sup>45</sup> Here, artificial intelligence may not just be a part of the question, but a part of the answer. The

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<sup>38</sup> National Urban League, *The Lewis Latimer Plan for Digital Equity and Inclusion*, (March 30, 2021), <https://nul.org/program/lewis-latimer-plan>. (“Lewis Latimer Plan”).

<sup>39</sup> *Id.* at 89.

<sup>40</sup> *Id.* at 89.

<sup>41</sup> *See supra* note 4.

<sup>42</sup> *Lewis Latimer Plan* at 90.

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.* at 149.



government should seek to identify, develop, test, and deploy applications of artificial intelligence for fostering education and workforce development opportunities and economic/social mobility. AI could be used to help create workforce training programs alongside human instructors that can enable low-income workers to obtain the skills they need for higher-paying jobs, both broadly and specifically in the artificial intelligence future.

The federal government has invested in harnessing science and technology to achieve certain goals and those must also include investments in workforce development, education, economic and social mobility, and eliminating racial disparities. Funding must support scalable applications; however, it is “historically provided as a block or formula grant to states. States in turn then typically provide smaller amounts to local service providers. There is no national approach to developing scalable applications.”<sup>46</sup> As stated in our *Lewis Latimer Plan*: “Over the last decade, DARPA sponsored the development of a digital tutor by a Silicon Valley firm that uses AI to model the interaction between an expert and a novice. Navy recruits who use the tutor to learn IT systems administration can outperform Navy experts with 9 or more years of experience. The firm believes that, with an investment of \$40 million, they could adapt their technology to dramatically improve the performance of students who are currently failing 8th grade math.”<sup>47</sup> Such an example is one that proves useful and could be applied to our changing world that includes AI; however, there must be support for such experiments at places like the Department of Education or Department of Labor.

### *Conclusion*

The rapid growth of the AI sector gives the United States a unique opportunity to advance equity, increase education and job opportunities across historically marginalized communities, and lead in innovation. This opportunity must not be squandered and must center those most at risk of being excluded from this revolution or harmed from these new technologies. As the federal government works to create and implement strategies and regulations surrounding AI, we encourage your office to continue working collaboratively with our civil rights community as thought partners.

Thank you for the opportunity to provide our recommendations. Please contact Alisa Valentin, Senior Director of Technology and Telecommunications Policy at the National Urban League via email at [avalentin@nul.org](mailto:avalentin@nul.org) if you or your staff have any questions.

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<sup>46</sup> *Id.*

<sup>47</sup> *See supra* 4.