Good Morning Chair Pallone and Subcommittee Chair Schakowsky.

My name is Mutale Nkonde, I am the Founder and Executive Director of AI for the People, a national nonprofit that uses strategic communications to help journalists, filmmakers and television producers add a technical analysis to social justice discourse. My background is in journalism and I started my tech career in 2011, when I worked opposite Google's External Affairs Team to help them embed a non profits focused on bringing coding education to children within urban school districts into their New York office.

Since then I have moved into research and held fellowships at the Berkman Klein Center of Internet and Society at Harvard, the Digital Civil Society Lab at Stanford and the Institute of Advanced Study at Notre Dame. In 2019 I started AI for the People based on the work I have been doing for the last decade. And I am currently studying how algorithmic systems impact Black people at Columbia University. AI for the people conducts research, publishes reports and creates content based that highlights the impact algorithmic systems have on Black communities.

 Our latest film **_Blackness Unbound_** discusses how the themes of Afrofuturism, (a theoretical cannon that challenges people to imagine the state of Black people in America if they were unencumbered by the legacies of enslavement) could be used to develop anti-racist engineering practices. This film was submitted to the Smithsonian Museum of Air and Space on January 27, 2022 has been accepted to the HBO Shorts Category of the Martha's Vineyard African American Film Festival and is traveling through the film festival circuit. In 2020 we developed a social media campaign targeted at African Americans in swing states being encouraged not to vote in the US Presidential election. Our efforts were supported by celebrities like Quest Love from the Philadelphia based group The Roots and encouraged African Americans to vote for representatives that would help bring the COVID pandemic to an end. Our campaign #VoteDownCOVID received more online engagement than the "no vote" campaign and started working with local journalists working in Black serving newsrooms. In 2021 The Congressional Black Caucus took note of our efforts and Representative Stacy Plaskett warned against online voter suppression in a video played during the CBC Policy weekend in September, watch the video [here](#).

Further to this, I sit on the Tik Tok content moderation board in my personal capacity and consult regularly with teams at Twitter, Google and FitBit seeking to ensure their products do not have a negative impact on Black Americans. In 2019 I was a co-author of [Advancing Racial Literacy in Tech](#), a report published by the research institute Data and Society that pointed out how the rules governing machine learning lead to AI systems making racist determinations.

Machine learning protocols rely on the use of historical data to predict what will happen in the present. The predictions made by these algorithmic actors then create a feedback loop that changes the course of society. For example, social media platforms use recommendation algorithms to predict the type of content we will retweet, share or comment on, a process referred to as engagement. The fact advertisers can use social media recommendation algorithms to reach their target audience makes them an extension of the market square. This is resulting in social platforms being used to spread divisive and racist content by bad actors who use targeted advertising to recruit people who engage in this type of content.

For example the website Open Sea came under fire in February 2022, when Twitter users noticed it was promoting the sale of Black people on its NFT site. NFT's are non fungible tokens, which are units of data stored on a blockchain, that can be sold and traded. These Black NFT's were called **Metasalves** and part of a group of 1865 NFTs offered to the site's users. The number 1865 is a reference to the 13th amendment that was passed that year to abolish slavery. And Open Seas's refusal to take this down, but instead add Asian and other non white avatars to the lot speaks to the underlying racist sentiment of people who buy these tokens. This is just one egregious example of how algorithmic actors can be used to promote division among the American people, and while a meta slave has no utility it works to divide Americans against each other on the basis of race. A tactic of Special Counsel Robert Mueller uncovered during his investigation of the Russian Internet Agency during the 2020 election. This is a form of voter suppression, facilitated by algorithmic advertising.

This use of algorithmic actors to undermine the rights of people from protected classes goes beyond social media and includes but is not limited to facial recognition that is being discussed during this hearing. I am happy to discuss facial recognition in more depth during questioning, but for the interests of time will continue in this vein. The harm algorithmic actors have on all members of the protected classes is why we need the passage of the Algorithmic Accountability Act. Not only does it create an agency of the FTC who can protect the rights of online consumers but it raises the larger question of whether we are users or consumers of algorithmically driven systems as they are used in every element of public life.

Lastly, oversight is impossible, unless a good faith public sector actor has the right to examine how machine learning systems make their determinations. Current intellectual property laws means researchers do not have the right to examine the underlying source code, instead we are forced to make note of patterns in AI decision making to determine how it impacts people from protected classes this has to stop. We would not consider releasing food or medications into the market place without first making sure they are safe for human consumption and the broad use of algorithmic systems in public life means they should face the same level of scrutiny. Machine learning systems are here to stay and so congress needs to pass legislation to ensure our AI systems work for the People and not just enrich the few.

Thank you for allowing me to be part of this hearing. I look forward to the pending discussion.