



March 27, 2024

The Honorable Rebecca Bauer-Kahan
Chair
Assembly Committee on Privacy & Consumer Protection
Legislative Office Building
1020 N Street
Sacramento, CA 95814

Dear Chair Bauer-Kahan and members of the committee,

On behalf of Chamber of Progress, a tech industry association supporting public policies to build a more inclusive country in which all people benefit from technological leaps, **we urge you to amend AB 1791.**

AB 1791 needs additional clarity

Digital provenance is an important issue, and watermarking may play a role in informing consumers of digital content. To that end, we commend the author for introducing legislation on this important issue and being responsive to thoughtful input from stakeholders. Explicitly requiring social media platforms to implement the Coalition for Content Provenance and Authenticity (C2PA) technical standard would have burdened new market entrants and stood to further entrench the largest players in tech, at a time when many Californians already question their market power. This may further burden smaller platforms with limited resources creating inequalities in the digital landscape.

This version removes the C2PA requirement, replacing it with a reasonable prohibition on social media platforms from removing digital content provenance verification. This allows for users to know whether content has been altered.

However, we ask that you further amend this bill to clarify the standard to which social media platforms are held to, when prohibited from removing such content.

For instance, including “knowingly” in the requirement may be helpful so that it would read, “prohibit a social media platform from *knowingly* removing digital content provenance...”. This is necessary in the case that a social media platform mistakenly removes or makes illegible a watermark while in the ordinary course of helping users post or share content.

Content authenticity is an important issue, and we reiterate our thanks to the author for being responsive to stakeholder input to prior legislative drafts. While we applaud the steps this author has taken, this bill needs further work to clarify what counts as good faith compliance for covered platforms and make clear that incidental changes to content are not violative.

For this reason, we urge you to **amend AB 1791**.

A handwritten signature in black ink, appearing to read "Robert Singleton". The signature is fluid and cursive, with a large initial "R" and a stylized "S".

Sincerely,

Robert Singleton
Director of Policy and Public Affairs, California and US West