

WITNESS

August 17th, 2026

The Honorable Josh Becker
California State Senate
State Capitol
Sacramento, CA 95814

Re: WITNESS Statement of Support for SB 1000 (California AI Transparency Act)

Dear Senator Becker,

WITNESS is a global civil society organization focused on fortifying truth by strengthening the capacity of people who document reality to capture, verify, and preserve audiovisual evidence, while shaping the systems and infrastructure that determine whether what they document survives, is trusted, and can drive accountability.

We write to support SB 1000, subject to the amendment recommended below.

Recommended Amendment: Minor Modifications

Section 22757.1 exempts operations like cropping, resizing, and format conversion from triggering a new disclosure duty, but the statute does not address what happens to a disclosure that already exists when content undergoes one of these operations. For example, Content Credentials, the dominant provenance technology in practice, are cryptographically bound to a file's exact bytes; a crop or re-encode necessarily breaks that binding by design. Asking a disclosure to persist unchanged through such a modification asks for something the technology cannot do. What it can do is chain: an edit can produce a new disclosure that links back to the original, preserving continuity even though the original credential itself does not survive. In our review of provenance manifests in circulation on major platforms, this kind of break, with no replacement disclosure generated, is one of the most common ways provenance is lost in practice.

We recommend two amendments reflecting this.

First, to **§22757.3(a)(2)**:

(2) The disclosure is permanent or extraordinarily difficult to remove or tamper with. *Where a covered provider's GenAI system performs or enables a minor modification, as defined in Section 22757.1, on content bearing a disclosure required by this section, the system shall generate an updated disclosure reflecting the modification and preserving a link to the original disclosure, to the extent technically feasible.*

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Second, to **§22757.3(b)(1)(A)**:

(A) That the system remains in compliance with this chapter, to the extent it is technically feasible, *including that where the system performs or enables a minor modification, as defined in Section 22757.1, on content bearing a disclosure required by subdivision (a), it generates an updated disclosure reflecting the modification and preserving a link to the original disclosure.*

On the Open Source Coalition Letter

We are aware of the letter submitted by the **Open Source Coalition**, composed of GitHub, Mozilla, Hugging Face, and Black Forest Labs raising concerns that the license termination requirements in Section 22757.3(b) are incompatible with open source licensing principles.

As an organization that values open source deeply, we find the analysis in the **Software Freedom Conservancy's response** persuasive, and we support the Legislature relying on it in evaluating the coalition's claims. Specifically: that none of the generative AI systems this bill would actually reach are themselves open source today, and both permissive and copyleft licenses already have established mechanisms to accommodate obligations like these without compromising their core terms.

License termination is a necessary tool for downstream content transparency

The license termination mechanism in §22757.3(b) is what gives the disclosure regime any force once a system leaves the covered provider's direct control. A provider's own compliance with §22757.3(a) protects no one once a licensee modifies the system to drop its disclosures; at that point, license termination is the only tool available to stop that licensee from continuing to operate unmarked, indefinitely and without consequence.

This is where we already see provenance information lost in practice: not at generation, where covered providers have real obligations under this bill, but downstream, once a licensee strips disclosures or an intermediary reprocesses content without any duty to carry them forward. AB 853's platform-level protections do not take effect until 2027 and only reach knowing removal by large online platforms; they do not reach a licensee who alters the system itself. License termination can close that gap at the source.

A regime that holds developers to a real standard while noncompliant licensees face no consequence produces exactly what this bill should prevent: some AI content clearly marked, other content indistinguishable to a viewer but unmarked, teaching the public that markings are not a reliable signal at all. As SFC's response notes, this is not foreign to open source practice

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either; the GPL's own termination-on-violation logic works the same way. We ask the Legislature to preserve this provision as drafted.

Thank you for your leadership on this issue and for your continued engagement with civil society. We are glad to serve as a resource to your office as this bill moves forward.

Sincerely,

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