January 28, 2025

The Honorable Brian Collamore, Chair
Senate Committee on Government Operations
Vermont Legislature
115 State Street
Montpelier, VT 05633

Re: SB 23 – An act relating to the use of synthetic media in elections

Dear Chair Collamore, Vice Chair Vyhovsky, and members of the Committee:

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.5 million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, Tallahassee, and Washington, D.C.

AI has the potential to help us solve the greatest challenges of our time. It is being used to predict severe weather more accurately, protect critical infrastructure, defend against cyber threats, and accelerate the development of new medical treatments, including life-saving vaccines and ways to detect earlier signs of cancer. However, recognizing and addressing the genuine risks associated with AI is crucial for its responsible advancement. That includes preventing candidates and their agents from using AI to release deliberately misleading campaign content.

TechNet supports the clear disclosure by the creators of political content that is created in whole or in part by generative artificial intelligence tools. We suggest clarification to ensure that liability for dissemination of such media is limited to the person who creates and disseminates it, and not on intermediaries such as internet service providers, platforms, or tools that may be used in its creation or dissemination. We further recommend a clear exemption for red-teaming or other uses of synthetic media for cybersecurity or fraud detection purposes.

To that end, we recommend the following additional language in Section 2032(b):

> (5) Subsection (a) of this section shall not apply to an internet service provider, cloud provider, interactive computer service, or online service.

(6) This act shall not restrict the ability of a person to detect, prevent, respond to, or protect against security incidents, identity theft, fraud, harassment, malicious or deceptive activities or any illegal activity, preserve the integrity or security of systems or investigate, report, or prosecute those responsible for any such action.

This is a quickly developing area of new policy. TechNet and our members hope to be a resource as the Committee considers this and any other legislation relevant to artificial intelligence. Thank you for your consideration. Please do not hesitate to contact me if I can provide any additional information or assistance.

Sincerely,

Christopher Gilrein
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