AMENDMENT TO RULES COMMITTEE PRINT 116–57

OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle E of title II, add the following new section:

SEC. 2. ASSESSMENTS OF INTELLIGENCE, DEFENSE, AND MILITARY IMPLICATIONS OF DEEPFAKE VIDEOS AND RELATED TECHNOLOGIES.

(a) INTELLIGENCE THREAT ASSESSMENT.—

(1) IN GENERAL.—In conjunction with each annual report required under section 5709(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) (relating to deepfake technology and the foreign weaponization of deepfakes), the Director of National Intelligence shall submit to the Secretary of Defense and the appropriate congressional committees a supplemental report on the intelligence, defense, and military implications of deepfake videos and related technologies.

(2) ELEMENTS.—Each supplemental report under paragraph (1) shall include—
(A) a description of new developments with respect to the national security implications of machine-manipulated media, and intelligence community responses to such developments, as it pertains to those matters described in section 5709(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92);

(B) a description of any known efforts by the militaries of the People’s Republic of China or the Russian Federation or any governmental elements that provide intelligence support to such militaries, to deploy machine-manipulated media in the context of any ongoing geopolitical disputes, armed conflicts, or related operations; and

(C) an assessment of additional future security risks posed by artificial intelligence technologies that facilitate the creation of machine-manipulated media, including security risks in contexts other than influence or information operations (including the potential subversion of biometric authentication systems).

(3) INTERIM REPORT.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the
Secretary of Defense and the appropriate congressional committees a report on the preliminary findings of the Director with respect to each element described in subsection (2).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) MILITARY RISK ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after date on which the report under subsection (a)(3) is submitted to the Secretary of Defense, the Secretary shall submit to the congressional defense committees an assessment, based on the results of such report, of the risks posed by machine-manipulated media to the operations, personnel, and activities of the Department of Defense and the Armed Forces.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:
(A) An assessment of the risks posed by machine-manipulated media in the contexts of military planning, defense intelligence collection, operational decision-making, and such other contexts as the Secretary of Defense deems appropriate.

(B) A description of how the Department of Defense would assess, particularly under limited time constraints, the legitimacy of machine-manipulated media purporting to depict activities relevant to ongoing military operations (such as a deepfake video purporting to depict a foreign government official announcing an impending military strike, retreat, or other tactical action).

(C) A description of any efforts of the Department of Defense to combat the actual or potential creation of machine-manipulated media that falsely depicts or replicates biometric identifiers of Federal Government officials, and an assessment of the feasibility of adopting or developing technologies to reduce the likelihood of video, audio, or visual content produced or distributed by the Department of Defense.
from being manipulated or exploited in such manner.

(D) An assessment of the Department of Defense’s current machine-manipulated media detection capabilities, and recommendations with respect to improving such capabilities.

(e) FORM.—The reports required under subsections (a) and (b) may be submitted in classified form, but if so submitted, shall be accompanied by unclassified annexes.

(d) MACHINE-MANIPULATED MEDIA DEFINED.—In this section, the term “machine-manipulated media” has the meaning given that term in section 5724(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).