Webinar on artificial intelligence and consumer protection:

Risks for consumers

1 February 2024

Artificial Intelligence and Discrimination

Presentation

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Artificial Intelligence and Discrimination

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Chief Counsel for Development & Innovation
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What causes an AI system to be a [fill in the blank]ist?

- Data and Datasets
- Model Opacity and Access
- Design and Use
What is the FTC doing to address discrimination in AI systems?

- Enforcement
- Research & Reports
- Guidance & Rulemaking
FTC Enforcement

- FTC/CFPB/DOJ/EEOC Joint Statement on Enforcement Efforts Against Discrimination and Bias in Automated Systems
- Rite Aid – use of flawed facial recognition program to address shoplifting
Research & Reports

• Facial Recognition Workshop (2011) and Report (2012)
• Big Data Workshop (2014) and Report (2016):
  • Changing Demographics Workshop (2016) – Do Facebook users receive different ads based on their “ethnic affinity?”
• Combatting Online Harms Through Innovation Staff Report to Congress (2022)
Guidance & Rulemaking

- 2022 Advanced Notice of Proposed Rulemaking (ANPR) on “Commercial Surveillance and Data Security
- 2023 Policy Statement on Biometric Information
Longstanding legal authorities apply to businesses that develop, provide, and use AI technologies.

Businesses should take reasonable steps to avoid discrimination by AI systems.