

June 3, 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 are writing to express strong opposition to the provision in Subtitle C, Part 2 of the tax and budget reconciliation bill, which would undermine ongoing work in the states to address the impact of artificial intelligence (AI). The proposed 10-year freeze of state and local regulation of AI and automated decision systems would cut short democratic discussion of AI policy in the states with a sweeping moratorium that threatens to halt a broad array of laws and restrict policymakers from responding to emerging issues.

As state lawmakers and policymakers, we regularly hear from constituents about the rise of online harms and the impacts of AI on our communities. In an increasingly fraught digital environment, young people are facing new threats online, seniors are targeted by the emergence of AI-generated scams, and workers and creators face new challenges in an AI-integrated economy. Over the next decade, AI will raise some of the most important public policy questions of our time, and it is critical that state policymakers maintain the ability to respond.

The sweeping federal preemption provision in Congress's reconciliation bill would also overreach to halt a broad array of laws elected officials have already passed to address pressing digital issues. Over the past several years, states across the country have enacted AI-related laws increasing consumer transparency, setting rules for the government acquisition of new technology, protecting patients in our healthcare system, and defending artists and creators. State legislators have done thoughtful work to protect constituents against some of the most obvious and egregious harms of AI that the public is facing in real time. A federal moratorium on AI policy threatens to wipe out these laws and a range of legislation, impacting more than just AI development and leaving constituents across the country vulnerable to harm.

States are laboratories of democracy accountable to their citizens and must maintain the flexibility to respond to new digital concerns. Our deliberation over different approaches to AI and digital governance provides a stronger foundation for effective policymaking across the country. Moreover, as AI technology develops at a rapid pace, state and local governments are more nimble in their response than Congress and federal agencies. Legislation that cuts off this democratic dialogue at the state level would freeze policy innovation in developing the best practices for AI governance at a time when experimentation is vital.

We welcome Congress's attention to AI policy and stand ready to work with federal lawmakers to address the challenges and opportunities created by AI. However, given the long absence of federal

action to address privacy and social media harms, barring all state and local AI laws until Congress acts threatens to setback policymaking and undermine existing enforcement on these issues.

We respectfully urge you to reject any provision that preempts state and local AI legislation in this year's reconciliation package, and to work toward the enactment, rather than the erasure, of thoughtful AI policy solutions.

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

Sincerely,

Representative Brandon Guffey, South Carolina House of Representatives  
Senator Liz Larson, South Dakota State Senate

Representative Andrew Jones, Alabama State Senate  
Representative Phillip Rigsby, Alabama House of Representatives  
Senator Scott Kawasaki, Alaska State Senate  
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Assemblymember Maggy Krell, California State Assembly  
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