

**Before the
Office of Science and Technology Policy
Washington, D.C.**

In the Matter of	)	
	)	
Request for Information on Regulatory Reform	)	Docket No. OSTP-TECH-2025-0067
on Artificial Intelligence	)	
	)	

COMMENTS OF CTIA

October 27, 2025

I. INTRODUCTION

CTIA¹ welcomes the opportunity to comment on the Office of Science and Technology Policy’s (“OSTP”) above-referenced Request for Information (“RFI”),² which builds on *Winning the Race: America’s AI Action Plan* (“AI Action Plan”).³ CTIA applauds the Administration’s AI Action Plan, which sets artificial intelligence (“AI”) policy goals for promoting innovation, accelerating infrastructure buildouts, and supporting U.S. leadership globally. These are goals that CTIA has long championed with respect to developing and deploying wireless technology, and CTIA supports applying these same strategies to help to ensure that the United States maintains its global leadership in AI. Next generation wireless technologies and AI technologies

¹ CTIA – The Wireless Association® (“CTIA”) (www.ctia.org) represents the U.S. wireless communications industry and the companies throughout the mobile ecosystem that enable Americans to lead a 21st-century connected life. The association’s members include wireless providers, device manufacturers, and suppliers as well as apps and content companies. CTIA vigorously advocates at all levels of government for policies that foster continued wireless innovation and investment. CTIA represents a broad diversity of stakeholders, and the specific positions outlined in these comments may not reflect the views of all individual members. The association also coordinates the industry’s voluntary best practices, hosts educational events that promote the wireless industry and co-produces the industry’s leading wireless tradeshow. CTIA was founded in 1984 and is based in Washington, D.C.

² *Regulatory Reform on Artificial Intelligence*, Request for Information, 90 Fed. Reg. 46422 (Sept. 26, 2025), <https://tinyurl.com/tvzkpmkz> (“RFI”).

³ *Winning the Race: America’s AI Action Plan*, The White House (July 23, 2025), <https://tinyurl.com/577tm7xs> (“AI Action Plan”).

are increasingly intertwined, with both serving as cornerstones for digital transformation and innovation in the 21st century economy.

The RFI takes an important step toward achieving the AI Action Plan’s goals by seeking input on what barriers are inhibiting the development and deployment of AI and its transformational benefits. CTIA agrees with OSTP that “AI has applications across nearly every sector of the economy and public life,” and that “AI adoption is expected to yield significant benefits, including greater efficiency, improved safety and reliability, expanded access to services, and enhanced economic competitiveness.”⁴ Indeed, the wireless industry is committed to deploying AI solutions for the benefit of consumers, bringing innovative services and protections. Examples of how CTIA’s members are actively using AI to improve their wireless offerings include: (i) detecting and combating fraudulent robocalls and robotexts that target consumers;⁵ (ii) improving operational efficiency;⁶ (iii) enhancing customer offerings;⁷ and (iv) enabling telecommunications industry innovations.⁸

The wireless industry also plays an essential role in bringing AI to consumers and businesses. For example, the wireless industry is enhancing networks and devices to provide

⁴ RFI at 46423.

⁵ For example, Verizon uses AI technologies to identify and prevent illegal robocalls from harming consumers. *See generally* Kate Kutchko, *Using Natural Language Processing to Label Robocalls*, Verizon Business Group (May 7, 2024), <https://tinyurl.com/mpr9m9wb>.

⁶ For example, AT&T’s generative AI (“GenAI”) assists human workers in making decisions and taking actions, whether it’s optimizing its network and code, clamping down on fraud, or helping customer care experts better serve customers. *See* Andy Markus, *Autonomous Assistants: The Next Step of the GenAI Revolution to Empower Employees and Serve Customers*, AT&T (July 17, 2024), <https://tinyurl.com/cpu4njbx>.

⁷ For example, Verizon has developed a solution with NVIDIA that enables a wide range of applications to run over Verizon’s 5G private network with private Mobile Edge Compute, delivering powerful, real-time AI services on premises for enterprise customers. *See* Press Release, Verizon, *Verizon Collaborates with NVIDIA to Power AI Workloads on 5G Private Networks with Mobile Edge Compute* (Dec. 17, 2024), <https://tinyurl.com/ynk5rwva>.

⁸ For example, Intel is also driving adoption of AI in 5G with its Xeon 6 system on a chip. The system delivers up to 2.4 times the capacity for Radio Access Network workloads with a 70 percent reduction in power consumption, enhancing performance and lowering the total ownership cost. *See* Press Release, Intel, *Intel Unveils Leadership AI and Networking Solutions with Xeon 6 Processors* (Feb. 24, 2025), <https://tinyurl.com/ye3rdxze>.

foundational support for deploying AI effectively, as AI increasingly requires the capabilities and infrastructure provided by next-generation 5G technologies. AI is only as good as the data that it has at its disposal, and 5G networks and beyond will play a critical role in gathering and transporting the raw data that AI models need to perceive their environment, learn, produce meaningful information, and interact with the physical world. Further, equipment manufacturers are integrating on-device GenAI, which allows consumers and businesses to access AI functionalities and applications from their smartphones.⁹ And the wireless industry, through cross-sector collaboration, is championing the adoption of AI systems that are transforming and revitalizing U.S. manufacturing.¹⁰

Identifying “regulatory and procedural barriers that unnecessarily slow safe, beneficial AI deployment”¹¹ is a critical step to be able to unleash the power and promise of AI. Supportive federal policies and actions will help to ensure that the U.S. continues to lead the world in AI technology. Thus, CTIA encourages OSTP to take a broad view of barriers standing in the way of the goals of the AI Action Plan, looking at regulatory impediments to deploying technologies—like wireless technology—that are critical to the effective AI deployment and adoption. OSTP also should consider whether federal approaches should be applied in ways that preempt state laws that create barriers to AI deployment. To this end, these comments identify three key barriers that OSTP should consider addressing in order for the United States to continue to be the dominant leader in AI. Specifically, OSTP should:

(1) Work with the Federal Communications Commission (“FCC”), National Telecommunications and Information Administration (“NTIA”), and other involved

⁹ See, e.g., *Samsung’s Pivotal Role in Pioneering On-Device Generative AI*, Samsung (July 22, 2025), <https://tinyurl.com/y2t2kdcp>.

¹⁰ See *How 5G Is Modernizing Manufacturing*, National Association of Manufacturers & CTIA (Sept. 8, 2025), <https://tinyurl.com/d3nnvrh>.

¹¹ RFI at 46423.

agencies to remove barriers to continued global wireless leadership by implementing the spectrum provisions of the One Big Beautiful Bill Act, expanding access to mid-band spectrum for full-power, licensed commercial use, and streamlining the deployment of wireless infrastructure;

(2) Promote a uniform, deregulatory federal approach to AI that, where necessary, leverages risk-based and flexible frameworks in order to create clarity and eliminate a major barrier to innovation—regulatory uncertainty; and

(3) Work with Congress, the FCC, or other federal agencies, as appropriate, to establish an approach that preempts state laws, as the growing patchwork of overlapping and potentially conflicting state laws is also an impediment to accomplishing the goals of the AI Action Plan.

II. REMOVING BARRIERS TO CONTINUED U.S. WIRELESS LEADERSHIP WILL BE KEY TO MEETING THE ADMINISTRATION’S GOALS UNDER THE AI ACTION PLAN.

To win the AI race, the United States must remain the global leader for 5G, 6G, and successor wireless technologies. Next-generation wireless and AI technologies are undeniably intertwined.¹² Leading in AI increasingly requires the capabilities and infrastructure provided by next-generation wireless technologies, and wireless leadership increasingly requires AI-powered advancements in network efficiency and security. As FCC Chairman Carr has explained: “we want [AI] to develop in the U.S. . . . But to do that, we [must] make sure that it works on our mobile networks. . . . We have to have the spectrum [and] the necessary infrastructure so that AI can be mobile.”¹³ Given the interconnectedness of advancing AI and wireless technologies, the United States should eliminate barriers to wireless leadership to advance AI innovation and adoption and vice versa. Spectrum and infrastructure deployment policies present key opportunities for reform to strengthen U.S. leadership in both areas.

¹² See, e.g., Doug Brake, *Growing AI Data Traffic Requires More Licensed Mid-Band Spectrum*, CTIA (Apr. 23, 2025), <https://tinyurl.com/v5avfu63>.

¹³ CTIA Everything Wireless, *2025 CTIA 5G Summit | Fireside Chat: FCC Chairman Brendan Carr and CTIA’s Ajit Pai*, at 10:30 (YouTube, May 9, 2025), <https://tinyurl.com/mr4cv662>.

A. AI Leadership Hinges on Making Additional Mid-Band Spectrum Available for Full-Power, Licensed Use.

The RFI seeks comment on “policy frameworks” that are “incompatible” with robust AI development and adoption.¹⁴ One serious barrier that will hinder AI deployment if not addressed involves the lack of sufficient spectrum allocated for full power, licensed commercial use cases. Existing spectrum planning frameworks were built for a disappearing era of programmatic applications and user-generated content, and already strain to keep pace with the surging demand for wireless data. As AI capabilities rapidly evolve, the imbalance between spectrum availability and network demand will only expand, constraining AI adoption and stalling the democratization of access to new technologies that wireless devices like the smartphone uniquely enable.

The ongoing exponential growth in data use is well-established—but tells only half the story. Americans used 132 trillion megabytes of data in 2024, up from about 100 trillion megabytes in 2023.¹⁵ That increase marked the third straight year of approximately 35% growth—a rate that nearly doubles the amount of data consumed over our networks every two years.¹⁶ These already astonishingly high growth rates do not account for the upward pressure expected from increasingly complex AI tools and growing levels of AI diffusion and adoption. Indeed, industry estimates from last year—which preceded the unexpectedly massive investments in AI seen this calendar year—predicted that AI would account for a full third of

¹⁴ See RFI at 46424 (asking “What AI activities, innovations, or deployments are currently being inhibited, delayed, or otherwise constrained due to Federal statutes, regulations, or policies? Please describe the specific barrier and the AI capability or application that would be enabled if it was addressed. The barriers may directly hinder AI development or adoption, or indirectly hinder through incompatible policy frameworks.”).

¹⁵ Press Release, CTIA, *Americans Use Record 132 Trillion MBs of Wireless Data in 2024*, CTIA Annual Survey Finds (Sept. 8, 2025), <https://tinyurl.com/3z6ydfkx>.

¹⁶ *Id.*

global wide-area network traffic by 2033.¹⁷

The unique characteristics and performance demands of AI systems explain this predictable rise in data use. AI systems are differentiated from prior networking-dependent applications with respect to how much and how often they pull data from the edge, and the speed and reliability with which they must do so. Consumer AI applications that provide personalized recommendations, overlay digital content onto a real-world environment, facilitate immersive interactions, and assist users with complex tasks—among other use cases—will require devices to continuously upload massive amounts of data for real-time decision making and model training, while also feeding results back to the user.¹⁸ In many cases, that data will include content-rich information about the physical world, including high-resolution photo and video.¹⁹ Industrial AI applications will likewise embrace real-time inference based on data from cameras and sensors, and autonomous systems deployed in a critical industry will depend on ultra-reliable, low-latency communications to function.²⁰ Taken together, the rapid deployment and scaling of these technologies and their performance requirements will place extraordinary additional demand on America’s wireless networks.

Importantly, given these characteristics of AI systems, network operators will see this additional demand develop on both the uplink and the downlink.²¹ These new traffic patterns are

¹⁷ John Kuzin & Tingfang Ji, *6G Technology and Spectrum Needs: Unlocking the Next Generation of Wireless Connectivity*, Qualcomm (Dec. 18, 2024), <https://tinyurl.com/trw7tr8k>.

¹⁸ Press Release, Ericsson, *Successful trial by Verizon, Ericsson and Qualcomm achieves uplink speeds of 480 Mbps using advanced 5G technologies* (Feb. 26, 2025), <https://tinyurl.com/zyzrd9b3>.

¹⁹ *Ericsson Mobility Report*, Ericsson (June 2025), <https://tinyurl.com/3m4jpszs> (“Ericsson Mobility Report”).

²⁰ Mihir Kshirsagar, et. al, *Maximizing NextG Benefits: A Policy Framework to Advance Spectrum Allocation, Infrastructure Investment, and Wireless Leadership* (Aug. 1, 2025), available at <https://tinyurl.com/f2mtk2jb>.

²¹ See Ericsson Mobility Report at 30 (explaining that the uplink share of total traffic demand is already beginning to rise); see also Press Release, Ericsson, *Successful Trial by Verizon, Ericsson and Qualcomm Achieves Uplink Speeds of 480 Mbps Using Advanced 5G Technologies* (Feb. 26, 2025), <https://tinyurl.com/zyzrd9b3>; Doug Brake, *supra* note 12.

expected to depart from the asymmetric demand experienced during prior technology revolutions, and will require operators to enhance network performance in both directions simultaneously.²²

Without sufficient spectrum to support this growth, America’s ability to maintain its status as the global leader in AI innovation will be in jeopardy. American companies would face significant hurdles in deploying advanced AI applications without adequate bandwidth, potentially driving key research, development, and deployment efforts overseas where spectrum resources are more readily available. Another risk is that U.S. companies and trusted vendors could cede ground to overseas competitors as 5G networks continue to be deployed and the next generation of wireless technologies (or 6G) are developed, standardized, and ultimately deployed in global markets. The stakes are especially high given that 6G will be the first “AI native” generation of wireless technology, developed both to incorporate AI capabilities and to support AI technology. U.S. leadership in the development of 6G, and thereby in AI, will promote a robust market for U.S. companies and trusted vendors, leading to a virtuous cycle of investment and innovation.

Global efforts towards harmonizing spectrum for 5G and next generation wireless underscores the risk that other countries will assume control of this key AI enabler. Wireless broadband’s strategic significance has already attracted efforts to expand mid-band spectrum access overseas to be the lifeblood of these next-generation networks. For example, in its bid to emerge as a mobile applications leader, China is allocating up to 1660 megahertz of mid-band

²² *AR Uptake Enabled By Mobile Networks*, Ericsson, at 3 (Oct. 2025), <https://tinyurl.com/y2m65c89> (explaining that a typical Augmented Reality (“AR”) user requires 12 times more uplink radio network capacity than a mobile broadband user, which could drive substantial uplink capacity demand even with modest levels of adoption).

spectrum for cellular networks.²³ European countries identified 700 megahertz for International Mobile Telecommunications (“IMT”) in the upper 6 GHz band at WRC-23, highlighting the band’s strategic importance to their wireless broadband ambitions.²⁴ And many countries will consider additional mid-band IMT identifications in the 4 GHz and 7/8 GHz frequency ranges at the upcoming World Radiocommunication Conference in 2027.²⁵ It is imperative for the United States to not just keep up with but surpass the spectrum liberalization efforts of its competitive rivals. The United States already lags China, Japan, the UK, and France, among other countries, in mid-band spectrum allocations, and without urgent action, the gap will only expand as these and other countries follow through on planned future assignments.²⁶

As CTIA has emphasized to OSTP in its previous comments, the solution is identifying additional spectrum—especially mid-band spectrum—for full-power, licensed use to enhance deployment of AI technologies. The U.S. government has already taken important steps to advance these goals through the following channels, but more work remains to be done.

To start, CTIA commends President Trump on signing of the One Big Beautiful Bill Act, which restored the FCC’s auction authority and established an unprecedented 800-megahertz spectrum pipeline.²⁷ OSTP should support the rapid implementation of the Act’s spectrum

²³ *Securing the Future of U.S. Wireless Networks: The Looming Spectrum Crisis*, Accenture (Mar. 27, 2025) <https://tinyurl.com/yr5ytd6b>.

²⁴ *Essential Action for Europe’s Mobile Future*, GSMA (May 7, 2025), <https://tinyurl.com/mtw63ej4>.

²⁵ See Resolution 813 (WRC-23), Agenda for the 2027 World Radiocommunication Conference, International Telecommunication Union, at 736, <https://tinyurl.com/4bxmvu4d> (last visited Oct. 22, 2025) (“[T]o consider studies on sharing and compatibility and develop technical conditions for the use of International Mobile Telecommunications (IMT) in the frequency bands 4 400-4 800 MHz, 7 125-8 400 MHz (or parts thereof), and 14.8-15.35 GHz taking into account existing primary services operating in these, and adjacent, frequency bands, in accordance with Resolution 256.”).

²⁶ Dr. Hector Lopez & Julien Martin, *The Economic Impact of Each Additional 100 MHz of Mid-band Spectrum for Mobile: Prepared for CTIA*, NERA, at 6–7 (Jan. 22, 2025), <https://tinyurl.com/ycn3rw7y>.

²⁷ One Big Beautiful Bill Act, Pub. L. No. 119-21, 139 Stat. 72 (2025) (“OBBBA”).

pipeline provisions so the Administration can meet or beat the deadlines established in the law and make critical spectrum resources available for commercial use. To do so, OSTP should ensure that bureaucratic barriers do not impede agency spectrum repurposing efforts. For example, the bill requires the NTIA to identify at least 200 megahertz of federal spectrum for repurposing by July 2027, and a total of at least 500 megahertz of federal spectrum for repurposing by July 2029.²⁸ In support of those efforts, the bill requires NTIA to conduct “timely” spectrum analyses of the 2.7–2.9 GHz, 4.4–4.9 GHz, and 7.125–7.4 GHz bands.²⁹

To help achieve the OBBBA’s requirements, OSTP should ensure that NTIA’s spectrum analyses avoid unnecessary bureaucracy that endangers the government’s commitment to AI advancements. In particular, OSTP should ensure that NTIA leads the required analysis, consistent with the text of OBBBA³⁰ and the agency’s statutory mandate.³¹ Prior spectrum analyses required multiple agencies to act as “co-leads” on spectrum studies, which led to unnecessarily long study timeframes culminating in unusable reports rather than actionable results. Here, NTIA should focus its attention on running the studies without delay to achieve OBBBA’s clear goals for making significant spectrum resources available.

OSTP also should help affected agencies secure funding for their participation in the spectrum analyses as quickly as possible. The current approach for obtaining research and development funding from the Spectrum Relocation Fund (“SRF”) can take as long—if not longer—than the spectrum analysis itself due to protracted negotiations between agencies and a

²⁸ *Id.* § 40002(c).

²⁹ *Id.* § 40002(f).

³⁰ *Id.* § 40002(c)(3) (requiring the “Assistant Secretary” [of Commerce for Communications and Information] to “determine the feasibility of the reallocation of frequencies”).

³¹ *See* 47 U.S.C. §§ 902, 903.

statutory Technical Panel tasked with reviewing funding proposals.³² The current process presumes that spectrum analyses cannot proceed until every impacted agency receives their desired funding level, which invites delay and resistance to Technical Panel requests and recommendations. OSTP should work with Executive Branch partners to flip the presumption by: (1) encouraging agencies seeking funding to cooperate with the Technical Panel; (2) helping agencies identify non-SRF resources in the event of an impasse over their funding proposal; and (3) supporting NTIA's timely commencement of spectrum analyses even if funding discussions remain pending with respect to some agencies.

Finally, OSTP should leverage its expertise to ensure that the results of the NTIA analyses prioritize contiguous blocks and unencumbered spectrum access—and treat 800 megahertz as a floor, not a ceiling, to the Nation's spectrum ambitions. Past repurposing efforts have often limited spectrum available to commercial operators because of lingering encumbrances by legacy systems and overconservative protection criteria. OSTP should partner with federal users to advance the repurposing effort, including by identifying opportunities for win-win mission modernizations that yield greater levels of commercial spectrum access. To drive AI innovation, spectrum repurposing initiatives should be bold and forward leaning, and should recognize the economic and national security imperative of supporting high-performance, high-capacity, wireless networks.

B. Removing Barriers to Wireless Infrastructure Deployment Will Facilitate U.S. Leadership in AI.

OSTP also should support and coordinate with the FCC as it takes steps—consistent with the AI Action Plan and with the overall goal of deregulation—to evaluate what existing laws and

³² *Id.* § 928(g)(2)(D).

regulations are stifling infrastructure builds and innovation. For example, the FCC has taken steps to advance its Build America Agenda, a forward-looking approach to accelerating wireless infrastructure deployment across the country, which is intended to help to “extend America’s leadership over China in the race for critical technologies like . . . AI,” among other things.³³ These efforts are important steps to facilitate American leadership in infrastructure that will support AI growth.

As part of the Build America initiative, the FCC has launched a Notice of Proposed Rulemaking (“NPRM”) focused on streamlining the FCC’s environmental review processes to expedite permitting approvals and eliminate unnecessary regulatory hurdles for infrastructure buildout.³⁴ The NPRM follows an Executive Order and subsequent guidance from the Council on Environmental Quality instructing federal agencies to revise or establish their National Environmental Policy Act (“NEPA”) implementing procedures as a result of revisions to NEPA.³⁵ This is a step in the right direction for next-generation networks. Cumbersome regulations and unpredictable processes under NEPA and the National Historic Preservation Act have long hampered wireless deployments—as FCC Chairman Carr has explained, the NEPA process has become “one of the biggest obstacles to building in America,” and commonsense reforms are needed “to expedite and simplify permitting processes and clear the way for new

³³ See *Chairman Carr Unveils ‘Build America Agenda’ in South Dakota*, FCC (July 2, 2025), <https://tinyurl.com/mc4ef752>.

³⁴ *Modernizing the Commission’s National Environmental Policy Act Rules*, WT docket No. 25-217, Notice of Proposed Rulemaking, FCC 25-47 (rel. Aug. 14, 2025) (“NEPA NPRM”).

³⁵ See Exec. Order No. 14154, 90 Fed. Reg. 8353, §§ 5–6(a) (Jan. 29, 2025); Removal of National Environmental Policy Act Implementing Regulations, 90 Fed. Reg. 10610 (Feb. 25, 2025); Memorandum from the Council on Environmental Quality on Implementation of the National Environmental Policy Act for Heads of Federal Departments and Agencies (Feb. 19, 2025), <https://tinyurl.com/yks75tdn>.

infrastructure builds.”³⁶ OSTP should encourage the FCC’s ongoing work in this area to improve infrastructure buildout that will be necessary to support connectivity for AI.

Relatedly, the FCC recently released its *Build America: Eliminating Barriers to Wireless Deployments* NPRM.³⁷ CTIA applauds the FCC’s efforts to explore more ways to facilitate the deployment of all wireless facilities to advance wireless connectivity across the country, and is engaging with the FCC as the agency continues to take steps to promote this goal.³⁸ OSTP should support and coordinate with the FCC on these efforts to encourage wireless deployment which, in turn, allows for AI growth.

Additionally, the FCC has initiated the *Delete, Delete, Delete* proceeding to identify and implement “deregulatory initiatives that would facilitate and encourage American firms’ investment in modernizing their networks, developing infrastructure, and offering innovative and advanced capabilities.”³⁹ This is an important proceeding, which offers a critical opportunity to address the “numerous places in the FCC’s rules where outdated, overcomplicated, burdensome, or duplicative regulations are hampering the communications ecosystem without benefitting consumers.”⁴⁰ OSTP should similarly encourage and support the FCC’s efforts in the *Delete, Delete, Delete* proceeding to remove outdated or unnecessary regulations and improve infrastructure deployments for next-generation networks.

³⁶ Comments of CTIA, WT Docket No. 25-217, at 2 (filed Sept. 18, 2025) (quoting NEPA NPRM (Statement of Chairman Brendan Carr)).

³⁷ *Build America: Eliminating Barriers to Wireless Deployments*, WT Docket No. 25-276, Notice of Proposed Rulemaking, FCC 25-67 (rel. Sept. 30, 2025) (“Wireless NPRM”). In parallel, the FCC also released a Notice of Inquiry regarding wireline deployments. *Build America: Eliminating Barriers to Wireline Deployments*, WC Docket No. 25-253, Notice of Inquiry, FCC 25-66 (rel. Sept. 30, 2025) (“Wireline NOI”).

³⁸ See *Ex Parte* letter from Amy E. Bender, Vice President, Regulatory Affairs, CTIA to Marlene H. Dortch, Secretary, FCC, *Build America: Eliminating Barriers to Wireless Deployments*, WT Docket No. 25-276 (Sept. 22, 2025).

³⁹ *Delete, Delete, Delete*, GN Docket No. 25-133, Public Notice, DA 25-219 (rel. March 12, 2025).

⁴⁰ Comments of CTIA, GN Docket No. 25-133, at 7 (filed Apr. 11, 2025).

III. PROMOTING A UNIFORM DEREGULATORY APPROACH TO AI DEVELOPMENT AND DEPLOYMENT WILL PROMOTE CLARITY AND CERTAINTY.

Another key barrier to the goals in the AI Action Plan is the regulatory complexity facing AI development and deployment today. Already, broad legal and regulatory consumer and privacy protections apply across technologies, so layering in additional, AI-specific regulations creates unnecessary barriers to innovation without corresponding consumer benefits. AI policy approaches that vary from one sector to another often result in an overall drag on innovation by creating a federal patchwork that imposes uneven expectations and regulations. For example, laws limiting critical infrastructure's use of AI could hamper deployment and impede the use of AI for network optimization or the use of autonomous AI. Further, over-regulatory approaches are unwise and ineffective for a technology like AI, which is rapidly developing and applies across a broad range of sectors and contexts.

To overcome this barrier, OSTP should promote a uniform, deregulatory approach to AI. A uniform approach serves OSTP's goal of promoting "continued AI innovation and public adoption;"⁴¹ without it, various overlapping and conflicting federal laws and regulations can unintentionally create barriers to AI development and deployment. Instead of the fragmented approach that is already emerging, a uniform, whole-of-government approach should recognize existing federal tools and frameworks that apply to AI. These existing tools and frameworks can protect consumers while avoiding jurisdictional fights between agencies, which often lead to contradictory or duplicative policies that create significant confusion for consumers and businesses alike. In short, preserving a federal framework is key to avoiding harmful fragmentation. A unified federal approach will also help the U.S. promote global AI standards

⁴¹ RFI at 46423.

that are driven by industry, which will help to foster U.S. technological leadership and broad standards adoption.

While a deregulatory approach that accounts for existing approaches is appropriate now to promote the goals of the AI Action Plan, should additional action be needed as AI evolves, OSTP should emphasize and ensure that any federal approach to AI should remain risk-based and flexible to allow innovation to succeed. Specifically, as CTIA has detailed in previous comments to OSTP, OSTP should look to the National Institute of Standards and Technology (“NIST”) AI Risk Management Framework, which was developed at the direction of Congress with robust stakeholder involvement, including from CTIA, and thoughtfully outlines a voluntary, flexible, risk-based approach to deploying AI in a responsible manner.⁴²

Relatedly, the existing patchwork of privacy regulations is an example of how fragmentation at both the federal and state level has direct negative impacts on consumers and can serve as a barrier to innovation, including AI innovation. Fragmentation of privacy laws has created uneven expectations and requirements—often based on arbitrary geographic or service offering distinctions—that cause confusion for companies and consumers alike, and lead to adverse economic consequences by straining resources and unnecessarily burdening the private sector. To address this, specifically with respect to privacy, Congress should enact a comprehensive risk-based national privacy and data security framework based on the type of information collected, used, or shared, not the type of entity engaged in such collection, use, or sharing. This framework should not include AI-specific privacy requirements, which would only complicate the already intricate web of existing privacy obligations and impede American

⁴² See e.g., Comments of CTIA, Request for Information on the Development of an Artificial Intelligence Action Plan (filed Mar. 15, 2025).

innovation, to the detriment of consumers and our economy.

IV. PREEMPTING STATE AI LAWS THAT STIFLE INNOVATION WILL PAVE THE WAY FOR THE U.S. TO MEET THE GOALS OF THE AI ACTION PLAN.

While OSTP is taking an important step in evaluating federal laws and regulations that may impede AI, another key barrier is the ongoing proliferation of state laws that impact AI, and specifically, the lack of federal preemption of those laws.

The problem is clear—a patchwork of state laws and policies increases complexity and compliance costs, which discourages pro-business and pro-consumer innovation, and hinders the development and deployment of new AI tools and use cases. These complexities and increased compliance costs stymie innovation—indeed, as OSTP Director Michael Kratsios explained to Congress: “[a] patchwork of state regulations is anti-innovation. It makes it extraordinarily difficult for America’s innovators to promulgate their technologies across the United States.”⁴³ The negative impacts of a patchwork of state laws and policies have already played out in other contexts such as privacy law, where the absence of a federal privacy framework has led to a wave of detailed state privacy laws. As discussed above, the privacy patchwork has led to consumer confusion and adverse economic consequences for businesses and consumers by straining resources to focus on needlessly complex compliance. The same problematic patchwork pattern is repeating itself with AI policy, with states like Colorado already adopting wide-ranging AI laws⁴⁴ and others considering a groundswell of legislation.⁴⁵ Further, certain

⁴³ *AI’ve Got a Plan: America’s AI Action Plan: Hearing Before the Subcomm. on Science, Manufacturing, & Competitiveness of the S. Comm. on Commerce, Sci. & Transp.*, 118th Cong. (Sept. 10, 2025), <https://tinyurl.com/4smefjnw>.

⁴⁴ See Increase Transparency for Algorithmic Systems, S.B. 25B-004, 75th Gen. Assemb., 2025 Extraordinary Sess. (Colo. 2025), <https://tinyurl.com/4ferfpyk> (amending Consumer Protections for Artificial Intelligence, S.B. 24-205, 75th Gen. Assemb., Reg. Sess. (Colo. 2024), <https://tinyurl.com/ycxupw7w>).

⁴⁵ See *US State AI Governance Legislation Tracker 2025*, International Association of Privacy Professionals, <https://tinyurl.com/fzx9ez5w> (last visited Oct. 21, 2025) (tracking AI governance bills that have been enacted or that are being or have been considered in 2025).

AI-related state laws, such as those that may impact critical infrastructure,⁴⁶ are inappropriate and could hamper AI deployment. This issue calls for federal leadership to enable innovation without overly prescriptive requirements.

The solution to overcoming this barrier is also clear—OSTP should work with Congress, the FCC, and other federal agencies, as appropriate, to develop federal solutions that preserve a federal framework. Such a federal framework should expressly preempt state laws on AI to minimize the risk of overlapping or conflicting obligations.

OSTP should encourage Congress, the FCC, and other federal agencies to take a broad view of preemption. While there are AI-specific laws that should certainly be addressed through preemption, other types of state laws that may have a negative impact on AI development and deployment should also be considered. For example, because AI deployment and broadband deployment are intertwined and obstacles to broadband deployment and growth that are critical for deployment of AI will directly jeopardize America’s ability to maintain its status as the global leader in AI innovation, OSTP should consider whether there are state and local laws relating to broadband that are, or have the effect of, impeding the development of AI. Such state laws may include ones that regulate broadband rates, place conduct rules on broadband providers, or materially inhibit the deployment of wireless infrastructure. Already, in the FCC’s *Build America: Eliminating Barriers to Wireless Deployments* NPRM, the FCC is seeking comment on “whether state and local regulations addressing the use of AI may be an effective prohibition on wireless providers’ ability to provide covered service using AI technologies.”⁴⁷ In

⁴⁶ See e.g., Creating the Right to Compute Act and Requiring Shutdowns of AI Controlled Critical Infrastructure, S.B. 212, 69th Leg., Reg. Sess. (Mont. 2025), available at <https://tinyurl.com/4zxkmw3j>.

⁴⁷ Wireless NPRM at ¶ 75. Similarly, the FCC’s Wireline NOI asks about whether state and local laws and regulations that “seek[] to govern or limit uses of AI are prohibiting or effectively prohibiting the provision of wireline telecommunications services.” Wireline NOI ¶ 53.

asking this question, the FCC notes CTIA’s point that state and local laws relating to broadband “could have the effect of impeding development of AI.”⁴⁸ OSTP should coordinate with the FCC to support and be informed by this inquiry. Both the RFI and the FCC’s NPRM support the AI Action Plan’s goal of removing red tape and onerous regulation to accelerate AI innovation.⁴⁹

Other examples of state laws that are not specifically focused on AI, but that still impact and serve as barriers to AI, include longstanding state wiretapping laws that have been increasingly wielded to target emerging technology use cases—like chatbots.⁵⁰ This recent litigation trend creates uncertainty and risk for companies, which could serve to stifle innovative and beneficial uses of emerging technologies. The lack of clarity of how to interpret these laws at the state level is causing confusion and inconsistency. Although these older state wiretap laws are not written to capture third-party AI tools, courts are inconsistently interpreting and applying these laws in ways that are hindering AI innovation. OSTP should promote federal preemption that provides clarity that wiretap laws are not applicable to third-party AI tools, allowing consumer friendly AI innovations to flourish.

Finally, comprehensive federal privacy legislation that expressly preempts state laws is needed to avoid overlapping or conflicting obligations arising from the patchwork of state-by-state privacy laws, which as detailed above poses a barrier for AI.

V. CONCLUSION

CTIA supports OSTP’s inquiry into federal statutes, regulations, agency rules, guidance,

⁴⁸ Wireless NPRM at ¶ 75 n.175.

⁴⁹ AI Action Plan at 3.

⁵⁰ See Kayla Bushey, *US Data Privacy Litigation: Website Tracking Litigation*, International Association of Privacy Professionals (March 2025), <https://tinyurl.com/4kvks9cx> (explaining that “chatbots are often created and operated by third-party vendors, leading to lawsuits for conversations that are transmitted to the third party in real time for the chatbot to answer the user’s question or prompt.”).

forms, and administrative processes that unnecessarily hinder the development, deployment, and adoption of AI. As OSTP proceeds to identify and remove barriers to AI, it should work with the FCC, NTIA, and other involved agencies to remove barriers to continued global wireless leadership; promote a uniform, deregulatory approach to AI at the federal level; and work with Congress, the FCC, and other federal agencies, as appropriate, to establish an approach that preempts state laws, as the growing patchwork of overlapping and potentially conflicting state laws is also a major barrier to the goals of the AI Action Plan.

Respectfully submitted,

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