

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**57**

**OFFERED BY MR. KILMER OF WASHINGTON**

Add at the end of subtitle A of title XVII the following:

1 **SEC. 17 \_\_\_\_ . DEEPPFAKE REPORT.**

2 (a) DEFINITIONS.—In this section:

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

9 (2) SECRETARY.—The term “Secretary” means  
10 the Secretary of Homeland Security.

11 (b) REPORTS ON DIGITAL CONTENT FORGERY  
12 TECHNOLOGY.—

13 (1) IN GENERAL.—Not later than one year  
14 after the date of enactment of this Act and annually  
15 thereafter for five years, the Secretary, acting  
16 through the Under Secretary for Science and Tech-  
17 nology of the Department of Homeland Security,  
18 and with respect to subparagraphs (F) through (H)

1 of paragraph (2), in consultation with the Director  
2 of National Intelligence, shall research the state of  
3 digital content forgery technology and produce a re-  
4 port on such technology.

5 (2) CONTENTS.—Each report produced under  
6 paragraph (1) shall include the following:

7 (A) An assessment of the underlying tech-  
8 nologies used to create or propagate digital con-  
9 tent forgeries, including the evolution of such  
10 technologies.

11 (B) A description of the types of digital  
12 content forgeries, including those used to com-  
13 mit fraud, cause harm, or violate civil rights  
14 recognized under Federal law.

15 (C) An assessment of how foreign govern-  
16 ments, and the proxies and networks thereof,  
17 use, or could use, digital content forgeries to  
18 harm national security.

19 (D) An assessment of how non-govern-  
20 mental entities in the United States use, or  
21 could use, digital content forgeries.

22 (E) An assessment of the uses, applica-  
23 tions, dangers, and benefits, including the im-  
24 pact on individuals, of deep learning tech-

1 nologies used to generate high fidelity artificial  
2 content of events that did not occur.

3 (F) An analysis of the methods used to de-  
4 termine whether content is genuinely created by  
5 a human or through digital content forgery  
6 technology, and an assessment of any effective  
7 heuristics used to make such a determination,  
8 as well as recommendations on how to identify  
9 and address suspect content and elements to  
10 provide warnings to users of such content.

11 (G) A description of the technological  
12 countermeasures that are, or could be, used to  
13 address concerns with digital content forgery  
14 technology.

15 (H) Proposed research and development  
16 activities for the Science and Technology Direc-  
17 torate of the Department of Homeland Security  
18 to undertake related to the identification of  
19 forged digital content and related counter-  
20 measures.

21 (I) Any additional information the Sec-  
22 retary determines appropriate.

23 (3) CONSULTATION AND PUBLIC HEARINGS.—

24 In producing each report required under paragraph  
25 (1), the Secretary may—

1 (A) consult with any other agency of the  
2 Federal Government that the Secretary con-  
3 sidered necessary; and

4 (B) conduct public hearings to gather, or  
5 otherwise allow interested parties an oppor-  
6 tunity to present, information and advice rel-  
7 evant to the production of the report.

8 (4) FORM OF REPORT.—Each report required  
9 under paragraph (1) shall be produced in unclassi-  
10 fied form, but may contain a classified annex.

11 (5) APPLICABILITY OF FOIA.—Nothing in this  
12 section, or in a report produced under this section,  
13 may be construed to allow the disclosure of informa-  
14 tion or a record that is exempt from public disclo-  
15 sure under section 552 of title 5, United States  
16 Code (commonly known as the “Freedom of Infor-  
17 mation Act”).

18 (6) APPLICABILITY OF THE PAPERWORK RE-  
19 DUCION ACT.—Subchapter I of chapter 35 of title  
20 44, United States Code (commonly known as the  
21 “Paperwork Reduction Act”), shall not apply to this  
22 section.

