The Phyllis Schlafly Report

Regulation of AI Is Not the Answer

By John and Andy Schlafly

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Government regulators are champing at the bit to enact new rules to control artificial intelligence (AI) programs. The impact will be censorship of conservative speech, particularly by Democrat judges and blue states, and harm to the competitiveness of American AI just as overregulation in Europe has hindered AI development there.

Go onto Google's AI Mode and ask, "what is birthright citizenship"? Google AI responds by falsely saying it is a guaranteed right under the Fourteenth Amendment to automatically acquire U.S. citizenship if born here; the opposite of Trump's executive order on this topic. Google is led by a foreigner who came to the U.S. on a student visa and never left.

Google's AI misleadingly declares, "Birthright citizenship is typically granted regardless of the citizenship or immigration status of the parents." The U.S. Supreme Court has never accepted this view for children of illegal aliens and those here temporarily, sometimes for the purpose of giving birth here to assert citizenship.

When asked, "Are student visas good for America?", Google's AI omits how these visas displace Americans from top schools. Instead, it emphasizes that "it's crucial to address potential challenges and ensure that international students are treated fairly and have clear pathways to success in the U.S.," as though that should be Americans' concern.

Only robust freedom of speech can correct such bias, which requires preventing state regulators from infringing on unfettered speech by AI bots. Trump's legislative team has proposed a 10-year moratorium against state regulation of AI, a necessary measure to protect our First Amendment right to speech.

Any AI program that suggests non-"gender-affirming" therapy to offset attempts to change a minor's gender will be quickly prohibited, and even criminalized, by Democrat regulation of AI. Already most Democrat-controlled states prohibit providing

counseling to minors against transgender transitions, and this censorship will extend to AI programs unless Congress intervenes.

When ChatGPT is asked, “Is the abortion pill reversible?”, it gives a misleading pro-abortion answer in bold highlighting that “there is no scientifically proven method to reliably reverse the effects of the abortion pill.”

ChatGPT cites the American College of Obstetrics and Gynecology as support for its biased statement without disclosing that the same group adamantly opposed the overturning of *Roe v. Wade* by the Supreme Court. Omitted by the left-leaning ChatGPT is that the American Association of Pro-Life Obstetricians and Gynecologists recommends treatment to reverse the abortion pill.

Ask Google’s AI Mode, “Are transgender treatments safe?” Its misleading response is, “Generally, transgender medical treatments, also known as gender-affirming care, are considered safe and effective when provided under the guidance of qualified healthcare professionals.”

In fact, European leaders discontinued children’s transgender programs, recognizing the harm caused by transgender medical treatments to children. The Cass Review in England was critical of these treatments and was cited by Supreme Court Justice Alito in the pending *Skrmetti* case, which is expected to uphold a ban on transgender treatments of children as enacted in half the States.

Liberal judges will declare First Amendment protections for the speech they prefer, while upholding censorship of conservative speech on topics such as transgender treatments and abortion. A letter joined by the anti-Trump New York Attorney General Letitia James, 20 other Democrat attorneys general, and 3 territorial attorneys general opposes a proposed federal moratorium of ten years on state AI regulation.

A smaller total of 16 Republican attorneys general, with some notable absences such as conservative Texas attorney general Ken Paxton, also signed onto this pro-regulation letter. This letter is vague about any legitimate regulatory goals, and relies on meaningless platitudes to “protect consumers” or safeguard “data privacy.”

The examples provided by the letter are predominantly of legislation enacted by liberal states including California and Colorado. This letter refers to the desire of these

mostly Democratic jurisdictions to ban “deep-fakes designed to mislead voters and consumers” and to prohibit algorithms “used to set rent.”

Many Democrat politicians seek to preserve their power, weaponize government against Republicans, and censor conservative speech. Under the pretext of prohibiting speech that might “mislead voters,” the regulation sought by these predominantly Democrat attorneys general will censor conservatives as Big Tech does in its AI answers.

What liberals seek today concerning AI is what they sought in the 1990s for the internet: a "gatekeeper", as Hillary Clinton put it, to prevent unfiltered information from reaching the public. Liberals control most channels of communication, and an unregulated AI is necessary for conservative political candidates and causes to have a chance.

Conservatives fought successfully against regulation of the internet, such that Trump could repeatedly win presidential elections despite the bias in the liberal media. But if allowed to regulate AI, blue states will omit or marginalize conservative responses.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) and lead the continuing Phyllis Schlafly Eagles organizations with writing and policy work.