The Honorable John Thune
Senate Majority Leader
511 Dirksen Senate Office Building
Washington, DC 20515

The Honorable Chuck Schumer
Senate Minority Leader
322 Hart Senate Office Building
Washington, D.C. 20510

June 30, 2025

Dear Majority Leader Thune, Minority Leader Schumer, and Members of the U.S. Senate,

As a coalition of over 140 organizations working to support children's online safety, consumer protections, and responsible innovation, we write today to express deep concerns over the updated AI state law moratorium included in the Senate's budget and reconciliation bill. During the final hours of negotiation over Congress's budget and reconciliation bill, Senators Ted Cruz and Marsha Blackburn released a new version of the AI state law moratorium which continues to threaten children's online safety legislation, artist protections, and a range of tech and AI safeguards in all fifty states.

Contrary to what proponents of the updated moratorium claim, **recent changes to the proposal actually endanger the ability of states to enforce these laws.** While the revised language adds child safety and other "generally applicable laws" to its list of purported exemptions, it now requires states to *prove* these laws do not pose an "undue" or "disproportionate burden" on AI systems. Because many of these laws were passed in recent years to respond specifically to novel problems created by the rise of digital algorithms and AI systems, they burden AI systems by design, and for this reason fall outside the scope of the purported exemptions. Meanwhile, the vague standards set out in the moratorium will provide Big Tech a clear path to challenge nearly any state law in court, including ongoing litigation; this will lead to countless laws across the country becoming entangled in litigation.

Critically, the revised language still fails to address the very concerns that prompted widespread opposition. The language fails to specify whether states that accept the funding for AI infrastructure could risk losing their original BEAD allotments if found out of compliance, it fails to address the broad and vague definitions of covered technologies, and it fails to address the sole problem it sought to address: the so-called patchwork of state laws. With just $500 million to divide among the states, many with existing AI laws and sufficient budgets will likely opt out, leaving the patchwork intact and a handful of states beholden to the whims of tech companies for a decade.

The revised moratorium also fails to uphold artist safeguards, including Tennessee's ELVIS Act. The ELVIS Act was written as a direct response to concerns that AI tools will be used to

steal the name, image, and likeness of artists and creators, and for this reason, Tennessee's legislation is certain to have a disproportionate impact on AI. The ELVIS Act's targeted response to AI's harms means that the bill would likely fail the moratorium's test that a bill does not create an "undue or disproportionate burden" on AI models, AI systems, or automated decision systems.

Previously conflicted policymakers might be tempted to feel relieved at the shortened, five-year timeline; they should not be. Historical precedent shows that 'temporary' federal moratoria can easily become permanent. This mechanism must not be used to quietly enact a permanent federal block on a state's "police power" to address the real, pernicious, and unique threats posed by AI to consumers, kids, and families. We've already seen how AI has been quickly embedded into everyday life, often without transparency, oversight, or accountability. This unique challenge requires unique solutions that must be allowed to emerge, evolve, and endure at the state level absent meaningful federal action.

Champions of child safety in the age of AI must give this issue the attention it deserves. Lives have been irreparably altered – and lost – to the Silicon Valley culture of 'move fast and break things.' Now, Congress risks doing the same. A federal moratorium with potentially nationwide impacts cannot be cobbled together under tight deadlines and mounting pressure in a fast-tracked bill. Families across the country rely on state laws for protections today. Generations of children have already been harmed by the last wave of unregulated tech; the next generation, coming of age in the era of turbocharged AI, deserves better than rushed policymaking and recycled mistakes.

We, the undersigned organizations, call on you to strike the AI moratorium from the budget reconciliation text to protect our families. It is irresponsible and short sighted to strip children, creators, and Americans from all backgrounds of their most basic protections and tie the hands of state legislators.

Signed,

Common Sense Media
Encode AI
Young People's Alliance
Americans for Responsible Innovation (ARI)

35 Mile Foundation
5Rights Foundation
AASA, The School Superintendents Association
ABE-LINC

Access Now
Accountable Tech
Accountable.US/Accountable.NOW
AFT
AI for Education
Alexander Neville Foundation
All Girls Allowed
Alliance To Counter Crime Online
Alliance to End Human Trafficking
Alternative Solutions
American Association of People with Disabilities
American Economic Liberties Project
ANEW Life International
Artist Rights Alliance
Autistic Women & Nonbinary Network
Becca Schmill Foundation
Better Tech Project
Brave Movement
Buckets Over Bullying
C.A. Goldberg, PLLC
Can We Talk
Center for AI and Digital Policy
Center for Arizona Policy
Center for Biological Diversity
Center for Digital Democracy
Center for Family and Human Rights
Center for Humane Technology
Center for Justice & Democracy
Center for Youth and AI
Chains Interrupted
Children's Advocacy Institute at the University of San Diego School of Law
Coalition Against Trafficking in Women (CATW)
Consumer Action
Consumer Federation of America
Consumer Reports
Consumer Watchdog
Courage California
Data & Society
Dear Christian Parent Substack
Defend Young Minds

Demand Progress
Design It For Us
Devin J Norring Foundation
Digital Childhood Alliance
Disability Rights Education and Defense Fund (DREDF)
Economic Security Project Action
EdTech Law Center
Emily Harrison Consulting
Emmy's Champions
Englynroberts.com
Enough Is Enough
Erik's Cause
Family of Becca Schmill
Family of Carson Bride
Family of Mason DeSerio
Family of Saniah Mickle
Family of Selena Rodriguez
Family of Zachary Parsons
Fan Alliance
FLITE Center
Friends of the Earth US
Future of Life Institute
Future of Music Coalition
Four Norms
Georgia WAND
Global Hope 365
Good Mass Tort Plaintiffs
Greenpeace USA
Hach Rose Schirripa & Cheverie LLP
HeartDance Foundation
Ignited Industries
Indivisible Media City Burbank
International Centre for Missing and Exploited Children (ICMEC)
International Federation of Professional and Technical Engineers (IFPTE)
Issue One
Just Love Worldwide
Link Oregon (Oregon Fiber Partnership)
Liberty Law
Lynn's Warriors
MAMA-Mothers Against Media Addiction

Gary Marcus, *Marcus on AI* Substack Author
Mentari
Multicultural Media, Telecom and Internet Council
Music Artists Coalition
Music Workers Alliance
Music Managers Forum-US
My Name My Voice
NAACP
National Center on Sexual Exploitation
National Consumers League
National Digital Inclusion Alliance
National Employment Law Project
National Hispanic Media Coalition
NCAC
NC Stop Human Trafficking
NETWORK Lobby for Catholic Social Justice
NH Traffick-Free Coalition
Oakland Privacy
Onyx Impact
Open Markets Institute
Oregon Consumer Justice
Oregon Consumer League
Organization for Social Media Safety
P Street
Paradigm Shift Training and Consulting
Parent Coalition for Student Privacy
ParentsSOS
ParentsTogether Action
Paving the Way Foundation
Porn Free Colorado
Protect Digital Identity
Protect Young Eyes
Public Citizen
Rape, Abuse, and Incest National Network (RAINN)
Raven
Reading, Pennsylvania Public Library
Reconnect Nashoba Valley / Turning Life On
ReHope
Resiliency Foundation
Representative Doug Fiefia

Rights4Girls
SAVE-Suicide Awareness Voices of Education
Schools Beyond Screens
Scrolling 2 Death
Seneca Lake Guardian
Sexual Violence Prevention Association (SVPA)
Shared Hope International
Sierra Cares Foundation
Smartphone Free Childhood US
Social Media Victims Law Center (SMVLC)
socialmediaharms.org
Society of Composers & Lyricists
Southwest FL Coalition Against Human Trafficking
Speaking of Social
Street Grace
Student Borrower Protection Center
Students Engaged in Advancing Texas
Survivor Leader Network of San Diego
The Carson Bride Family
The C3 Foundation
The Haba Law Firm, P.A.
The Institute for Family Studies
The McKenna Way
The Stop Trafficking Project
The Tech Oversight Project
Thorn
Together for Girls
Turning Life On
United Abolitionists, Inc.
United Church of Christ Media Justice Ministry
Virginia Citizens Consumer Council
Walk Her Home
We RISE, USA
William E. Morris Institute for Justice
Women Graduates-USA
Working Partnerships USA
Yellowstone Human Trafficking Task Force
You Belong
Youth Power Project