

**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

AASA, The School Superintendents Association

Access Now

Accountable Tech

Accountable.US/Accountable.NOW  
AFT  
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  
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  
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  
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  
Mentari  
Multicultural Media, Telecom and Internet Council  
Music Artists Coalition  
Music Workers Alliance  
Music Managers Forum-US  
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  
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](http://socialmediaharms.org)  
Society of Composers & Lyricists  
Southwest FL Coalition Against Human Trafficking

Speaking of Social  
Street Grace  
Student Borrower Protection Center  
Survivor Leader Network of San Diego  
The Carson Bride Family  
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  
Youth Power Project