NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

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November 25, 2025

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable John Thune
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
Washington, DC 20510

Dear Speaker Johnson, Majority Leader Thune, Minority Leader Jeffries, and Minority Leader Schumer:

The undersigned 36 state attorneys general write to reiterate our opposition to a moratorium on state laws addressing artificial intelligence. While AI promises to be a transformative technology in numerous fields, it also poses significant risks—notably to the most vulnerable among us, our children. States must be empowered to apply existing laws and formulate new approaches to meet the range of challenges associated with AI.

We imagine that you hear concerns about AI from your constituents almost daily. We are seeing scams powered by AI-generated deepfakes, social media profiles, and voice clones.[1] We are also deeply troubled by sycophantic and delusional generative AI outputs plunging individuals into spirals of mental illness, suicide, self-harm, and violence.[2] And we are concerned that AI chatbots and "companions"

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[1] *See, e.g.*, *So-called 'grandparent scams' target senior citizens*, ABC News (Sept. 25, 2025), https://abcnews.go.com/Technology/video/called-grandparent-scams-target-senior-citizens-125917620; California Dept. of Financial Protection & Innovation, *AI Investment Scams are Here, and You're the Target* (last visited Nov. 20, 2025), https://dfpi.ca.gov/news/insights/ai-investment-scams-are-here-and-youre-the-target/; Jules Roscoe, *Deepfake Scams Are Distorting Reality Itself*, Wired (June 6, 2025), https://www.wired.com/story/youre-not-ready-for-ai-powered-scams/.

[2] *See, e.g.*, Kashmir Hill, *They Asked an A.I. Chatbot Questions. The Answers Sent Them Spiraling*, NY Times (June 13, 2025), https://www.nytimes.com/2025/06/13/technology/chatgpt-ai-chatbots-

are engaging children in highly inappropriate ways, including with conversations that feature graphic romantic and sexual roleplay, encouragement of suicide, promotion of eating disorders, and suggestions to prioritize use of the AI at the expense of connecting with friends and loved ones in real life.[3] These are just a few issues at the forefront—with this rapidly evolving technology, additional and unforeseeable problems are certain to arise.

It is imperative that states be able to address these kinds of challenges. Indeed, many have started to do so. States have already pioneered multiple laws that target specific harms associated with the use of AI. As a coalition of state attorneys general noted in a letter to you in May, among these carefully considered and narrowly tailored laws are

> [l]aws designed to protect against AI-generated explicit material, prohibit deep-fakes designed to mislead voters and consumers, protect renters when algorithms are used to set rent, prevent spam phone calls and texts, require basic disclosures when consumers are interacting with specific kinds of AI, and ensure identity protection for endorsements and other AI-generated content. Perhaps most notably, of the twenty states that have enacted comprehensive data privacy legislation, the overwhelming majority included provisions that give consumers the right to opt out of specific kinds of consequential, automated decision-making and require risk assessments before a business can use high-risk automated profiling.[4]

These complement longstanding consumer protection statutes prohibiting unfair and deceptive conduct that we are well accustomed to enforcing as state attorneys general.

Broad preemption of state protections is particularly ill-advised because constantly evolving emerging technologies, like AI, require agile regulatory responses that can protect our citizens. This regulatory innovation is best left to the 50 states so we can all learn from what works and what does not. New applications for AI are regularly being found for healthcare, hiring, housing markets, customer service, law enforcement and public safety, transportation, banking, education, and social media. We remain hopeful that this technology

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conspiracies.html; Julie Jargon, *He Had Dangerous Delusions. ChatGPT Admitted It Made Them Worse*, Wall Street Journal (July 20, 2025), https://www.wsj.com/tech/ai/chatgpt-chatbot-psychology-manic-episodes-57452d14.

[3] *See, e.g.*, Rhitu Chatterjee, *Their teenage sons died by suicide. Now, they are sounding an alarm about AI chatbots*, NPR (Sept. 19, 2025), https://www.npr.org/sections/shots-health-news/2025/09/19/nx-s1-5545749/ai-chatbots-safetyopenai-meta-characterai-teens-suicide; Jeff Horwitz, *Meta's AI Rules Have Let Bots Hold 'Sensual' Chats with Kids, Offer False Medical Info*, Reuters (Aug. 14, 2025), https://www.reuters.com/investigates/special-report/meta-ai-chatbot-guidelines/.

[4] Letter from the National Association of Attorneys General to the Honorable Mike Johnson, John Thune, Hakeem Jeffries, and Chuck Schumer (May 16, 2025), *available at* https://ncdoj.gov/wp-content/uploads/2025/05/2025.05.15-Letter-to-Congress-re-Proposed-AI-Preemption-_FINAL-1.pdf.

will be used to make people healthier, wealthier, happier, and safer, but cannot overlook that this will not always be the case.

These circumstances demand giving states leeway to formulate prudent health and safety regulations as this country's laboratories of democracy, while adopting effective, thoughtful federal regulation. Federal inaction paired with a rushed, broad federal preemption of state regulations risks disastrous consequences for our communities.

If Congress is serious about grappling with how AI's emergence creates opportunities and challenges for our safety and well-being, then the states look forward to working with you on a substantive effort. AI will cause tidal waves in our public safety, national security, economy, and health, and the United States needs to be ready to be an international leader. This moratorium would put us behind by tying states' hands and failing to keep up with the technology, and so we ask Congress not to inject an AI moratorium in upcoming appropriations legislation.

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