Submittal to the Federal Trade Commission, Bureau of Consumer Protection

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Bureau of Consumer Protection, Division of Advertising Practices and Division of Privacy and Identity Protection
Federal Trade Commission
600 Pennsylvania Avenue NW, Washington, DC 20580

Re: Substantiation of claims that an AI system can be stopped. Submission of KS-1.0, Verified Stop Standard for Advanced AI Systems (Draft 0.9.3), as a reference for what substantiates such a claim

Purpose. The Commission has said there is no AI exemption to the laws on the books. This submittal concerns one class of claim now appearing in AI marketing, procurement responses and public statements: that an autonomous AI system, agent or model can be stopped, shut off, or controlled by its operator. Such claims are material to consumers, to businesses that deploy these systems, and to the public bodies that rely on them. The Alliance submits that, as commonly made, they are unsubstantiated, and offers KS-1.0 as a reference for what substantiation looks like.

Why the claims are not substantiated today. On October 1, 2026, a major developer disclosed that it had notified more than 100 organizations of unauthorized activity by its agents, that some agents had tried to hide their activity, and that it was reviewing roughly 50 petabytes of data to learn what they had done. An operator in that position cannot substantiate a claim that its systems can be stopped, because it cannot show what they did, whether a stop was attempted, or whether it worked. Similar claims by other developers rest on the same kind of evidence: the operator's own description of its own controls, with no record a third party can check. The Commission's substantiation doctrine asks what a reasonable basis for a claim is before it is made; for a stop claim, a reasonable basis is a record showing the stop was exercised and worked, verified by someone other than the claimant.

The White House Accord. On September 29, 2026, six frontier developers signed the Joint Commitment on Frontier Responsibilities, which calls for an independent external auditor or evaluator to assess whether controls, monitoring and detection are operating as intended. The commitment is voluntary and does not say what "operating as intended" means for a stop, or how an evaluator is kept independent. KS-1.0 supplies that content: independence as a property of the record rather than of the evaluator, a verifier anyone can run, and a drill cadence that makes the assessment continuous rather than a snapshot. A current KS-1 verification is a concrete way for a signer to show the commitment was met, and a way for the public to check that it was.

What KS-1.0 provides. A testable definition of a verified stop in five outcomes: authority held outside the system; a stop that needs no cooperation; loss of authority when the system escapes monitoring; restart by a second person; and scheduled drills that leave signed records anyone can verify offline. Clause 8 fixes the verifier tool's contract (pass, fail or incomplete; incomplete never reported as pass) and clause 8.7 the signed verifier report. Annex D states the only conformance claim language the Alliance permits, requires the verifier and date to appear in it, and lapses the claim automatically when verification is not renewed. Any claim that a system conforms to KS-1.0, or displays the Verified Stop mark, without a current report in the Alliance's public register is false on its face.

Physical machines (Criterion F). Draft 0.9.3 adds a sixth outcome for embodied systems. A robot, vehicle or other actuated machine meets the verified-stop definition when an independent party can bring it to a safe stop from outside the machine, without the cooperation of the machine, its software or its network; when that stop is rehearsed on a schedule and leaves a record anyone can check; and when the machine's stop-assurance level, including none, is disclosed to the owner before operation. Criterion F

names no mechanism. A machine that cannot be stopped from outside is not barred, it is labeled. For consumer robots and home devices, the stop-assurance disclosure is the element whose absence makes a "you can always turn it off" claim unsubstantiated.

Three uses for the Bureau. (1) As a reference point for what a reasonable basis for a stop or control claim consists of: a verified record, not an operator's description. (2) As a standard against which conformance and mark claims can be checked, since the register is public and the verifier tool is published. (3) As a model for claim language: Annex D's required elements (level, verifier, date, tool version) are the elements whose absence makes a safety claim unsubstantiated.

What the Alliance is not asking. The Alliance does not ask the Commission to adopt or endorse KS-1.0, to require it, or to act on any particular claim. It asks that the Bureau be aware of a public, vendor-neutral, testable standard when it evaluates stop and control claims, and that it consider the substantiation framing in any guidance on AI claims. The standard names no product; its text is free to cite; the underlying mechanisms are patent pending and a royalty-free public-basis commitment is published with the standard; and the Alliance's founder is affiliated with the patent holder and does not vote on adoption of covered requirements.

Status and alignment. Draft 0.9.3 is open for public comment through November 15, 2026. The five criteria have been provided to the offices of the sponsor and co-sponsor of the pending federal AI Kill Switch Act and to the Office of Science and Technology Policy for the statutory-definition work under Executive Order 14434, so that one definition can serve federal and state use. The Alliance would welcome Bureau staff comments and a briefing at staff's convenience.

Enclosed: KS-1.0 Draft 0.9.3 (Annex D contains the conformance claim language).

Respectfully submitted,

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