

November 24, 2025

U.S. House of Representatives  
Washington, D.C. 20515

United States Senate  
Washington, D.C. 20510

To Members of the U.S. House of Representatives and the United States Senate:

We write to convey our strong opposition to the inclusion of any preemption language in the National Defense Authorization Act (NDAA) that would curtail ongoing state efforts to address the impacts of artificial intelligence (AI). A blanket prohibition on state and local AI and automated decision-system regulation would abruptly cut off active democratic debate in statehouses and impose a sweeping pause on policymaking at the very moment when communities are seeking responsive solutions.

As state lawmakers and policymakers, we hear regularly from constituents about rising online harms and the growing influence of AI on their lives. In an increasingly fraught digital environment, young people face new risks online, seniors are increasingly targeted by AI-enabled scams, and workers and creators are encountering novel challenges in an AI-driven economy. In the years ahead, AI's impact will require lawmakers to consider consequential public policy questions, making it essential that states retain the authority to act.

The federal preemption provision under discussion could also nullify a wide range of laws that states have already adopted to address urgent digital issues. In recent years, legislatures across the country have passed AI-related measures to strengthen consumer transparency, guide responsible government procurement, protect patients, and support artists and creators. These laws represent careful, good-faith work to safeguard constituents from clear and immediate AI-related harms. A federal preemption measure on state AI laws risks sweeping these protections aside and leaving communities exposed.

States serve as laboratories of democracy, directly accountable to their residents, and must retain the flexibility to confront new digital challenges as they arise. State experimentation and varied approaches to AI governance help build a stronger national foundation for sound policymaking. And as AI evolves rapidly, state and local governments may be better positioned than Congress or federal agencies to respond in real time. Freezing state action now would stifle needed innovation in policy design at a moment when it is most needed.

We appreciate congressional engagement on AI and stand ready to collaborate on thoughtful national policy. But after years without comprehensive federal action on privacy and social media harms, a broad preemption of state and local AI laws until Congress acts would set back progress and undercut existing protections.

We respectfully urge you to reject any provision that overrides state and local AI legislation in this year's NDAA and to support the development of, rather than the dismantling of, responsible AI policy.

Thank you for your attention and for your commitment to transparent, responsive, and democratic governance.

Sincerely,

**Representative Brandon Guffey, South Carolina House of Representatives**

**Senator Liz Larson, South Dakota Senate**

Senator Andrew Jones, Alabama Senate

Senator Lōki Gale Tobin, Alaska Senate

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