

**NCSL STANDING COMMITTEE on TECHNOLOGY AND  
COMMUNICATIONS**

**POLICY DIRECTIVES AND RESOLUTIONS**

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2 **POLICY: ARTIFICIAL INTELLIGENCE**

3 **TYPE: AMENDED DIRECTIVE INTRODUCED BY COMMITTEE**  
4 **CO-CHAIRS REPS CINDY RYU (WA) AND PAUL**  
5 **CUTLER (UTAH)**

6 **Artificial Intelligence**

7 **State Leadership in AI Policy Development**

8 The National Conference of State Legislatures recognizes that AI is transforming society  
9 and the economy, with applications in nearly every sector. While AI has the potential to  
10 drive innovation, improve services and create efficiencies, it also raises pressing  
11 concerns.

12 State legislatures are at the forefront of addressing these opportunities and risks.  
13 Lawmakers are engaging with a diverse set of stakeholders to enact laws and  
14 regulations that promote innovation while protecting public interest. These state-led  
15 efforts are essential to ensuring that AI technologies are developed and deployed in  
16 ways that reflect the unique values, needs and priorities of their communities.

17 **Preserving State Authority in AI Regulation**

18 NCSL strongly opposes any attempt by Congress, federal agencies or the  
19 administration to preempt state laws or undermine state authority over AI policy.  
20 Preemption would interfere with the ability of states to act swiftly and responsively as  
21 technology evolves and would compromise public trust in AI governance.

22 Federal laws and regulations in the AI space should establish a strong baseline of  
23 protections that uphold individual data privacy, ensure transparency in AI-driven  
24 decisions and maintain meaningful human oversight over critical systems. NCSL  
25 encourages Congress to ensure that consumers retain ongoing, meaningful control over  
26 how their data is used in downstream applications, including emerging technologies  
27 such as artificial intelligence. This includes consideration of how individuals may  
28 exercise rights over data that has been shared, sold or incorporated into automated  
29 systems, and how such rights can be implemented in a practical and enforceable  
30 manner.

31 Congress should support states' ability to build upon federal standards to address  
32 emerging risks and maintain accountability. Federal policy should include clear savings  
33 clauses, transition periods and mechanisms for coordination that allow states to

34 continue enforcing their laws and adapting to emerging technologies, while working  
35 toward shared national goals.

36

### 37 **Federal-State Collaboration on AI Governance, Enforcement and Oversight**

38 NCSL urges Congress, federal agencies and the administration to engage with state  
39 lawmakers in the development of AI policy. States must be consulted throughout the  
40 legislative and regulatory process, and their laws and innovations should be viewed as  
41 critical components of a broader national strategy. Effective governance of AI requires  
42 sustained intergovernmental collaboration and mutual respect for the dual roles of state  
43 and federal governments.

44 Strong AI governance depends not only on clear rules, but on effective oversight and  
45 enforcement. NCSL urges Congress to support state and local enforcement authorities  
46 through funding, data sharing, technical expertise and intergovernmental coordination.  
47 Federal agencies should partner with states to develop best practices for auditing AI  
48 systems, responding to complaints and addressing documented harms, while  
49 respecting states' primary role in protecting their residents.

### 50 **Transparency and Accountability in AI Systems**

51 NCSL supports transparency as a cornerstone of public trust in AI technologies.  
52 Individuals have a right to know when AI systems are being used, what the systems  
53 were designed for, how decisions are made, and what data is being collected and  
54 processed. Equally important is accountability, which ensures that those developing and  
55 deploying AI systems have some responsibility for their impacts and outcomes.

### 56 **Federal Investment in AI Research and Education**

57 NCSL supports **responsible** federal investment in AI research through institutions such  
58 as the National Science Foundation, the National Institute of Standards and Technology,  
59 and the National Institutes of Health. These initiatives should include mechanisms for  
60 sharing research findings with state policymakers to inform evidence-based decision-  
61 making. National Laboratories should also collaborate closely with state and federal  
62 governments to ensure AI research aligns with public needs and supports policy  
63 development. Additionally, NCSL urges the federal government to launch national  
64 education and public awareness campaigns to increase the public's understanding of  
65 **emerging technologies, including** AI technologies, their applications and their  
66 implications

### 67 **Labor Market Data, Workforce Development and Economic Opportunity**

68 Federal policies should improve the availability, timeliness and quality of labor market  
69 data related to AI-driven automation, displacement, job creation and job transformation,  
70 including efforts to better measure the number and types of jobs being lost, created or  
71 materially changed by AI. Such policies should also promote meaningful data sharing  
72 between federal agencies and states and ensure that research conducted by the U.S.  
73 Department of Labor and its affiliated research centers is regularly shared with states  
74 and other stakeholders to support workforce planning and economic development  
75 strategies.

76 NCSL supports [responsible](#) federal investments in workforce development, including  
77 upskilling and training programs that ensure students, workers and underserved  
78 communities can fully participate in and benefit from the AI-driven economy.

79 Federal policies should also support efforts to recruit, retain and develop technical talent  
80 including through federal funding, fellowships and public-private partnerships that  
81 enhance public-sector capacity to implement and oversee AI policy.

## 82 **Safeguarding Against Malicious Uses of AI**

83 NCSL calls on Congress to partner with states to prevent the creation and distribution of  
84 non-consensual AI-generated intimate images and other malicious uses of generative  
85 AI, including deepfakes. These technologies pose serious threats to individual rights,  
86 dignity and safety. Federal action in this area must complement, not preempt, state  
87 efforts to protect their residents.

## 88 **Cybersecurity**

89 Enhanced federal-state coordination on cybersecurity standards and incident response  
90 protocols is essential to protecting critical AI infrastructure that serves citizens and  
91 supports economic growth across all levels of government. NCSL urges the federal  
92 government to strengthen cybersecurity infrastructure and information sharing  
93 mechanisms that support both state and private sector AI systems against evolving  
94 cyber threats.

95 [Policymakers should also prioritize resilience planning that ensures continuity of](#)  
96 [essential services and critical infrastructure in the event of system failures, cyberattacks](#)  
97 [or disruptions to AI-dependent infrastructure. This includes maintaining a skilled](#)  
98 [workforce and operational redundancies capable of understanding, managing and](#)  
99 [restoring critical systems without reliance on automated or AI-driven processes.](#)

## 100 **Responsible Government Use of AI**

101 [State and local governments are increasingly deploying AI systems to deliver public](#)  
102 [services, manage infrastructure and improve operational efficiency. NCSL urges](#)  
103 [Congress and the administration to support responsible government use of AI by](#)

104 promoting transparency, auditability and accountability in procurement and deployment  
105 decisions. Federal guidance and funding should help states ensure that AI systems  
106 used in high stakes government functions, such as benefits administration, education,  
107 healthcare, child welfare, public safety and criminal justice are explainable, regularly  
108 evaluated for accuracy and bias and subject to meaningful human oversight.

### 109 **Targeted, Risk-Based Regulation**

110 AI technologies vary widely in their capabilities and potential impacts. NCSL encourages  
111 Congress and the administration to consider a targeted, risk-based, and use-specific  
112 approach to AI governance that prioritizes oversight of applications presenting clear and  
113 demonstrable risks to individuals' rights, safety and economic opportunity, while  
114 supporting continued innovation and economic growth.

115 States are well positioned to assess risk in context and tailor protections to specific  
116 sectors such as employment, housing, education, healthcare and elections. Federal  
117 policy should support this approach by establishing narrow baseline expectations for  
118 clearly defined high-risk uses, while avoiding unnecessary regulatory burdens and  
119 preserving state flexibility to address sector-specific concerns as technology and use  
120 cases evolve.

### 121 **Voluntary incident reporting database**

122 NCSL encourages federal policymakers to establish a voluntary, incident reporting  
123 mechanism to support information sharing among regulators, researchers and  
124 governments regarding emerging AI risks, system failures and unexpected harmful  
125 behavior.

### 126 **Reporting and Evaluation Requirements**

127 NCSL encourages federal policymakers to require targeted and appropriately scoped  
128 transparency and reporting obligations for AI models that have capabilities that present  
129 significant national security, public safety or systemic risks. These requirements should  
130 be designed to minimize compliance burdens, and intended to enable risk monitoring,  
131 inform policymakers and support coordination with state regulators.

132 Congress and the administration should also require targeted pre-deployment risk  
133 evaluations of the most advanced generative AI systems for high-risk capabilities,  
134 including the facilitation of chemical, biological, radiological or nuclear harms, with  
135 appropriate safeguards, expert oversight and coordination with state authority.

1 **COMMITTEE: TECHNOLOGY AND COMMUNICATIONS**

2 **POLICY: MODERNIZING THE UNIVERSAL SERVICE FUND**

3 **TYPE: NEW DIRECTIVE (FORMERLY A RESOLUTION)**  
4 **INTRODUCED BY DELEGATE LINDA FOLEY (MD)**

5 The National Conference of State Legislatures (NCSL) affirms that access to secure, reliable and  
6 affordable high-speed internet is essential to the nation’s economic strength, public safety and  
7 democratic participation. Broadband connectivity underpins family life, education, health care,  
8 business innovation, emergency response and the delivery of government services at all levels.

9 NCSL recognizes that the United States must modernize its communications infrastructure to  
10 reflect a 21st-century digital reality. Expanding universal access to advanced broadband  
11 networks strengthens public safety and resilience by improving emergency communications,  
12 disaster recovery and cybersecurity; supports economic growth and innovation by enabling  
13 remote work, small business development, STEM education, telehealth and global  
14 competitiveness; and helps bridge persistent digital divides that disproportionately affect rural,  
15 Tribal and low-income communities.

16 Universal service policy must also reflect the evolving nature of connectivity. Digital inclusion  
17 today depends not merely on basic access, but on robust, high-capacity and scalable broadband  
18 infrastructure that allows individuals and communities to fully participate in civic and economic  
19 life. Modern broadband infrastructure is a foundational component of a more inclusive,  
20 connected and competitive society.

21 NCSL acknowledges Congress’s longstanding commitment to universal service, first established  
22 in the Communications Act of 1934 and reaffirmed through the creation of the Universal Service  
23 Fund (USF) in the Telecommunications Act of 1996. While the USF has played a critical role in  
24 expanding access through programs such as E-Rate and Lifeline, its structure has not kept pace  
25 with rapid technological change.

26 The USF continues to rely heavily on declining revenues from legacy telecommunications  
27 services, and its funding mechanisms and focus areas remain largely centered on voice services  
28 rather than modern broadband needs. As a result, the current model is increasingly unsustainable  
29 and misaligned with the connectivity demands of households, businesses, schools and health care  
30 providers. Millions of Americans, particularly in rural and underserved areas, still lack access to  
31 reliable, high-speed internet.

32 NCSL supports modernizing the USF to ensure it remains sustainable and relevant in a  
33 broadband-first era. This includes updating the contribution base to reflect how communications

34 services are delivered and used today, while preserving the program’s core mission of ensuring  
35 universal, affordable access.

36 Any reforms should complement and support state broadband efforts, respect state authority and  
37 provide flexibility for states to address unique local needs and emerging challenges.