

.....  
(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To require the Secretary of Homeland Security to publish an annual report on the use of deepfake technology, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. KILMER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To require the Secretary of Homeland Security to publish an annual report on the use of deepfake technology, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Deepfakes Report Act  
5 of 2019”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) **DIGITAL CONTENT FORGERY.**—The term  
2           “digital content forgery” means the use of emerging  
3           technologies, including artificial intelligence and ma-  
4           chine learning techniques, to fabricate or manipulate  
5           audio, visual, or text content with the intent to mis-  
6           lead.

7           (2) **SECRETARY.**—The term “Secretary” means  
8           the Secretary of Homeland Security.

9   **SEC. 3. REPORTS ON DIGITAL CONTENT FORGERY TECH-**  
10                                   **NOLOGY.**

11          (a) **IN GENERAL.**—Not later than 200 days after the  
12          date of enactment of this Act and every 18 months there-  
13          after, the Secretary, acting through the Under Secretary  
14          for Science and Technology, shall produce a report on the  
15          state of digital content forgery technology.

16          (b) **CONTENTS.**—Each report produced under sub-  
17          section (a) shall include—

18                 (1) an assessment of the underlying tech-  
19                 nologies used to create or propagate digital content  
20                 forgeries, including the evolution of such tech-  
21                 nologies;

22                 (2) a description of the types of digital content  
23                 forgeries, including use—

24                         (A) by foreign or domestic sources; and

1 (B) in cyber attacks, pornography, and  
2 media;

3 (3) an assessment of how foreign governments,  
4 and the proxies and networks thereof, use, or could  
5 use, digital content forgeries to harm national secu-  
6 rity;

7 (4) an assessment of how non-governmental en-  
8 tities in the United States, use, or could use, digital  
9 content forgeries;

10 (5) an assessment of the uses, applications,  
11 dangers, and benefits of deep learning technologies  
12 used to generate high fidelity artificial content of  
13 events that did not occur;

14 (6) an analysis of the methods used to deter-  
15 mine whether content is genuinely created by a  
16 human or through digital content forgery tech-  
17 nology, including an assessment of any effective  
18 heuristics used to make such a determination;

19 (7) a description of the technological counter-  
20 measures that are, or could be, used to address con-  
21 cerns with digital content forgery technology;

22 (8) recommendations regarding whether addi-  
23 tional legal authorities are needed to address the  
24 findings of the report; and

1           (9) any additional information the Secretary de-  
2           termines appropriate.

3           (c) CONSULTATION AND PUBLIC HEARINGS.—In pro-  
4           ducing each report required under subsection (a), the Sec-  
5           retary shall—

6           (1) consult with—

7                   (A) the intelligence community (as defined  
8                   in section 3 of the National Security Act of  
9                   1947 (50 U.S.C. 3003));

10                   (B) the Secretary of Defense;

11                   (C) the Chairman of the Joint Chiefs of  
12                   Staff;

13                   (D) the Department of Justice, Computer  
14                   Crime and Intellectual Property Section;

15                   (E) the Office of Science and Technology  
16                   Policy;

17                   (F) the National Institute of Standards  
18                   and Technology;

19                   (G) the National Science Foundation;

20                   (H) the Federal Election Commission;

21                   (I) the Federal Trade Commission; and

22                   (J) any other agency of the Federal gov-  
23                   ernment that the Secretary considers necessary;

24           and

1           (2) conduct public hearings to gather, or other-  
2           wise allow interested parties an opportunity to  
3           present, information and advice relevant to the pro-  
4           duction of the report.

5           (d) FORM OF REPORT.—Each report produced under  
6           subsection (a) shall be produced in unclassified form, but  
7           may contain a classified annex.

8           (e) APPLICABILITY OF FOIA.—Nothing in this Act,  
9           or in a report produced under this section, shall be con-  
10          strued to allow the disclosure of information or a record  
11          that is exempt from public disclosure under section 552  
12          of title 5, United States Code.