

Remarks of Principal Deputy U.S. CTO Deirdre K. Mulligan
Open Government in Action: Emerging practices in
Participatory Algorithm Design

Thank you so much Jen, and thank you especially to our panelists and participants for sharing your experiences with us. It is a pleasure to join such illustrious experts from both academic institutions across our country and from our State and Local partners who are working at the vanguard of participatory algorithm design.

I've spent my career in the field of public interest technology, and throughout my career in civil society, academia, and now in the federal government, I've collaborated with technologists, computer and data scientists, and social scientists who consider both the design and regulation of technical systems as essential to protecting democratic values and human rights, as well as our safety and security. Public participation and community engagement are fundamental to these democratic values – not just in designing tech systems that can deliver for communities, but as Jen mentioned earlier, in strengthening the trust dividend with the people that governments serve.

For the last few years, I have had the privilege of putting these values into practice at OSTP, where our mission is to maximize the benefits of science and technology to advance health, prosperity, security, environmental quality, and justice for all Americans. We carry this out by advising the President and White House senior staff on key issues related to science and technology, and by coordinating Federal government technology policy and priorities.

As my boss, Director Arati Prabhakar says: Our Nation has immense aspirations: to achieve robust health and ample opportunity for each person in every community; to meet the climate crisis by reimagining our infrastructure, restoring our relationship with nature, and securing environmental justice; to sustain global security and stability; to build a competitive economy that creates good-paying jobs; and to foster a strong, resilient, and thriving democracy. Technology plays a vital role in achieving each of these goals, and so does participation.

The Biden-Harris Administration is working hard to ensure technology is developed and implemented in ways that work for every member of the public, protect our safety and security, and reflect and protect our democratic values. The Administration is fully committed to ensuring that government at all levels is ready to tackle the challenges that new and evolving technologies present.

Part of that commitment has included the President's landmark Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence. My guess is the Executive Order will touch the work of everyone person in this room, because it was designed to improve the lives of every American.

And that is why President Biden has directed the team to "pull every lever" to manage AI's risks and harness its benefits, including by directing the Office of Management and Budget to develop new government-wide policy to mitigate risks of artificial intelligence and harness its benefits. The new policy also establishes a rigorous set of risk management processes

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and requirements for federal government use of rights-impacting AI, including biometric technologies involving algorithms, such as facial recognition. This also includes requirements to identify, assess, and mitigate algorithmic discrimination and harmful bias to ensure that federal government use of AI does not decrease equity or fairness.

The OMB AI guidance requires agencies to carefully evaluate data for its relevance and representativeness, in particular whether it risks producing or amplifying inequitable outcomes due to historical discrimination, such as the perpetuation of harmful gender-based and racial stereotypes in society. Further, it requires agencies to specifically consider an AI system's potential impacts on equity and fairness. In particular, the OMB AI guidance requires agencies to identify and assess whether decisions made by AI models could foreseeably be based on proxies for a protected characteristic, such as race or age, and where it influences model performance to address it.

Nowhere are these risks - or the needs to apply the Executive Order - more evident than on the topic of algorithm design. As we heard today from our colleagues in San Jose, San Antonio and Alleghany County, as well as from the US Census Bureau, algorithms affect all aspects of public service delivery – from the ways in which at-risk children are identified to how speeding tickets are issued, to how public infrastructure projects are monitored. Indeed, whether they know it or not, algorithms affect Americans around the country every single day.

Many of us know and have studied the ways in which this machine learning can both provide useful models for identifying community risks and delivering community services as well as the ways in which they may inadvertently deepen systemic discrimination and biases. Our own team at OSTP has made research on discriminatory algorithms - including detecting bias in the Facebook advertising platform, and contributing to the first-ever Fair Housing Act charge against an algorithm by the Department of Justice - a core research priority. Outside of government, many esteemed academics -including some of our panelists here today - have also been studying the ways in which algorithms can drive inequity. Many years ago, I had the privilege of working as part of a team at the University of California to review similar impacts on the electronic voting systems across the state.

As we heard from Sheena (SHEE-NUH), Min (MIN), Zoe and Devansh (DE-VANSH), community engagement and public participation in algorithm design can help mitigate these effects.

Of course, participatory methods are not a panacea, and so I am also so pleased to have heard from Chelsea, Emily, Erin and Michael about both the successes you had in this space – which we in the federal government can learn from- as well as some of the real implementation challenges in running participatory algorithm design processes. I would especially like to stress the issues of tech – and specifically AI - capacity that were raised, as well as the suggestion that participation be built in to algorithm procurement from the get-go. The Administration understands this constraint, and notably, a key element of the AI EO is an “AI Talent Surge” to

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bring experts from AI and AI-enabling fields into government. We are doing everything we can to ease the path into public service for talented technical experts.

I'd also like to acknowledge the examples raised by Tim of the Open Government Partnership, on how other countries are thinking through participation in algorithm design and how the partnership itself is raising ambition on this and other pieces of digital governance. It's clear that we all need to do more in this space, and so do collectively. As Vice President Harris has said: technology with global impact deserves global action.

We are at a pivotal moment, where everyone around the globe recognizes the importance of not only regulating but of proactively shaping and building and using technology to support our values and to benefit our communities. The reality is that governments need to partner with communities to ensure these new and emerging technologies reflect the needs of stakeholders and are used to drive more inclusive and equitable outcomes. The importance of intentional, built-in and open public participation in algorithmic design has never been more important. I look forward to working with you all make this happen.