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Women & Families
National Urban League
People for the American Way
Religious Action Center of
Reform Judaism
Service Employees International Union
Sikh Coalition
UnidosUS

President and CEO

Maya Wiley

June 12, 2025

Dear Senator,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 240 national civil and human rights advocacy organizations, and the undersigned civil rights and civil society organizations, we urge the Senate to strip from H.R. 1 the 10-year ban on the enforcement of state and local law related to artificial intelligence (AI) no matter how it appears.

H.R. 1, as passed by the House on May 22 and modified by the Senate Commerce Committee on June 5, includes a 10-year moratorium stating that “no State or political subdivision may enforce . . . any law or regulation limiting, restricting or otherwise regulating [AI] models, [AI] systems, or automated decision systems. . . .” At a time when communities across the country are demanding clear safeguards for how AI is developed and used, state and local governments are stepping up to protect their residents.¹ A 10-year moratorium will extinguish states’ ongoing debates and efforts to address AI challenges, including the problem of algorithmic discrimination, leaving people vulnerable and exposed to faulty technology. This is no longer a nascent industry; companies are making billions from their AI technology. The failure — or refusal — to regulate this industry demonstrates that some members of Congress continue to prioritize corporate interests over the rights and wellbeing of the constituents they were elected to serve. The latest version of the moratorium, which forces states to choose between regulating AI and receiving broadband funding, presents a false choice that no member of Congress should accept. There is no reason why states cannot make the decision to foster responsible use of AI and accept funding, already promised to them by the federal government, to ensure that everyone, including historically excluded groups, can be connected.

A broad reading of H.R. 1 could prevent the enforcement of laws already passed in Colorado, Washington, and Virginia that require facial recognition technology to be subject to independent testing and/or accuracy standards. This would mean untested technology could be used on the public, leading to false arrests or racial profiling, as we have already seen in Detroit.² Black communities already experiencing biased policing are more likely to

¹ “Republicans and Democrats Agree: Let States Regulate AI,” GovTech (June 2, 2025), <https://www.govtech.com/artificial-intelligence/republicans-and-democrats-agree-let-states-regulate-ai>.

² Dacey Gilligan, “Virginia’s Facial Recognition Technology Bill Gives Local Law Enforcement Too Much Leeway,” Georgetown Law Technology Review (April 2022), <https://georgetownlawtechreview.org/virginias-facial-recognition-technology-bill-gives-local-law->

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be impacted by inaccurate and unreliable facial recognition systems. In fact, Black individuals comprise six of the seven people known to have been misidentified by facial recognition systems.³ This law will also prevent the enforcement of laws like those in Alabama, Colorado, and New Mexico that require the disclosure of the use of AI in political ads.⁴ Laws broadly regulating the use of AI like the Colorado AI Act would also fall within the scope of the moratorium and be rendered unenforceable, setting aside the will of Colorado voters who put those state legislators in office. Even though many of the state bills regulating AI continue to be debated, including by signatories to this letter, states have undeniably stepped up, and the proposed congressional moratorium would undo those efforts.

If Congress preempts state laws now and uses broadband funding as a bargaining chip, when it has not adopted comprehensive safeguards in partnership with civil rights and civil society groups, it would set a dangerous precedent for the future of AI in the United States. To adopt this moratorium would mean that the public will be left without redress when an AI decision-making system denies life-saving health care, when bad actors use generative AI to knowingly produce non-consensual intimate imagery, and when scammers utilize the technology to defraud vulnerable communities like seniors. Instead of prioritizing constituents, Congress would be allowing the companies that use and create AI to operate without checks, eliminating existing civil rights safeguards. In short, at a time when the public is demanding tech accountability, Congress would be giving corporations using AI a 10-year “get out of jail free” card.

The moratorium is extraordinarily broad and would likely lead to severely damaging, unintended consequences. This provision would not only prevent the enforcement of AI-specific laws, it could also frustrate enforcement of generally applicable laws that apply to AI as well.⁵ The moratorium could inhibit state enforcement of civil rights laws that already prohibit algorithmic discrimination, impact consumer protection laws by limiting the ability of both consumers and state attorneys general to seek recourse against bad actors, and completely eliminate consumer privacy laws. Similarly, the ban on enforcement related to “automated decision systems” is so broad as to ban enforcement related to any computerized system.

[enforcement-too-much-leeway/GLTR-04-2022/](https://www.innocenceproject.org/news/when-artificial-intelligence-gets-it-wrong/); Christina Swarns, “When Artificial Intelligence Gets It Wrong,” The Innocence Project (Sept. 19, 2023) <https://innocenceproject.org/news/when-artificial-intelligence-gets-it-wrong/>.

³ Alyxaundria Sanford, “Artificial Intelligence Is Putting Innocent People at Risk of Being Incarcerated,” The Innocence Project (Feb. 14, 2024), [https://innocenceproject.org/news/artificial-intelligence-is-putting-innocent-people-at-risk-of-being-incarcerated/#:~:text=There%20are%20at%20least%20seven,who%20have%20been%20wrongfully%20accused.&text=Robert%20Williams%20thought%20it%20was,himself%20in%20to%20the%20police](https://innocenceproject.org/news/artificial-intelligence-is-putting-innocent-people-at-risk-of-being-incarcerated/#:~:text=There%20are%20at%20least%20seven,who%20have%20been%20wrongfully%20accused.&text=Robert%20Williams%20thought%20it%20was,himself%20in%20to%20the%20police;); Patrick Grother, Mei Ngan, Kayee Hanaoka, “Face Recognition Vendor Test (FRVT) Part 3: Demographic Effects,” National Institute of Standards and Technology (Dec. 2019), <https://doi.org/10.6028/NIST.IR.8280> (finding that facial recognition algorithms produce significantly higher false positive rates for Black and East Asian individuals than for their white counterparts).

⁴ Lawrence Norden, States Take the Lead in Regulating AI in Elections — Within Limits, Brennan Center for Justice (August 7, 2024) <https://www.brennancenter.org/our-work/research-reports/states-take-lead-regulating-ai-elections-within-limits>.

⁵ David Brody, The Big Beautiful Bill Could Decimate Legal Accountability for Tech and Anything Tech Touches, Tech Policy Press (May 27, 2025) <https://www.techpolicy.press/the-big-beautiful-bill-could-decimate-legal-accountability-for-tech-and-anything-tech-touches/>.

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Innovation and fairness are not mutually exclusive — as long as systems are proven to be safe and effective. In fact, innovation in AI and technology, if governed transparently through democratic processes and inclusive design, offers the potential to advance shared prosperity and opportunity while addressing longstanding inequalities. AI can help tackle societal challenges, such as accessibility, health disparities, food insecurity, equity, and justice. These outcomes are possible if people impacted by those systems can trust the decisions being made and are not harmed by them.

Automated decision-making systems frequently exhibit systemic biases against marginalized communities. For example, they have unfairly recommended that landlords exclude qualified Black and Latino renters⁶ and cut people with disabilities off from public benefits.⁷ Preempting regulation for a decade will allow unchecked harm to proliferate. The only way forward is to pass legislation to ensure that this discrimination and harm stops, not stop all state and local efforts to prevent harm.

We urge senators to remove the moratorium in its entirety, as it cannot be saved through edits. We stand ready to work with Congress on policies that will protect civil rights, prevent unlawful discrimination, and advance equal opportunity. Completely stopping in its tracks the progress states have made is not the way forward. Should you require further information or have any questions regarding this issue, please feel free to contact Jonathan Walter, senior policy counsel, at walter@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights
Access Now
American Association of People with Disabilities
American Civil Liberties Union
Americans for Financial Reform Education Fund
Asian Americans Advancing Justice | AAJC
Autistic Self Advocacy Network (ASAN)
Benton Institute for Broadband & Society
Center for Democracy & Technology
Center for Digital Democracy
Center on Privacy and Technology at Georgetown Law
Center on Resilience & Digital Justice
Check My Ads Institute
Color of Change
Communications Workers of America
ConnectSafely

⁶ Screened Out of Housing, Tech Equity (July 2024), <https://techequity.us/2024/07/24/screened-out-of-housing-research-paper/>.

⁷ Alexandra Reeve Givens and Maria Town, “In Our Tech Reckoning, People With Disabilities Are Demanding a Reckoning of Their Own,” Tech Policy Press (Jan. 24, 2022), <https://www.techpolicy.press/in-our-tech-reckoning-people-with-disabilities-are-demanding-a-reckoning-of-their-own/>.

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Demand Progress
Economic Security Project Action
EFF
Electronic Privacy Information Center (EPIC)
Equal Rights Advocates
Fight for the Future
HIV+Hepatitis Policy Institute
Innocence Project
Institute for Local Self Reliance (ILSR)
Japanese American Citizens League
Lawyers' Committee for Civil Rights Under Law
League of United Latin American Citizens (LULAC)
MediaJustice
NAACP
NAACP Legal Defense and Educational Fund, Inc. (LDF)
National Action Network
National Black Worker Center
National Coalition on Black Civic Participation
National Consumer Law Center (on behalf of its low-income clients)
National Digital Inclusion Alliance
National Domestic Workers Alliance
National Employment Lawyers Association
National Employment Law Project
National Fair Housing Alliance
National Health Law Program
National Hispanic Media Coalition
National Housing Law Project
National Institute for Workers' Rights
National Urban League
NETWORK Lobby for Catholic Social Justice
New America's Open Technology Institute
P Street
Policing Project at NYU School of Law
Public Citizen
Public Knowledge
Secure Justice
Service Employees International Union
Sikh American Legal Defense and Education Fund (SALDEF)
Surveillance Technology Oversight Project
The Center on Race, Inequality, and the Law at NYU
UnidosUS
United Church of Christ Media Justice Ministry
United Food & Commercial Workers

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