



May 15, 2025

The Hon. James Michael Johnson
Speaker of the House
2468 Rayburn House Office Building
Washington, DC 20515

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. It also threatens the progress we have made regulating social media apps that use algorithms.

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,

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State Senator

Steve Otis
Member of Assembly

Liz Krueger
State Senator

Nathalia Fernandez
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Roxanne Persaud
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cc:

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U.S Representative Mike Lawler
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