

119TH CONGRESS
2D SESSION

H. R. 9922

To amend the Federal Election Campaign Act of 1971 to provide further transparency for the use of content that is substantially generated by artificial intelligence in political advertisements by requiring such advertisements to include a statement within the contents of the advertisements if generative AI was used to generate any image, audio, or video footage in the advertisements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2026

Mr. MORELLE (for himself, Mr. LARSEN of Washington, Ms. SEWELL, Mrs. TORRES of California, and Ms. JOHNSON of Texas) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to provide further transparency for the use of content that is substantially generated by artificial intelligence in political advertisements by requiring such advertisements to include a statement within the contents of the advertisements if generative AI was used to generate any image, audio, or video footage in the advertisements, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “AI Transparency in
3 Elections Act of 2026”.

4 **SEC. 2. REQUIRING DISCLAIMERS ON ADVERTISEMENTS**
5 **CONTAINING CONTENT SUBSTANTIALLY GEN-**
6 **ERATED BY ARTIFICIAL INTELLIGENCE.**

7 (a) REQUIREMENT.—Section 318 of the Federal
8 Election Campaign Act of 1971 (52 U.S.C. 30120) is
9 amended by adding at the end the following new sub-
10 section:

11 “(e) SPECIAL DISCLAIMER FOR COVERED COMMU-
12 NICATIONS CONTAINING CONTENT SUBSTANTIALLY GEN-
13 ERATED BY ARTIFICIAL INTELLIGENCE.—

14 “(1) DEFINITIONS.—For purposes of this sub-
15 section:

16 “(A) COVERED COMMUNICATION.—

17 “(i) IN GENERAL.—The term ‘covered
18 communication’ means a communication
19 through any broadcasting station, news-
20 paper, magazine, outdoor advertising facil-
21 ity, mailing, telephone bank, internet or
22 other digital medium, or any other type of
23 general public political advertising that—

24 “(I) expressly advocates for or
25 against the nomination or election of
26 a candidate;

1 “(II) refers to a candidate at any
2 time during the period beginning 120
3 days before the date of a primary
4 election or nominating caucus or con-
5 vention and ending on the date on
6 which a general election occurs; or

7 “(III) solicits a contribution for a
8 candidate or political committee or
9 any other person who makes disburse-
10 ments for communications described
11 in subclause (I) or (II).

12 “(ii) VOICE AND LIKENESS.—A com-
13 munication that invokes the likeness or
14 voice of a candidate shall be treated as a
15 communication that refers to such can-
16 didate.

17 “(B) GENERATIVE ARTIFICIAL INTEL-
18 LIGENCE.—The term ‘generative artificial intel-
19 ligence’ means artificial intelligence technology
20 that uses machine learning (including deep-
21 learning models, natural language processing,
22 or other computational processing techniques of
23 similar or greater complexity) to generate text,
24 images, audio, video, or other media.

1 “(C) SUBSTANTIALLY GENERATED BY AR-
2 TIFICIAL INTELLIGENCE.—

3 “(i) IN GENERAL.—The term ‘sub-
4 stantially generated by artificial intel-
5 ligence’ means an image, audio, or video
6 that was created or materially altered
7 using generative artificial intelligence.

8 “(ii) EXCEPTION.—Such term does
9 not include an image, audio, or video
10 that—

11 “(I) has only minor alterations
12 by generative artificial intelligence (in-
13 cluding cosmetic adjustments, color
14 editing, cropping, resizing, and other
15 immaterial uses); and

16 “(II) does not create a fun-
17 damentally different understanding
18 than a reasonable person would have
19 from an unaltered version of the
20 media.

21 “(2) REQUIREMENT.—When a person makes a
22 disbursement for the purpose of financing a covered
23 communication containing an image, audio, or video
24 that was substantially generated by artificial intel-
25 ligence, the covered communication shall include, in

1 a clear and conspicuous manner, a statement that
2 the covered communication contains such an image,
3 audio, or video.

4 “(3) SAFE HARBOR FOR DETERMINING CLEAR
5 AND CONSPICUOUS MANNER.—A statement required
6 under this subsection shall be considered to be made
7 in a clear and conspicuous manner if the statement
8 meets the following requirements:

9 “(A) IMAGE COVERED COMMUNICA-
10 TIONS.—In the case of an image that is a cov-
11 ered communication, the statement—

12 “(i) appears in letters at least as large
13 as the majority of the text in the covered
14 communication or otherwise meets the re-
15 quirements under subsection (c)(1);

16 “(ii) meets the requirements of para-
17 graphs (2) and (3) of subsection (c);

18 “(iii) states that the covered commu-
19 nication was created or materially altered
20 by artificial intelligence; and

21 “(iv) is permanently affixed to the
22 covered communication.

23 “(B) AUDIO COVERED COMMUNICA-
24 TIONS.—In the case of an audio covered com-
25 munication, the statement—

1 “(i) is spoken in a clearly audible and
2 intelligible manner at the beginning or end
3 of the covered communication and lasts not
4 fewer than 4 seconds; and

5 “(ii) includes the following audio
6 statement in a clearly spoken manner:
7 ‘ _____ used artificial
8 intelligence to generate the contents of this
9 communication.’ (with the blank filled in
10 with the name of person who made the dis-
11 bursement to pay for such covered commu-
12 nication).

13 “(C) VIDEO COVERED COMMUNICA-
14 TIONS.—In the case of a video covered commu-
15 nication that also includes audio, the statement
16 is made both in—

17 “(i) a written format that meets the
18 requirements of subparagraph (A) and ap-
19 pears throughout the length of the video
20 covered communication; and

21 “(ii) an audible format that meets the
22 requirements of subparagraph (B).”.

23 (b) ENFORCEMENT.—

1 (1) IN GENERAL.—Section 309(a)(4)(C)(i) of
2 the Federal Election Campaign Act of 1971 (52
3 U.S.C. 30109(a)(4)(C)(i)) is amended—

4 (A) in the matter before subclause (I), by
5 inserting “or a qualified disclaimer require-
6 ment” after “a qualified disclosure require-
7 ment”; and

8 (B) in subclause (II)—

9 (i) by striking “a civil money penalty
10 in an amount determined, for violations of
11 each qualified disclosure requirement” and
12 inserting “a civil money penalty—

13 “(aa) for violations of each quali-
14 fied disclosure requirement, in an
15 amount determined”;

16 (ii) by striking the period at the end
17 and inserting “; and”; and

18 (iii) by adding at the end the fol-
19 lowing new item:

20 “(bb) for violations of each quali-
21 fied disclaimer requirement, in an
22 amount which is determined under a
23 schedule of penalties which is estab-
24 lished and published by the Commis-
25 sion and which takes into account the

1 existence of previous violations by the
 2 person and how broadly the commu-
 3 nication is distributed and such other
 4 factors as the Commission considers
 5 appropriate, provided that any such
 6 civil penalty shall not exceed \$50,000
 7 per covered communication.”.

8 (2) FAILURE TO RESPOND.—Section
 9 309(a)(4)(C)(ii) of such Act (52 U.S.C.
 10 30109(a)(4)(C)(ii)) is amended by striking the pe-
 11 riod at the end and inserting “, except that in the
 12 case of a violation of a qualified disclaimer require-
 13 ment, failure to timely respond after the Commission
 14 has notified the person of an alleged violation under
 15 subsection (a)(1) shall constitute the person’s admis-
 16 sion of the factual allegations of the complaint.”.

17 (3) QUALIFIED DISCLAIMER REQUIREMENT DE-
 18 FINED.—Section 309(a)(4)(C) of such Act (52
 19 U.S.C. 30109(a)(4)(C)) is amended by redesignating
 20 clause (v) as clause (vi) and by inserting after clause
 21 (iv) the following new clause:

22 “(v) In this subparagraph, the term ‘quali-
 23 fied disclaimer requirement’ means the require-
 24 ment of section 318(e)(2).”.

1 (4) APPLICATION.—Clause (vi) of section
2 309(a)(4)(C) of such Act (52 U.S.C.
3 30109(a)(4)(C)), as redesignated by paragraph (3),
4 is amended—

5 (A) by striking “shall apply with respect to
6 violations” and inserting “shall apply—

7 “(I) with respect to violations of
8 qualified disclosure requirements”;

9 (B) by striking the period at the end and
10 inserting “; and”; and

11 (C) by adding at the end the following new
12 subclause:

13 “(II) with respect to violations of
14 qualified disclaimer requirements oc-
15 curring on or after the date of the en-
16 actment of the AI Transparency in
17 Elections Act of 2026.”.

18 (5) TIME OF JUDICIAL REVIEW.—Section
19 309(a)(8)(A) of the Federal Election Campaign Act
20 of 1971 (52 U.S.C. 30109(a)(8)(A)) is amended by
21 inserting “(45-day period in the case of any com-
22 plaint alleging a violation of section 318(e)(2))”
23 after “120-day period”.

24 (c) REGULATIONS.—Not later than 90 days after the
25 date of the enactment of this Act, the Federal Election

1 Commission shall, in consultation with the Director of the
2 National Institute of Standards and Technology, promul-
3 gate a regulation to carry out the amendments made by
4 subsections (a) and (b), including—

5 (1) criteria for determining whether a covered
6 communication (as defined in section 318(e) of the
7 Federal Election Campaign Act of 1971, as added
8 by subsection (a)) contains an image, audio, or video
9 substantially generated by artificial intelligence (as
10 defined in such section); and

11 (2) requirements for the contents of the state-
12 ment required under section 318(e)(2) of the Fed-
13 eral Election Campaign Act of 1971, as added by
14 subsection (a).

15 (d) **EFFECTIVE DATE.**—The amendments made by
16 this section shall—

17 (1) apply with respect to any communication
18 made after the date of the enactment of this Act;
19 and

20 (2) take effect without regard to whether the
21 Federal Election Commission has promulgated regu-
22 lations to carry out such amendments.

23 **SEC. 3. REPORTS.**

24 Not later than 2 years after the date of the enact-
25 ment of this Act, and biannually thereafter, the Federal

1 Election Commission shall submit a report to the Com-
2 mittee on Rules and Administration of the Senate and the
3 Committee on House Administration of the House of Rep-
4 resentatives that includes—

5 (1) an assessment of the compliance with and
6 the enforcement of the requirements of subsection
7 (e) of section 318 of the Federal Election Campaign
8 Act of 1971, as added by this Act; and

9 (2) recommendations for any modifications to
10 that subsection to assist in carrying out the pur-
11 poses of that subsection.

12 **SEC. 4. SEVERABILITY.**

13 If any provision of this Act or any amendment made
14 by this Act, or the application of any such provision or
15 amendment to any person or circumstance, is held to be
16 unconstitutional, the remainder of this Act, and the appli-
17 cation of such provision or amendment to any other person
18 or circumstance, shall not be affected by the holding.

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