

119TH CONGRESS  
2D SESSION

# H. R. 7786

To establish protections against digital impersonation fraud, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2026

Mr. BUCHANAN (for himself and Mr. SOTO) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Science, Space, and Technology, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish protections against digital impersonation fraud,  
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 “AI Fraud Account-  
5 ability Act”.

1 **SEC. 2. CRIMINAL PROHIBITION ON USE OF DIGITAL IM-**  
2 **PERSONATIONS TO COMMIT FRAUD.**

3 (a) IN GENERAL.—Section 223 of the Communica-  
4 tions Act of 1934 (47 U.S.C. 223) is amended—

5 (1) by redesignating subsection (i) as subsection  
6 (j); and

7 (2) by inserting after subsection (h) the fol-  
8 lowing:

9 “(i) USE OF DIGITAL IMPERSONATIONS TO COMMIT  
10 FRAUD.—

11 “(1) DEFINITIONS.—In this subsection:

12 “(A) DIGITAL IMPERSONATION.—The term  
13 ‘digital impersonation’ means any visual or  
14 audio depiction of—

15 “(i) an identifiable individual created  
16 through the use of software, machine  
17 learning, artificial intelligence, or any other  
18 computer-generated or technological  
19 means, including by adapting, modifying,  
20 manipulating, or altering an authentic vis-  
21 ual or audio depiction, that, when viewed  
22 or listened to as a whole by a reasonable  
23 person, is indistinguishable from an au-  
24 thentic visual or audio depiction of the in-  
25 dividual; or

1           “(ii) an imaginary individual created  
2           through the use of software, machine  
3           learning, artificial intelligence, or any other  
4           computer-generated or technological  
5           means, including by adapting, modifying,  
6           manipulating, or altering an authentic vis-  
7           ual or audio depiction of an imaginary in-  
8           dividual, that, when viewed or listened to  
9           as a whole by a reasonable person, is indis-  
10          tinguishable from a visual or audio depic-  
11          tion of a real individual.

12           “(B) IDENTIFIABLE INDIVIDUAL.—The  
13          term ‘identifiable individual’ means an indi-  
14          vidual—

15                   “(i) who appears in whole or in part,  
16                   or is heard, in a digital impersonation; and

17                   “(ii) whose face, likeness, voice, or  
18                   other distinguishing characteristic (includ-  
19                   ing a unique birthmark or other recogniz-  
20                   able feature) is displayed or heard in con-  
21                   nection with such digital impersonation.

22           “(2) OFFENSE.—

23                   “(A) IN GENERAL.—Subject to subpara-  
24                   graph (B), it shall be unlawful for a person, in  
25                   interstate or foreign communications, to falsely

1           pose as an identifiable individual or imaginary  
2           individual, in a manner intended to be taken as  
3           genuine, in a digital impersonation, with intent  
4           to defraud a person of any money, paper, docu-  
5           ment, or thing of value.

6           “(B) EXCEPTIONS.—Subparagraph (A)  
7           shall not apply to a lawfully authorized inves-  
8           tigative, protective, or intelligence activity of—

9                   “(i) a law enforcement agency of the  
10                  United States, a State, or a political sub-  
11                  division of a State; or

12                   “(ii) an intelligence agency of the  
13                  United States;

14           “(3) PENALTIES.—Any person who violates  
15           paragraph (2) shall be fined under title 18, United  
16           States Code, imprisoned not more than 3 years, or  
17           both.

18           “(4) THREATS.—Any person who intentionally  
19           threatens to commit the offense under paragraph (2)  
20           for the purpose of intimidation, coercion, extortion,  
21           or to create mental distress shall be punished as pro-  
22           vided in paragraph (3).

23           “(5) FORFEITURE.—

24                   “(A) IN GENERAL.—The court, in impos-  
25                  ing a sentence on any person convicted of a vio-

1           lation of paragraph (2), shall order, in addition  
2           to any other sentence imposed and irrespective  
3           of any other sentence imposed and irrespective  
4           of any provision of State law, that the person  
5           forfeit to the United States—

6                   “(i) the person’s interest in property,  
7                   real or personal, constituting or derived  
8                   from any gross proceeds of the violation, or  
9                   any property traceable to such property,  
10                  obtained or retained directly or indirectly  
11                  as a result of the violation; and

12                  “(ii) any personal property of the per-  
13                  son used, or intended to be used, in any  
14                  manner or part, to commit or to facilitate  
15                  the commission of the violation.

16                  “(B) PROCEDURES.—Section 413 of the  
17                  Controlled Substances Act (21 U.S.C. 853),  
18                  with the exception of subsections (a) and (d),  
19                  shall apply to the criminal forfeiture of property  
20                  under subparagraph (A).

21                  “(6) EXTRATERRITORIAL JURISDICTION.—  
22                  There is extraterritorial Federal jurisdiction over an  
23                  offense under paragraph (2).”.

1 (b) DEFENSES.—Section 223(e)(1) of the Commu-  
2 nications Act of 1934 (47 U.S.C. 223(e)(1)) is amended  
3 by striking “or (h)” and inserting “(h), or (i)”.

4 **SEC. 3. PROTECTION AGAINST DIGITAL IMPERSONATION**

5 **FRAUD.**

6 (a) PROHIBITION.—

7 (1) IN GENERAL.—Subject to paragraph (2), it  
8 shall be unlawful for a person, in interstate or for-  
9 eign commerce, to falsely pose as an identifiable or  
10 imaginary individual in a manner intended to be  
11 taken as genuine, in a digital impersonation, with in-  
12 tent to defraud a person of any money, paper, docu-  
13 ment, or thing of value.

14 (2) EXCEPTION.—The prohibition described in  
15 paragraph (1) shall not apply to a lawfully author-  
16 ized investigative, protective, or intelligence activity  
17 of—

18 (A) a law enforcement agency of the  
19 United States, a State, or a political subdivision  
20 of a State; or

21 (B) an intelligence agency of the United  
22 States.

23 (b) ENFORCEMENT BY THE COMMISSION.—

24 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
25 TICES.—A violation of subsection (a) shall be treated

1 as a violation of a rule defining an unfair or decep-  
2 tive act or practice prescribed under section  
3 18(a)(1)(B) of the Federal Trade Commission Act  
4 (15 U.S.C. 57a(a)(1)(B)).

5 (2) POWERS OF THE COMMISSION.—

6 (A) IN GENERAL.—The Commission shall  
7 enforce this section in the same manner, by the  
8 same means, and with the same jurisdiction,  
9 powers, and duties as though all applicable  
10 terms and provisions of the Federal Trade  
11 Commission Act (15 U.S.C. 41 et seq.) were in-  
12 corporated into and made a part of this section.

13 (B) PRIVILEGES AND IMMUNITIES.—Any  
14 person who violates subsection (a) shall be sub-  
15 ject to the penalties and entitled to the privi-  
16 leges and immunities provided in the Federal  
17 Trade Commission Act (15 U.S.C. 41 et seq.).

18 (C) AUTHORITY PRESERVED.—Nothing in  
19 this Act shall be construed to limit the author-  
20 ity of the Commission under any other provi-  
21 sion of law.

22 (c) DEFINITIONS.—For purposes of this section:

23 (1) COMMISSION.—The term “Commission”  
24 means the Federal Trade Commission.

1           (2) DIGITAL IMPERSONATION; IDENTIFIABLE  
2 INDIVIDUAL.—The terms “digital impersonation”  
3 and “identifiable individual” have the meaning given  
4 such terms in section 223(i) of the Communications  
5 Act of 1934 (47 U.S.C. 223(i)), as added by section  
6 2 of this Act.

7 **SEC. 4. WORKING GROUP ON DIGITAL IMPERSONATION**  
8           **FRAUD.**

9           (a) DEFINITIONS.—In this section:

10           (1) APPROPRIATE COMMITTEES OF CON-  
11 GRESS.—The term “appropriate committees of Con-  
12 gress” means—

13                   (A) the Committee on Commerce, Science,  
14 and Transportation of the Senate; and

15                   (B) the Committee on Science, Space, and  
16 Technology of the House of Representatives.

17           (2) DIGITAL FORENSICS.—The term “digital  
18 forensics” means scientific or technical practices  
19 used to recognize, collect, analyze, or interpret dig-  
20 ital evidence for the purposes of investigating crimes  
21 or other incidents, including the use of digital imper-  
22 sonation to commit fraud.

23           (3) DIGITAL IMPERSONATION.—The term “dig-  
24 ital impersonation” has the meaning given that term  
25 in section 223(i) of the Communications Act of 1934

1 (47 U.S.C. 223(i)), as added by section 2 of this  
2 Act.

3 (4) DIRECTOR.—The term “Director” means  
4 the Director of the National Institute of Standards  
5 and Technology.

6 (b) ESTABLISHMENT OF WORKING GROUP.—

7 (1) IN GENERAL.—Not later than 30 days after  
8 the date of the enactment of this Act, the Secretary  
9 of Commerce, acting through the Director, shall con-  
10 vene a working group (referred to in this section as  
11 the “Working Group”) to engage in technical discus-  
12 sions and research for the development of best prac-  
13 tices and recommendations for the recognition, de-  
14 tection, prevention, and tracing of digital imperson-  
15 ations used in violation of section 223(i) of the Com-  
16 munications Act of 1934 (47 U.S.C. 223(i)), as  
17 amended by section 2 of this Act, and section 3(a)  
18 of this Act.

19 (2) COMPOSITION.—The Working Group shall  
20 consist of—

21 (A) representatives from—

22 (i) the Department of Justice;

23 (ii) the Federal Trade Commission;

24 (iii) Federal, State, and local govern-

25 ment law enforcement agencies; and

1 (iv) private sector industries, includ-  
2 ing—

3 (I) financial services;

4 (II) health care;

5 (III) retail and e-commerce;

6 (IV) telecommunications; and

7 (V) digital platforms, including  
8 social media platforms; and

9 (B) scientists and engineers with expertise  
10 in—

11 (i) digital forensics; and

12 (ii) artificial intelligence, including the  
13 generation or detection of digital imperson-  
14 ations.

15 (c) PUBLIC WORKSHOP.—The Director shall—

16 (1) convene not less than 1 public workshop to  
17 solicit input from stakeholders on the best practices  
18 and recommendations developed under subsection  
19 (b)(1); and

20 (2) incorporate such input into the best prac-  
21 tices and recommendations as the Director considers  
22 appropriate.

23 (d) PUBLICATION OF BEST PRACTICES AND REC-  
24 OMMENDATIONS.—Not later than 1 year after the date of  
25 the enactment of this Act, the Director shall publish on

1 a publicly accessible website of the National Institute of  
2 Standards and Technology a report that contains the best  
3 practices and recommendations developed pursuant to  
4 subsection (b)(1) and modified under subsection (c)(2).

5 (e) ANNUAL REVIEW AND UPDATES.—Not later than  
6 2 years after the date of the enactment of this Act, and  
7 not less frequently than once each year thereafter, the Di-  
8 rector shall—

9 (1) review the best practices and recommenda-  
10 tions developed under this section; and

11 (2) update the best practices and recommenda-  
12 tions published under subsection (d) as the Director  
13 considers appropriate pursuant to the most recent  
14 review conducted pursuant to paragraph (1) of this  
15 subsection.

16 (f) REPORT TO CONGRESS.—Not later than 1 year  
17 after the date of the enactment of this Act, and annually  
18 thereafter, the Director shall submit to the appropriate  
19 committees of Congress a report that summarizes—

20 (1) the meetings and collaboration of the Work-  
21 ing Group during the year preceding the submission  
22 of the report; and

23 (2) the work planned by the Working Group for  
24 the year following the submission of the report.

1 (g) SUNSET.—The requirements of this section shall  
2 terminate on the date that is 10 years after the date of  
3 the enactment of this Act.

4 **SEC. 5. COOPERATION WITH FOREIGN LAW ENFORCEMENT**  
5 **AGENCIES.**

6 (a) LIST OF COUNTRIES WITH HIGHEST OCCUR-  
7 RENCE OF VIOLATIONS.—Not later than 90 days after the  
8 date of enactment of this section, the Federal Trade Com-  
9 mission (in this section referred to as the “Commission”),  
10 in consultation with the Attorney General and the Sec-  
11 retary of State, shall identify a list of the top 10 foreign  
12 countries where the highest occurrence of violations of sec-  
13 tion 2 or 3 originate and harm individuals located in the  
14 United States or a territory thereof.

15 (b) FTC INTERNATIONAL AGREEMENTS.—

16 (1) IN GENERAL.—Using the list of foreign  
17 countries identified under subsection (a), the Com-  
18 mission, in coordination with the Secretary of State,  
19 may enter into agreements with such foreign coun-  
20 tries to ensure the cooperation of any foreign law en-  
21 forcement agency in the Commission’s enforcement  
22 of this Act.

23 (2) REQUIREMENTS.—Any agreement entered  
24 into by the Commission under paragraph (1) shall  
25 be subject to the requirements described in section

1 6(j)(4) of the Federal Trade Commission Act (15  
2 U.S.C. 46(j)(4)).

3 (3) REPORT TO CONGRESS.—Not later than 1  
4 year after the date of enactment of this section, and  
5 annually thereafter, the Commission shall submit to  
6 the Committee on Commerce, Science, and Trans-  
7 portation of the Senate and the Committee on En-  
8 ergy and Commerce of the House of Representatives  
9 a report on the implementation of this subsection  
10 during the reporting period, including—

11 (A) any new agreements with foreign coun-  
12 tries (as described in paragraph (1)) entered  
13 into during such period;

14 (B) any negotiations regarding new agree-  
15 ments or modifications to agreements with for-  
16 eign countries during such period;

17 (C) a description of the Commission’s co-  
18 ordination with foreign law enforcement agen-  
19 cies to enforce alleged violations of section 3;  
20 and

21 (D) any challenges with cooperation of for-  
22 eign law enforcement agencies (including with  
23 respect to foreign countries without an agree-  
24 ment under paragraph (1)) in the enforcement  
25 of section 3.

1 (c) DOJ REVIEW OF INTERNATIONAL LAW EN-  
2 FORCEMENT AGENCY AGREEMENTS.—

3 (1) IN GENERAL.—Not later than 1 year after  
4 the date of enactment of this section, and not less  
5 frequently than every 5 years thereafter, the Attor-  
6 ney General shall review and, as necessary and con-  
7 sistent with authorities under applicable law, modify  
8 international agreements with foreign law enforce-  
9 ment agencies in foreign countries identified under  
10 subsection (a) to encourage assistance with the en-  
11 forcement of violations of section 223(i) of the Com-  
12 munications Act of 1934, as added by section 2 of  
13 this Act, that originate outside the United States.

14 (2) REPORT.—Not later than 1 year after the  
15 date of enactment of this section, and every 5 years  
16 thereafter, the Attorney General shall submit to the  
17 Committee on Commerce, Science, and Transpor-  
18 tation of the Senate, the Committee on the Judiciary  
19 of the Senate, the Committee on Energy and Com-  
20 merce of the House of Representatives, and the  
21 Committee on the Judiciary of the House of Rep-  
22 resentatives a report that includes—

23 (A) an analysis of the review conducted  
24 under paragraph (1);

1 (B) a description of any modifications to  
2 international agreements described in para-  
3 graph (1) pursued by the Attorney General; and

4 (C) recommendations to strengthen the en-  
5 forcement of violations of section 223(i) of the  
6 Communications Act of 1934, as added by sec-  
7 tion 2 of this Act, that—

8 (i) originate outside the United  
9 States; and

10 (ii) harm United States persons lo-  
11 cated in the United States.

12 **SEC. 6. SAVINGS CLAUSE.**

13 Nothing in this Act shall be construed to restrict par-  
14 ody, satire, journalism, or any other rights, privileges, or  
15 immunities protected by the First Amendment to the Con-  
16 stitution of the United States.

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