

Congress of the United States

Washington, DC 20515

October 23, 2023

The Honorable Antony Blinken
The Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Blinken:

Thank you for your leadership in ensuring the development of artificial intelligence (AI) respects human rights and democratic values. We write to you regarding the effort underway at the Council of Europe to establish a global treaty for AI governance. As the United States continues its engagement in the upcoming plenary sessions, we urge you to support an open and transparent process that is inclusive of civil society organizations. We also seek to ensure that the United States promotes provisions that align with priorities outlined by the Biden-Harris Administration, including priorities set out in the U.S. Blueprint for an AI Bill of Rights.

Given that AI is developed and used across borders, global processes such as the Council of Europe Convention on AI, Human Rights, Democracy and the Rule of Law – the first global treaty on AI – represent important opportunities to advance common principles for the governance of this rapidly evolving technology. At the same time, we are concerned by reporting from earlier this year stating that the U.S. delegation called for the removal of civil society organizations from the drafting process for the Convention, a decision the Council of Europe Committee on AI has since undertaken.¹ We believe that meaningful public participation is essential for effective AI policy. The U.S. has promoted civil society participation in similar efforts in the past, including in support of the drafting and adoption of the OECD AI Principles in 2019.² As the negotiation process for the Council of Europe Convention continues, we urge the U.S. delegation to support full and active participation of civil society organizations.

We also urge you to ensure that the U.S. delegation promotes provisions that align with priorities for domestic AI governance outlined by the Biden-Harris Administration. For instance, we applaud efforts to advance algorithmic transparency and combat algorithmic discrimination set out in the White House Blueprint for an AI Bill of Rights.³ More recently, the Biden-Harris Administration stated that voluntary commitments from leading AI companies are “only a first step in developing and enforcing binding obligations to ensure safety, security, and trust” and that “minimizing the risk of AI will require new laws, rules, oversight, and enforcement.”⁴

¹ Luca Bertuzzi, US obtains exclusion of NGOs from drafting AI treaty, Euractiv, (January 17, 2023), <https://www.euractiv.com/section/digital/news/us-obtains-exclusion-of-ngos-from-drafting-ai-treaty/>

² OECD, Recommendation of the Council on Artificial Intelligence, OECD Legal Instruments – Background Information (An inclusive and participatory process for developing the Recommendation), <https://legalinstruments.oecd.org/en/instruments/oecd-legal-0449>

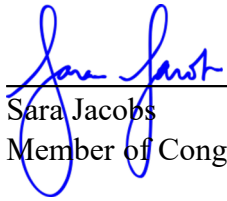
³ The White House Office of Science and Technology Policy, Blueprint for an AI Bill of Rights, <https://www.whitehouse.gov/ostp/aibill-of-rights/#safe>

⁴ The White House, Ensuring Safe, Secure, and Trustworthy AI (July 21, 2023),

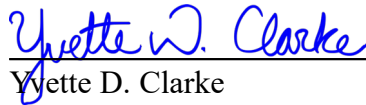
As negotiations for the Council of Europe Convention continue, we urge the U.S. delegation to support a treaty that covers AI systems in both the public and private sectors to ensure necessary safeguards for AI.

Thank you for your consideration of these requests. We look forward to working with you as the U.S. engages with the international community to establish safeguards for AI that will protect human rights and promote innovation.

Sincerely,



Sara Jacobs
Member of Congress



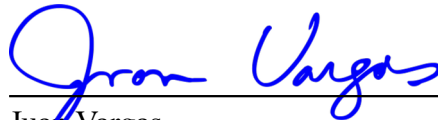
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