



NEW YORK STATE SENATOR

Kristen Gonzalez

Senator Kristen Gonzalez' Joint Elected Letter Opposing the Federal Moratorium on State and Local AI Regulation Proposed in the House Committee on Energy and Commerce Reconciliation Text

KRISTEN GONZALEZ May 16, 2025

| ISSUE: **ARTIFICIAL INTELLIGENCE; AI, TRUMP ADMINISTRATION**

Sent to Speaker of the House, Rep. Mike Johnson on May 15, 2025

As elected representatives of New York State, we strongly oppose the 10-year moratorium on state and local artificial intelligence legislation proposed in the House Committee on Energy and Commerce reconciliation text.

While the federal government struggles to act on regulating artificial intelligence, states are **leading the way**, enacting legislation to protect Americans from the multitude of threats posed by rapid technological advances in automated decision-making systems. In the past two years, New York has enacted legislation regulating AI-generated deep fakes, automated employment decision-making tools, and companion chatbots while similar legislation has stalled at the federal level.

New York has also led the way when it comes to public-sector AI regulation. Our Legislative Oversight of Automated Decision Making in Government Act, which passed both the Senate and Assembly with bipartisan support, has been a model for similar legislation in other states. By stripping states of their powers to enact laws regarding their own governments' use of automated decision-making tools, this moratorium undermines our Federalist system

of government.

This proposed moratorium would not only undermine the work of state and local legislatures to minimize existing harms, but would also exacerbate the risks AI development poses by selectively excluding from the moratorium any legislation that makes it easier to remove the guardrails states have already enacted.

The threats unregulated AI development poses are vast and are already being felt. In Florida, a 14 year old died by suicide after engaging with a companion chatbot for months. In 2023, UnitedHealthcare was sued for using an AI algorithm to deny claims and prematurely end acute care with a 90% reversal rate when reviewed by a physician. Where action at the federal level has stalled, state and local legislators must be allowed to act in the best interest of our constituents.

We call on House Republican leadership to remove this language from the reconciliation text and work with state legislatures to pass comprehensive AI regulation at the federal level using successful state and local legislation as a model.

Respectfully,

Kristen Gonzalez

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Member of Assembly

Liz Krueger

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Shelley Mayer

State Senator

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Brian Kavanaugh

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Harvey Epstein

Member of the Assembly

Marcela Mitaynes

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Member of Assembly

Patrick Burke

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cc:

U.S Representative Nick Lalota, U.S Representative Andrew Garbarino, U.S Representative Nicole Malliotakis, U.S Representative Mike Lawler, U.S Representative Elise Stefanik, U.S Representative Nick Langworthy, U.S Representative Claudia Tenney