



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

The Honorable Barry R. Finegold
Massachusetts State Senate
24 Beacon St., Room 109-D
Boston, MA 02133

The Honorable Aaron Michlewitz
Massachusetts House of Representatives
24 Beacon St., Room 243
Boston, MA 02133

The Honorable Michael J. Rodrigues
Massachusetts State Senate
24 Beacon St., Room 212
Boston, MA 02133

The Honorable Carole A. Fiola
Massachusetts House of Representatives
24 Beacon St., Room 236
Boston, MA 02133

The Honorable Peter J. Durant
Massachusetts State Senate
24 Beacon St., Room 520
Boston, MA 02133

The Honorable Michael J. Soter
Massachusetts House of Representatives
24 Beacon St., Room 551
Boston, MA 02133

September 17, 2026

Re: AI Safety & Transparency within the Mass Wins Act (§164 of S.3228)

Honorable Members of the Conference Committee on the Mass Wins Act:

Massachusetts has long led the world in science, technology, innovation, and the advancement of civil and human rights. As artificial intelligence increasingly reshapes our economy, workplaces, public institutions, and daily lives, the state has both an opportunity and a responsibility to help ensure that these technologies are developed and deployed safely, responsibly, and in ways that serve the public interest.

AI has enormous potential to drive scientific discovery, strengthen key industries, improve public services, and create new opportunities for businesses and residents across Massachusetts. At the same time, the rapid pace of AI development raises serious questions about safety, accountability, privacy, civil rights, the future of work, and public trust. We cannot allow the technology to move

faster than our ability to put appropriate safeguards in place, nor can the responsibility for managing these risks rest with technology companies alone.

Massachusetts has always demonstrated that innovation and responsible leadership can go hand in hand. We should continue to support the researchers, entrepreneurs, workers, and businesses that make our state a global leader in innovation, while also establishing clear rules of the road, necessary transparency, and appropriate independent oversight for the most advanced and potentially consequential AI systems.

I appreciate the Legislature's leadership on these issues and the work underway to establish a thoughtful framework for AI transparency and safety in Massachusetts. As the House and Senate work to reconcile the pending economic development legislation, our shared goal should be a framework that is strong, workable, proportionate to risk, and capable of evolving alongside the technology.

In the absence of federal leadership, I'm respectfully requesting that the Legislature adopt core AI frontier model safety and transparency provisions. That approach would add Massachusetts to an emerging multistate framework for frontier AI safety, with requirements focused on risk management, transparency, and the reporting of critical safety incidents. Similar core approaches have now been adopted in California, New York, and Illinois, providing a foundation for consistent and responsible oversight while allowing innovation to continue.

Recent developments over the past several days have heightened my concerns about the safety of the most powerful AI models and reinforced the need for thoughtful, effective safeguards. Even the people building the most powerful AI systems in the world are telling us there are serious risks. In that spirit, I offer the following additional comments and recommendations for consideration as you work toward a final bill:

Meaningful Independent Evaluators

Everyone should expect these companies to comply with professionally managed third-party compliance audits with their own internal safety standards. At the same time, I also urge the Conference Committee to include a requirement for meaningful independent evaluation of the safety of frontier AI models. When the potential risks are this significant, self-assessment alone is not sufficient. Independent technical review should be an important part of a credible AI safety framework.

I recognize that building an effective system of independent evaluation will be challenging. Unlike financial auditing, where practitioners can assess compliance against mature and widely accepted standards, there is not yet a comparable consensus around how to evaluate the safety of the most advanced AI models. The pool of independent experts with the technical capability to conduct rigorous frontier-model evaluations is also limited.

Those challenges are real, but they cannot become a reason for inaction. If AI models are developing increasingly consequential risks, then the standards, expertise, and independent oversight necessary to evaluate those capabilities must develop alongside them.

For that reason, I encourage the Conference Committee to establish a clear path toward independent evaluation that prioritizes the development of rigorous standards and a qualified ecosystem of independent technical experts, followed by implementation of meaningful review against those standards. Both pieces are essential.

Disclosures

As currently drafted, a frontier developer would be required to disclose critical safety incidents in one of three circumstances:

- If the AI model was compromised in any way, such as unauthorized access or disclosure of the core model weights;
- If the developer loses control of the AI model, resulting in any death or bodily injury or a discernibly increased risk of catastrophic harm; or
- If the use of the AI model materially contributes to at least 50 deaths or at least \$1B in property damage – a so-called “catastrophic risk.”

The current threshold for a catastrophic risk warrants further consideration. The deaths of 50 people resulting from information provided by a highly advanced AI model is cataclysmic, but the death of even 1 person is catastrophic and ought to be treated as such.

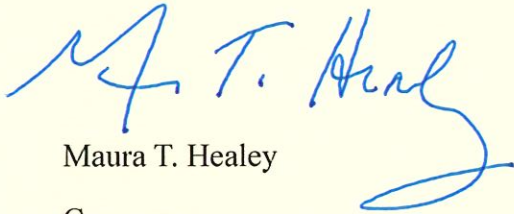
I respectfully ask that you consider revising the definition of a “catastrophic risk” to align more clearly with outcomes that we, as a state, should seek to prevent material contribution to the death of a single person, or not less than \$10M in loss or damage to property. Massachusetts residents deserve to know when the technology they are using causes material harm, and the state should have visibility into those incidents early enough to identify emerging risks before they reach catastrophic scale.

Massachusetts should send a clear signal that this capacity must be built now, before we are responding to a crisis or tragedy. I am calling on industry, academia, government, and other stakeholders to work together to develop workable standards and expand the pool of qualified independent evaluators. The final legislation should establish timelines that create urgency around that work while allowing the infrastructure necessary for meaningful independent review to develop. Massachusetts is well positioned to help lead that effort.

I greatly appreciate the House and Senate’s ongoing work on the Mass Wins Act. There are so many critically important pieces of policy before the Conference Committee. Through a strategic blend of capital authorizations and policy reforms, this bill will create a new set of tools and resources to allow Massachusetts to take on emerging opportunities and challenges alike. As you

work toward a final agreement, I urge the Conference Committee to protect the public and include strong AI safety and transparency provisions. Thank you for your time and consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "M. T. Healey", with a long, sweeping underline that extends to the right.

Maura T. Healey

Governor

CC:

The Honorable Karen Spilka, Senate President

The Honorable Ronald Mariano, Speaker of the House