



October 3, 2024

To Members of California's House Congressional Delegation:

In the wake of Governor Gavin Newsom's decision to veto California's proposed policy framework for AI risk mitigation (SB 1047), I write to you on the urgent matter of advancing federal AI policy that protects the public from harm while continuing to foster innovation. During its consideration, you urged Gov. Newsom to veto SB 1047, citing ongoing work in Congress and in federal agencies as an alternative to California moving forward with its AI policy framework. With SB 1047 now vetoed, I urge you to help lead federal AI policymaking efforts.

Supporting a Right to Warn

In an August letter arguing against the enactment of SB 1047, you indicated that while opposed to the bill, you supported overall AI governance efforts, including some of the provisions included in the bill.¹ Specifically, you highlighted the need for SB 1047's whistleblower protections.

During a year in which current and former employees of our nation's top AI companies have come forward urging passage of "right to warn" laws, such protections are urgently needed.² Restrictive non-disclosure agreements have prevented staff from sharing information on risks with federal officials, keeping them blind to threats that may endanger consumers and the public.³

SB 1047 would have barred AI companies from preventing employees from reporting noncompliance internally or to government officials, and would also have prohibited retaliation against employees who report risks.

With SB 1047 vetoed, it is imperative that lawmakers in Congress undertake the challenge of passing a right to warn. I urge you to seize the opportunity to act on your

¹ [Letter to Gov. Gavin Newsom](#), August 15, 2024.

² Samuel, Sigal, "[OpenAI insiders are demanding a "right to warn" the public.](#)" Vox, June 5, 2024

³ Verma, Pranshu et al., "[OpenAI illegally barred staff from airing safety risks, whistleblowers say,](#)" Washington Post, July 13, 2024

words of support for whistleblower protections by finding a path forward in Congress to address this issue.

Leading AISA Funding and Authorization

In your August letter opposing SB 1047, you also noted that “understanding, measuring, and monitoring the risks inherent in AI systems as they evolve will be key . . . There is also a pressing need to develop the scientific tools, tests, and standards to enable effective evaluation and assurance of AI systems.”⁴

Such efforts will indeed be key to mitigating AI risks, and while NIST is conducting federal research into the evaluation and monitoring of AI, the agency’s success will depend on leadership in Congress.

This year, NIST formed the US AI Safety Institute (AISi) which is working to advance research and measurement science for AI safety, conducting safety evaluations of AI models, and developing guidelines for evaluations and risk mitigations. Unfortunately, chronic underfunding at NIST threatens to hinder safety research and leave the U.S. ill-equipped to harness AI’s full potential while mitigating its risks. I urge you to ensure that Congress meets NIST’s request for \$47.7 million in additional funding for its work on AI research, standards, and testing.

A large coalition of 45 industry, civil society, nonprofit, and academia are also calling on federal lawmakers to establish AISi on a statutory basis to accelerate long-term innovation and understanding of AI.⁵ Formally authorizing the Institute at NIST would provide a venue to convene the leading experts across industry and government to contribute to the development of voluntary standards that assist in de-risking AI and ultimately increase adoption of AI technologies.

Funding NAIRR

In your communications with Governor Newsom on SB 1047, you also highlighted your support for a proposal called CalCompute, which would democratize access to AI for academic researchers. A similar proposal at the federal level (H.R. 5077) would create the National AI Research Resource (NAIRR), to provide AI researchers and students with greater access to the data and tools needed to develop safe and trustworthy AI.

⁴ [Letter to Gov. Gavin Newsom](#), August 15, 2024.

⁵ [Leading Tech Advocacy and Industry Groups Call on Congress to Authorize U.S. AI Safety Institute](#), Americans for Responsible Innovation, July 29, 2024.

A renewed commitment to federal leadership

Some of you have played a leading role in supporting the creation of NAIRR, fighting for NIST funding, and supporting the authorization of the AI Safety Institute. You have introduced legislation, built bipartisan support for these measures, and shepherded bills through committee. I am deeply grateful for your action and your commitment to supporting AI innovation and safety through federal action.

As the end of this Congress approaches and the beginning of the next comes into view, I urge you to double down on your efforts to pass this legislation following the election.

Through your active role in opposing SB 1047, you suggested that the U.S. should follow a different course on AI policymaking - not a course of inaction, but a course of federal action that safeguards the public against harm while supporting innovation in the U.S. economy and securing America's global advantage in this critical technology. With the debate over SB 1047 behind us, you now have a chance to lead Congress in pursuit of your alternative vision for AI policy that meets the needs of all fifty states.

Congress now has an opportunity to pass legislation that is a "model for the nation and the world."⁶

Sincerely,

Brad Carson
President
Americans for Responsible Innovation

Cc:

Speaker Emerita Nancy Pelosi
Rep. Zoe Lofgren
Rep. Anna Eshoo
Rep. Ro Khanna
Rep. Scott Peters
Rep. Tony Cárdenas
Rep. Ami Bera
Rep. Nanette Barragán
Rep. J. Luis Correa

⁶ [Pelosi Statement in Opposition to California Senate Bill 1047](#), Office of Rep. Nancy Pelosi, August 16, 2024.