

Berkeley Center for Law and Business University of California, Berkeley School of Law Boalt Hall #7200 Berkeley, CA 94720-7220

"We did not sign up to develop weapons" – Microsoft Workers Protest Army Contract

By Dani Kritter, J.D. Candidate 2021 | February 26, 2019

Last week Microsoft employees published <u>an open letter</u> calling on the company to cancel its \$480 million HoloLens contract with the U.S. Army. The employees claim that Microsoft is failing to inform engineers "on the intent of the software they are building" and demand greater transparency. In the letter, Microsoft employees call on the company to cease working on "any and all weapons technologies," to create a public "acceptable use policy," and to create an "independent, external ethics review board" to enforce compliance with such a policy.

Chief Legal Officer Brad Smith previously defended Microsoft's work with the military in an October blog post, stating that "the people who defend our country need and deserve our support" and that withdrawing from the weapons technology market would reduce Microsoft's ability to shape how technology is used.

The Microsoft protest follows the trend of tech employees speaking out against contracts with the U.S. government. Last year, <u>Google</u> announced it would not renew a contract with the military after thousands of employees protested the company's involvement in a Pentagon program that used artificial intelligence as weaponry. A few weeks later, employees from Google, Salesforce, Amazon, and Microsoft demanded that their companies end contracts with <u>Immigration and Customs Enforcement</u> (ICE) and other government agencies in response to evidence of family separation at the border.

As employee activism becomes the norm in Silicon Valley, tech companies are grappling with how to respond. On one hand, yielding to the open letter's demands could lead to a slippery slope where Microsoft is overly beholden to its employees' political views. On the other hand, more transparency from Microsoft might attract and retain top tech talent, especially as views of the industry turn negative and the public is more cognizant of the "double-edged sword" of technology. Microsoft's response to the letter will set an important precedent for how far the company is willing to be pushed by its employees.

