

United States Senate

November 20, 2025

Dear Democratic Colleague,

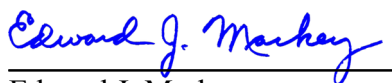
Big Tech is once again attempting to undermine states' rights to regulate artificial intelligence (AI), this time by trying to sneak a last-minute provision into the National Defense Authorization Act (NDAA). If included, this provision would prevent states from responding to the urgent risks posed by rapidly deployed AI systems, putting our children, our workers, our grid, and our planet at risk. This provision was overwhelmingly defeated by a bipartisan 99-1 vote during the reconciliation fight this summer. President Donald Trump has now endorsed the policy proposal, siding with Big Tech and against states' rights. Senate Democrats should stand united and commit to opposing the NDAA, which is likely to include a number of other poison pills, if it includes the AI moratorium.

As a massive, bipartisan coalition of governors, state attorneys general, state lawmakers, and advocates across the political spectrum made clear earlier this year, the Republican AI moratorium represents a serious threat to our ability to protect Americans from the harms of AI. It could block state policymakers from moving forward on basic, bipartisan protections, such as protecting children and teenagers online, combatting deepfakes, slowing electricity price hikes, addressing the environmental impacts of data center buildout, preventing algorithmic discrimination, or safeguarding workers from dangerous AI-fueled workplace technology. It would override the authority of states that are actively developing thoughtful, targeted AI safeguards for their residents. Given the rapid development of AI today and the repeated failure of Congress to pass tech regulations, the AI moratorium would be a massive giveaway to Big Tech and devastating defeat for Americans.

Democrats have direct control over whether the AI moratorium is enacted into law. Our message should be simple: Congress should not give Big Tech a multi-year holiday from state oversight. We respectfully urge you to join us in opposing any version of the NDAA that includes the AI moratorium.

Thank you for your work to protect Americans from the risks of AI.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator