

Fact Check: Addressing Misconceptions about the National AI Policy Framework

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BACKGROUND

On March 20, 2026 the White House released its heavily anticipated [Framework](#) for federal AI legislation. This set of recommendations to Congress has received [many endorsements](#), but has also been misunderstood by some. A clear understanding of the President's recommendations and our nation's economic and national security goals is the foundation on which Congress can build. Below are common myths and the facts about the Framework.

CLAIM 01: THE FRAMEWORK ISN'T SUBSTANTIVE BECAUSE IT'S ONLY THREE PAGES

FACT: The Framework's brevity is its strength. Each of its seven sections maps onto active congressional negotiations where dozens of bills are already in play—from KOSA and COPPA 2.0 on child safety to the NO FAKES Act and TRAIN Act on intellectual property to the SANDBOX Act on innovation. The President is directing Congress to move forward on thoroughly discussed ideas, not asking members to start from scratch. The AI Action Plan was a to-do list. The Framework is a term sheet for Congressional negotiations. The task for members is to connect existing proposals to the President's vision.

CLAIM 02: THIS IS A CHANGE IN DIRECTION FOR THE TRUMP ADMINISTRATION

FACT: The Framework is the culmination of a consistent, building strategy. President Trump set a pro-innovation AI framework in his first term. At the start of his second term—on Day One, in fact, he scrapped the Biden administration's fear-driven approach. He then developed an AI Action Plan to accelerate innovation and build infrastructure. Next, the administration launched the Genesis Mission to double the productivity of American scientific research using AI. And President Trump has been active in AI-related executive orders, including the December 2025 "One Rule" EO directing the development of a federal legislative framework. This Framework is the next logical step: asking Congress to continue the President's work to strengthen U.S. AI leadership.

CLAIM 03: THE FRAMEWORK CREATES BLANKET PREEMPTION OF STATE AI LAWS WITH NO FEDERAL PROTECTIONS IN PLACE

FACT: First and foremost, it's essential to dismiss the idea that we're in the "Wild West" of AI governance. As the FTC and numerous state attorneys general have made clear, there is no AI exception to existing consumer protection, fraud, and discrimination laws, among other provisions. This Framework directs Congress to fill in remaining gaps, while fostering continued AI adoption and innovation. Six of the Framework's seven sections weigh in

on creating substantive protections for children, communities, creators, free speech, workers, and small businesses.

On preemption itself, the vast preponderance of state laws will remain in place. The Framework preserves significant state authority: states retain their traditional police powers to enforce generally applicable laws protecting children, preventing fraud, and protecting consumers; states keep zoning authority over AI infrastructure; and states remain free to govern their own use of AI in procurement and public services. Many of the concerns raised by critics would fit well within the Framework's own provisions.

CLAIM 04: THIS IS A PARTISAN APPROACH

FACT: Protecting kids from deepfakes, shielding seniors from AI-powered scams, ensuring ratepayers don't bear data center energy costs, and supporting workforce retraining are bipartisan priorities. Congress has considered legislation from both parties on every issue the Framework addresses. House Republican leadership pledged to work across the aisle on the Framework the day it was released, and key Democrat Sen. Cantwell has [signaled](#) openness to the Framework and described herself as “committed” to a federal standard.

CLAIM 05: THE FRAMEWORK IS SECTION 230 FOR AI COMPANIES— A BLANKET LIABILITY SHIELD

FACT: Section 230 was tort reform that limited liability under existing law. The Framework's preemption provision addresses a different problem: state legislatures creating new causes of action and new legal duties that would blame AI developers for harms caused by bad actors using AI tools. Unlike Section 230, the Framework does not recommend shielding anyone from common law tort liability. It prevents states from legislatively inventing novel claims that redirect enforcement away from bad actors and toward deep pockets, while ensuring one consistent national standard instead of fifty conflicting ones.

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