

**Ranking Member Maria Cantwell**  
**Opening Statement for Executive Session #25**  
**Wednesday, September 16, 2026**  
**[\[VIDEO\]](#)**

**Sen. Cantwell:** Thank you, Mr. Chairman. Before I start, I want to give my condolences to those impacted by the L.A. helicopter crash of a news organization that occurred last night. A similar crash occurred in the State of Washington in 2014, and I hope the NTSB's investigation of both that crash and this crash will lead to better safety measures. I also want to reiterate my support, as Senator Cruz and I did, for getting the ROTOR Act passed and into law before the end of this year. This week, we joined with the families who lost loved ones in the mid-air collision over the Potomac to say that this legislation needs to get over the goal line. While we've made great progress working with our House colleagues, much more work needs to be done, and I hope that aviation safety remains a top priority.

Today we discuss nine bills and four Coast Guard promotions. We consider two aviation safety bills -- the Air Traffic Situational Awareness Enhancement Act by Senators Sheehy, Merkley, Daines, and Wyden would require the FAA to deploy airborne position reference tools at non-FAA towers that do not have certified radar displays. This would improve safety at small airports across the country by providing air traffic controllers a radar display of airspace to supplement their visual observations and radio communications.

The Runway SAFE-T Act by Senators Moran, Hickenlooper, Klobuchar, Wicker, Blunt Rochester, Fisher, Cortez Masto, Sheehy and Kennedy would require the FAA to establish a task force composed of key stakeholders to develop recommendations for improving training programs for personnel who operate ground vehicles at commercial airports. Recommended personnel training improvements -- including technology to help understand safety risks...could have the potential to help reduce the frequency and severity of vehicle safety incidents on taxiways and runways and other airport...surfaces.

The Virginia Graeme Baker Pool and Spa Reauthorization Act -- I want to thank Senators Klobuchar and Curtis who reauthorized and strengthened this Act which supports a grant program that provides funding to implement and enforce pool safety standards and education programs to help prevent the drowning and entrapment of children in pools [and] spas. I want to thank Senator Klobuchar for getting this law first enacted. It was her leadership that got it into the law and now we need it to be reauthorized. So thank you for that continued advocacy on this important safety issue.

[The] ITS Codification Act, which is from Senator Duckworth, codifies the Institute for Telecommunication Sciences, a division within NTIA that performs research and development for telecommunications technology. It would also require ITS to better support the development of emergency communication and tracking technologies that are used for locating individuals trapped in confined spaces like mines, where traditional radio communications can be impaired.

The Mystic [Alerts] Act, a bipartisan bill from the House, which would modernize the emergency alerts. Last year's tragic flooding in Texas showed how much we need to do. And Mr.

Chairman, I remain totally committed to the Weather Act, totally committed to other technology improvements in responding to...our weather conditions and giving our residents across the United States better information further in advance. So it's all hand-in-hand. But in this instance, allowing the alerts to be sent via satellite in case ground cellphone networks fail is an important step.

The Regional [Great] Lakes Partnership Act, by my colleagues Senators Peters and Moreno, would designate the Great Lakes Commission as [the] Regional Great Lakes Partnership under NOAA's Regional Ocean Partnerships program, in order to strengthen the federal support for the Great Lakes research and conservation efforts, data enhancement and coordination across state agencies. I can't say enough about this approach. Most people realize that we did a similar approach for the Chesapeake, and that provided a lot of good management and science. We've tried to do similar things for Puget Sound. Just because you have large bodies of waters that aren't called oceans doesn't mean that they don't deserve a lot of attention. And I think that's what this bill does -- is give large bodies of waters that have significant impacts on our economies -- the kind of scientific research and management strategies that we really do expect out of NOAA. So thank you both for your leadership on that issue.

The Muhammad Ali American Boxing Revival Act of 2026 from Chairman Cruz and Senator Rosen. I want to thank Senator Rosen for her leadership on this. I get that Las Vegas is the capital of a lot of boxing events and a lot of people who live and organize around that. So, very much appreciate making continued improvements on [this bill on] existing federal requirements. Under this legislation UBOs would be permitted to combine the traditional roles of sanction[ing] bodies with promoters, which is not currently allowed in boxing. This bill would also establish new health and safety standards for all boxers [such as] setting a national minimum for health insurance coverage, requiring [specific] medical examinations before a boxer is cleared to fight and requiring the certification of ringside physicians.

There is the Bycatch legislation by Senator Sullivan seeking to reduce bycatch -- obviously a big priority for all of us -- and [reauthorizing] the Bycatch Reduction Engineering Program.

And finally, Mr. Chairman, I can't tell you how much I support yours and Senator Wyden's efforts on JAWBONE. We had a great hearing here where most of the witnesses agreed on what had to happen. Let me start with what happened with Chairman Carr and ABC and Jimmy Kimmel. Under the current law, Mr. Kimmel had almost no way to vindicate his rights. Chairman Cruz called that dangerous as hell, and he was right. He was right. A speaker should have a real remedy when the government leans on a platform to silence them, and this legislation would provide that remedy.

But the bill also includes a number of other provisions that I don't support. First, it includes AI models as covered entities. There is essentially, right now, no federal law governing AI, so under the Chairman's text, almost any government conversation with an AI company [about] safety could be called coercion. For example, if an employee at the Department of Energy asks a company to stop its model from explaining how to enrich uranium, that is content action with no existing federal law behind it. That means that communication could be illegal under this bill, and the employee could be sued.

Americans for Responsible Innovation have shared their concerns about the implications on AI safety of this bill. At this time, when Americans are increasingly concerned about the risks of AI, we should be focused on giving them the actual government oversight and regulation and tools needed to address safety -- not threatening them because they have conversations with providers.

The bill potentially makes every employee, contractor, and consultant in the executive branch subject to lawsuits, rather than limiting it to actual decision-makers. Finally, it opens the door to a potential abuse of the judgment fund. After the \$1.7 billion Anti-Weaponization Fund, we should not create a new cause of action that could be settled conclusively.

So, for these reasons, I don't support the bill today. But I look forward to working with the Chairman on it to get the bill over the goal line.

Thank you, Mr. Chairman.

**U.S. Senator Maria Cantwell**  
**Executive Session #25**  
**JAWBONE Remarks**  
**September 16, 2026**  
[\[VIDEO\]](#)

**Sen. Cruz:** Thank you, Ranking Member Cantwell.

All right, I'm going to start with a motion. I move that S. 4749, the Jawbone Act, as amended by Cruz Substitute, be favorably reported.

Is there a second?

**Unspecified Senator:** Second.

**Sen. Cruz:** Is there discussion?

**Sen. Cantwell:** Mr. Chairman, I call up Cantwell number one.

**Sen. Cruz:** Cantwell number one.

**Sen. Cantwell:** I'm sorry. That's a substitute. It's a Cantwell substitute.

**Sen. Cruz:** Go ahead.

**Sen. Cantwell:** Thank you, Mr. Chairman. I mentioned the Jimmy Kimmel issue and again applauded you and Senator Wyden for your general efforts here. My substitute keeps that part of the bill intact, but it does fix four problems.

First, it takes AI models out of the bill, which I'm happy to continue to work on and I hope that we will have a markup and get Senator's Klobuchar-Thune bill and many other bills that we passed out of this committee two years ago that got held up in the lame duck. Hopefully, we'll get those really really basic bills about empowering NIST and others to do their important work and background on standards and setting done and accomplished.

But right now, there is essentially no federal law governing AI. So, under the Chairman's text, almost any government conversation with an AI company about safety could be called coercion. If the Department of Energy, as I mentioned earlier, asks a company to stop its model from explaining how [to] enrich uranium and saying that -- because there is no statute behind that -- the [Department of Energy] employee could be sued.

Second, it strikes the portal of government communication, sections four and five, making every federal employee log content conversation with a platform, broadcaster [or] AI company for the posting on the website. That is a database of government speech...as a practical matter. So, [third], it requires [a] judge to find any consent judgment in the public interest.

So, I hope that what we will do, Mr. Chairman -- working with organizations like Americans for Responsible Innovation, who share my concerns about this bill -- take this improvement and continue to work on the AI section of the legislation.

I ask my colleagues to support the substitute.

**Sen. Cruz:** Thank you, Senator Cantwell. I oppose this amendment. I urge my colleagues to vote no. As everyone here knows, artificial intelligence is the next transformative technology. It will be the means by which we create and share new expression. As humans, AI developers and their users don't surrender their First Amendment rights merely because they communicate through a new technology. If the government coerces an AI provider into suppressing speech, that is unconstitutional under current law. But Ranking Member Cantwell's amendment is meant to neuter the protections in JAWBONE with respect to AI, so the government has the ability to dictate the content of LLMs. That concerns me.

First of all, when such communications are coercive, they clearly run foul of the First Amendment. And moreover, dictating the expression of the frontier labs is exactly the kind of thing that should give us all pause. The last time we saw censorship under the guise of public safety and security and public health, it was at the height of COVID, when the government tried to suppress dissent from the medical establishment. We had a hearing last fall about how CISA tried to quote fortify our elections by suppressing political post on Twitter. Judging from some of the panic going on right now, I could see the government trying to do something similar with AI.

Remember, JAWBONE doesn't try to redefine what constitutes government coercion that is unconstitutional under the First Amendment. It just supplies a remedy for jawboning when the government attempts at censorship is unsuccessful and so in the scenario where AI is providing some dangerous technology that could pose a legitimate harm, such as nuclear technology or otherwise, the government has the full ability to express that that view to the company. And indeed, as Senator Cantwell noted, I have been working closely with Senator Klobuchar and

Senator Thune on legislation to fortify the government's power to address and mitigate the potential for catastrophic risks from AI.

JAWBONE addresses the altogether different situation. If you imagine hypothetically, if my Democrat colleagues could imagine, the Trump administration calling the major AI companies and coercing them to produce as a result, if someone types in "Who are the Democrats?" that your answer must be the Democrats are communists who hate America. Now, some might agree with that statement. Some might disagree with that statement. I hope all of us would agree the federal government has no business forcing AI companies to give that answer, to give the speech that whatever party in power happens to agree with. That should not be government's role. And so I ask my colleagues to join me in voting no on Cantwell One.

**Sen. Cantwell:** Mr. Chairman, if I could just respond to that when you're done.

**Sen. Cruz:** Sure.

**Sen. Cantwell:** Mr. Chairman, the issue is the fact that we have no federal AI policy, so by definition, any communication by any agency, which would then be recorded with a company, could be seen as coercive and more -- so can be sued over that. So, we know AI can provide a step-by-step instruction on making pathogens like Ebola. I want scientists at our national labs to work with AI companies to manage these risks. But right now, when we have no federal policy on that, if that scientist or agency said this is dangerous policy, take it down, they could end up being sued under your legislation.

So, I ask us to fix this and get it right. I ask us not to have a chilling effect on the communication at an urgent time. We had, all intents and purposes, a private sector whistleblower say something really, really shocking to all of America that AI could actually kill humans. So now is not the time to basically say, when there's no federal law, if you're a federal employee and you jawboned as a NIST employee over someone's printing Ebola instructions, they could be sued. I think is a ludicrous idea.

**Sen. Cruz:** And I will say, Senator Cantwell, I don't believe this bill would do that, but I'm also happy to commit to you that after we move this bill out of committee, I'm happy to work with you and your team to make sure that we harmonize what this bill does with the Klobuchar Thune catastrophic bill because I want to move that as well, and this is not in any way intended to facilitate catastrophic risks to human life, and I agree the government should have meaningful protections against that. This is focused on political censorship, which both parties have engaged in and have abused, and we should be willing to protect the First Amendment, regardless of which party is in power.

**Sen. Cantwell:** I appreciate that commitment, but the current draft doesn't do that. So I call for a vote.

**Sen. Young:** Mr. Chairman.

**Sen. Cruz:** Senator Young.

**Sen. Young:** Could I ask a question briefly? I share some of the concerns that were just articulated by the Ranking Member, it is my intention to support your JAWBONE Act because my reading of it is not consistent with the Ranking Member's. I'm encouraged that you intend to work with her to get her more comfortable with the language and how it reads as someone who believes that government does have an essential role, rather than relying on people with a financial stake to make the moral judgments that are associated with our AI policy. I wonder if at ultimately and you needn't answer affirmatively now, but a colloquy, just making clear on the floor, in addition to any substantive changes you make to the language, might be appropriate to reassure myself and other colleagues on this front that our construction of the language is appropriate.

**Sen. Cruz:** Yeah, and I'd be happy to do that, Senator Young.

**Sen. Young:** All right, thank you, Chairman.

**Sen. Cruz:** If there's no further discussion, the clerk will call the roll.