



1455 3rd Street
San Francisco, CA 94158

August 11, 2025

From:
Chris Lehane
Chief Global Affairs
Officer,
OpenAI

To:
The Honorable Gavin
Newsom
Governor of California
State Capitol
Sacramento, CA 95814

**The Honorable Gavin Newsom
Governor of California
State Capitol
Sacramento, CA 95814**

**Re: Recognition of International and Federal AI Safety Frameworks for
State Law Compliance**

Dear Governor Newsom,

We want to begin by thanking you and your Administration for your robust support for the state's technology sector. As we outlined recently in our California Economic Impact Report, the AI sector is driving tremendous innovation in our state's economy while adding billions of dollars of revenue to the budget — and has the potential to drive even more economic opportunity, more jobs, and more revenue. As you have recognized, California is incredibly well positioned to maintain and strengthen its status as the fourth largest economy in the world because it is home to the AI builders, entrepreneurs, and researchers who will shape the Intelligence Age.

We are writing today to recommend that California take the lead in harmonizing state-based AI regulation with emerging global standards that will spur adoption and innovation, and drive huge leaps in productivity and prosperity for Californians.

In particular, we recommend policies that avoid duplication and inconsistencies between state requirements and those of similar democratic regimes governing frontier model safety. Last week, we became the first US AI company to announce our intent to sign the EU AI Act Code of Practice (CoP), which already creates requirements similar to many being contemplated in California.

OpenAI also formally committed to working with the US federal government and its Center for AI Standards and Innovation (CAISI) to conduct evaluations of frontier models' national security-related capabilities. Similar to the EU Code of Practice, we were one of the first large language model companies to partner with the US federal government.

We believe that California's leadership in technology regulation is most effective when it complements effective global and federal safety ecosystems. By integrating the provisions of the EU CoP and agreements with the US Center for AI Standards and Innovation (CAISI) into any compliance pathway, the state can protect residents, uphold democratic values, and promote innovation on a global scale.

In order to make California a leader in global, national and state-level AI policy, **we encourage the state to consider frontier model developers compliant with its state requirements when they sign onto a parallel regulatory framework like the CoP or enter into a safety-oriented agreement with a relevant US federal government agency.** At the same time, we also encourage the state to continue supporting smaller developers and startups to ensure that they do not face challenges, such as a liability regime that pushes them out of California, and by exempting them from state regulations with compliance requirements that larger companies are in a better position to bear. We can all agree that we don't want to inadvertently create a "California Environmental Quality Act (CEQA) for AI innovation" that would result in California dropping from leading in AI to lagging behind other states or even countries.

Moreover, national frameworks such as the CAISI or CoP have the capacity for the kind of safety reviews and testing that a state simply cannot do, including testing that requires access to sensitive information and national security expertise. We believe that states, if genuinely interested in safety, should encourage and incentivize frontier model developers to partner with those agencies best equipped to conduct the most sophisticated and advanced reviews.

Finally, aligning California with the global standards being adopted by the leading democracies, including the US and EU, will help ensure that California is supporting the imperative to build on democratic AI as opposed to autocratic AI. Companies operating in the communist-led People's Republic of China are unlikely to abide by US state laws, and in fact will benefit from regulations that burden their US competitors with inconsistent standards. Imagine how hard it would have been during the Space Race had California's aerospace and technology industries been encumbered by regulations that impeded rapid innovation and transition technology, instead of strengthening national security and economic competitiveness. Given our fervent belief that it is critical that US-led democratic AI prevails, we also believe that as California considers its approach to AI regulation, it must continue to be the engine of US economic competitiveness and play to win when it comes to national security interests.

As we have seen many times, California is most effective when it sets the path for other states and countries on major issues. This path allows the state to ensure that companies adhere to global and federal safety ecosystems while creating a national model for states to follow.

Since OpenAI is a non-profit dedicated to building AI that benefits all of humanity, we think that building democratic AI anchored in democratic values, inclusive of safety standards, is foundational to our ability to deliver on our mission.



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Thank you for your consideration of this proposal. I would welcome the opportunity to discuss this further with your staff. Should California be interested in pursuing this approach, then similar to how OpenAI has been among the first to sign onto the safety frameworks established by the world's leading democracies, we would be excited to consider being the first to sign onto a "California Approach" that reinforces those standards. We believe this would be a powerful win for California, a win for global safety standards, and a win for democracy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris".

Christopher Lehane
Chief Global Affairs Officer, OpenAI