



State of California
Office of the Attorney General

ROB BONTA

ATTORNEY GENERAL

November 21, 2025

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
511 Cannon House Office Building
Washington, D.C. 20515

The Honorable John Thune
Majority Leader
U.S. Senate
511 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
2267 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Speaker Johnson, Majority Leader Thune, Minority Leader Jeffries, and Minority Leader Schumer:

I write in opposition to the reported efforts to include in the National Defense Authorization Act (NDAA) language limiting the authority of the states to legislate or regulate artificial intelligence (AI). Preemption of the states' authority in this rapidly evolving area would undermine the federalist system that has allowed states to respond swiftly and effectively to emerging technologies and in order to protect their residents' health, safety, and welfare.

States have long served as laboratories of democracy, developing innovative and effective policy solutions that reflect the diverse needs and priorities of their residents, and that have often served as the model for subsequent federal legislation. Here in California, we recently enacted commonsense transparency and reporting requirements for frontier AI models, intended to guard against AI-induced catastrophic harms to our state, its people, and our environment, and we have advanced legislation intended to, among other things, guard against deepfake deception and to protect children from potentially deadly interactions with chatbots. These efforts build on prior guidance issued by my office underscoring that AI companies – like anyone else doing business in our state – have an obligation to comply with California's existing consumer protection, privacy, civil rights, and other laws.¹

¹ California Attorney General's Legal Advisory on the Application of Existing California Laws to Artificial Intelligence, Available at <https://oag.ca.gov/system/files/attachments/press->

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California's experience in technology policy and regulation, including our enactment of a first in the nation comprehensive privacy law, and our status as the world's fourth largest economy, birthplace of AI, and home to 32 of the 50 top AI companies worldwide, underscores that commonsense state regulations can coexist with cutting edge innovation, economic growth, and global leadership.

Preemption of state AI laws would undermine these and similar efforts across the country to enact common sense guardrails on AI, and deny all Americans the benefits of state-led experimentation and progress in this rapidly evolving space. Any federal AI law should serve as a floor, not a ceiling, preserving flexibility for states to go further where necessary to protect their residents.

Finally, I urge you to focus on the national defense, and the wellbeing of American servicemembers and their families, as you craft this year's NDAA, and not allow this bill to become a vehicle to allow the AI industry to evade commonsense state law protections.

Thank you for your time and attention to this critical issue.

Sincerely,



ROB BONTA
Attorney General