



Call for Inputs: Development of Artificial Intelligence (AI) Action Plan (“Plan”)

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The [Investor Alliance for Human Rights](#) is a non-profit initiative that supports responsible investment that is grounded in respect for people's fundamental rights. A key focus area of our work over the past five years has been to promote responsible investment in technology. This submission is focused on the perspective of investors as stakeholders keen to make rights-respecting and financially sustainable investment decisions in companies that responsibly design, develop, provide, deploy and/or use Artificial Intelligence (AI) systems within their direct business operations and through their value-chain relationships.

While the development and use of AI continues to have great potential to advance sustainable economic development, AI, and in particular the opacity of AI models, can cause and contribute to actual and potential harms such as privacy and security violations of users' data, whether as consumers or users of AI systems; as workers subjected to AI workplace monitoring; or through the violation of citizens' civil rights and liberties through the deployment of AI.

To ensure continued confidence in these systems and flow of investments to AI innovations, transparency around AI development and deployment is critical. Any potential risks to users, consumers, workers or society at large, including children and marginalized groups, from the use of AI can lead to reputational, financial, and business risks and losses for companies, and negatively impact investment returns.

The establishment of financial and other incentives, as well as voluntary and regulatory measures to enable trustworthy AI is critical, particularly for responsible investors seeking long-term, sustainable value creation and financial returns.



Global Leadership in AI

To help the U.S. maintain global leadership in AI development and innovation, the AI Action Plan should include standard setting for U.S. companies that develop and/or deploy/use AI that are aligned with international frameworks and principles including, the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. The U.S. has already shown its global leadership by signing the Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law, together with 39 signatories from around the world with the Council of Europe. These international frameworks allow for a global level playing field and have been the basis of the development of incentives, guidelines, and regulatory measures in countries in Europe, Brazil, South Korea, Canada, Japan, among others.

AI Safety Standards

In the development of the AI Action Plan, the rights and safety of American users, consumers, workers, and society must always be protected and respected as this makes for stable and responsible investments and business practices. It is critical to ensure that:

- The civil rights and liberties of Americans, including privacy rights, are guaranteed and not violated by AI systems whether developed or deployed by the private sector or government.
- The safety of Americans is protected particularly from high-risk AI systems, for example: “Predictive policing”, which are AI systems used by [law enforcement and criminal justice authorities to make predictions](#), profiles, or risk assessments for the purpose of predicting crimes; or non-discriminatory AI-based individual risk assessments and [profiling systems](#) in the migration context.
- AI systems are transparent and fair and do not violate Americans’ rights to be free from discrimination especially as it relates to content being used to train AI models as well as the moderation of content online.
- Workers’ rights to privacy and dignity at work are also held to the highest standards as workers are the lifeblood of our economy.



The AI Action Plan must develop testing, evaluations, and guidelines that will help accelerate trustworthy AI innovation in the U.S. and around the world and prevent the misuse of this technology by those who seek to undermine our public safety and national security. The continued role of the U.S. AI Safety Institute - established at the National Institute of Standards and Technology to identify, measure, and mitigate the risks of advanced AI systems while harnessing the potential of AI technology - will be vital for AI safety and standards under the AI Action Plan.

To enable businesses like AI developers to design safe AI systems and solutions for Americans, businesses should also undertake due diligence processes that identify, prevent, and address actual and potential adverse impacts on users, consumers, workers, and society. Incorporating these assessments into the product and service lifecycle will minimize exposure to potential liability, resulting in more stable and sustainable financial returns. Companies must focus on long-term value creation that benefits all relevant stakeholders of the business, including workers, users, communities, and society. The AI Action Plan should incentivize and support businesses' ongoing engagement with these stakeholders. These due diligence and engagement processes should also be undertaken by AI users and deployers in both the private and public sectors to address and mitigate unintended adverse impacts on Americans.

National Security

Broad exemptions on the development and use of AI systems for national security purposes must be scrutinized to ensure that use by military, law enforcement, and other government or private entities does not override the rule of law and people's civil rights.

For example, the use of "security" technology, such as biometric recognition, has been known to infringe upon civil rights through the targeting of peaceful and legal protestors exercising their right to freedom of speech guaranteed under the First Amendment of the U.S. Constitution. This can also result in the silencing of different viewpoints and voices essential to our democracy. In addition, where technology designed for security and military use is redeployed for public and civil use (e.g., use of surveillance tools to adhere to pandemic rules) without first assessing potential adverse and harmful impacts, while unintentional, may infringe upon people's rights.



Data Centers: Energy consumption and efficiency

As AI-driven technologies expand, they consume ever-increasing quantities of energy that result in higher greenhouse gas emissions. Therefore, it is crucial to ensure that data center operations align with a just and sustainable energy transition, otherwise the rapid growth of AI could exacerbate the climate crisis as well as existing social and economic inequalities, and lead to displacement, job losses, increased energy poverty, and human rights violations. To mitigate these risks and promote equitable, sustainable AI development, AI-driven operations must also leverage renewable energy sources that are responsibly sourced and do not contribute to environmental degradation or displacement. Companies should commit to energy procurement strategies that do not harm local American communities.

Innovations in AI must focus on energy-efficient models and technologies that minimize environmental and social harm while maximizing societal benefits. The AI industry must invest in workforce development and job creation initiatives that support communities affected by the energy transition, preventing economic displacement. Local communities must have a voice in decisions regarding AI infrastructure, with mechanisms in place for meaningful consultation and redress if harms occur. By implementing these recommendations, the AI industry can contribute to a future where technological advancements do not come at the cost of environmental sustainability and human rights.

Corporate Accountability

The AI Action Plan must also ensure accountability for harms which businesses cause or contribute to and should enable and support the provision of adequate and effective remedy. For example, the plan should support the creation of feedback mechanisms for individuals and public interest organizations to lodge a complaint with national supervisory authorities relating to safety and other violations resulting from the development and deployment of AI systems that undermine fundamental rights or the public interest.



Conclusion

As financial actors that provide the capital for the development, deployment, and growth of AI and AI systems, investors are important stakeholders in enabling trustworthy AI. To sustain the dominance of the U.S. in AI and ensure a resilient economy, the innovations in AI should not pose material risks to investors or human/civil rights risks to other stakeholders. AI is a fast-moving domain, and the AI Action Plan must also include incentives and measures to keep pace with technological development. Generating trust in AI technology will require a commitment to transparency, fairness, and accountability, as well as a willingness to invest in the development of robust frameworks. The responsibility for generating this trust falls on businesses that are developing and using AI systems, as well as on regulators, by ensuring that these products and services are not causing harm.

We hope that the Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO), National Science Foundation will consider our submission, and we are available at your convenience for any discussion about our inputs for the development of an AI Action Plan.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Anita Dorett". The signature is stylized and includes a long horizontal stroke at the end.

Anita Dorett
Director, Investor Alliance for Human Rights