October 3, 2023

Lisa J. Stevenson
Office of General Counsel
Federal Election Commission
1050 First Street NE
Washington, DC 20463

Dear Ms. Stevenson,

We write today in support of the Federal Election Commission's unanimous decision to advance Public Citizen's petition requesting rulemaking to address the use of deceptive campaign advertisements through generative artificial intelligence (AI). As the 2024 Presidential election quickly approaches, we urge the Commission to use its authority to regulate the use of generative AI in campaign advertisements and protect the democratic processes that serve our country.

Quickly evolving AI technology makes it difficult for voters to accurately identify fraudulent video and audio material, which is increasingly troubling in the context of campaign advertisements. Additionally, the threat posed by deceptive campaign advertisements created by generative AI is heightened by the ability for such content to be widely disseminated at an unprecedented speed through social media and other online forums

As you know, current law prohibits candidates for federal office or their employees or agents from fraudulently misrepresenting themselves as speaking or acting for or on behalf of another candidate or political party on a matter damaging to the other candidate or party. Deliberately deceptive content in campaign advertisements created by generative AI directly violates this provision of the law, as it would constitute a candidate "fraudulently misrepresent[ing]" themselves to voters.
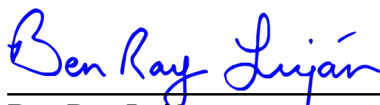
As Members of Congress concerned about the ability of generative AI to significantly disrupt the integrity of our elections, we respectfully request that the FEC explicitly clarify that prohibitions set forth in statute (52 U.S.C. §30124) apply to deliberately deceptive content in campaign advertisements created by generative AI. We further urge the Commission to require disclaimers on campaign advertisements that include content created by generative AI.

Thank you for your attention to this important matter.

Sincerely,

Adam B. Schiff
Member of Congress
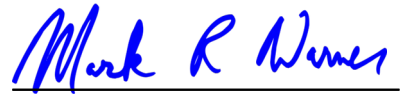
Ben Ray Luján
United States Senator

Amy Klobuchar
United States Senator

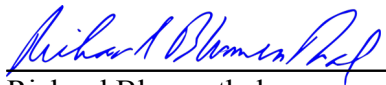Michael F. Bennet
United States Senator

Benjamin L. Cardin
United States Senator

Mark R. Warner
United States Senator

Mazie K. Hirono
United States Senator
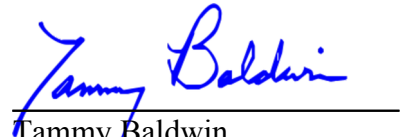
Richard Blumenthal
United States Senator

Christopher A. Coons
United States Senator

Chris Van Hollen
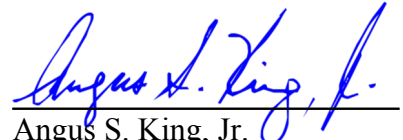United States Senator

Sheldon Whitehouse
United States Senator

Tammy Baldwin
United States Senator

Peter Welch
United States Senator

Bernard Sanders
United States Senator

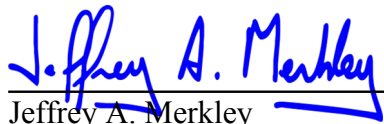Angus S. King, Jr.
United States Senator

Cory A. Booker
United States Senator

Alex Padilla
United States Senator

Tim Kaine
United States Senator

Jeffrey A. Merkley
United States Senator

Earl Blumenauer
Member of Congress

Jan Schakowsky
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Paul D. Tonko
Member of Congress

Adriano Espaillat
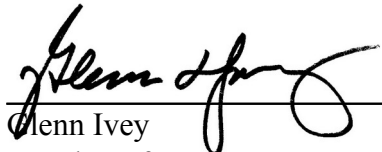Member of Congress

Katie Porter
Member of Congress

Nikema Williams
Member of Congress

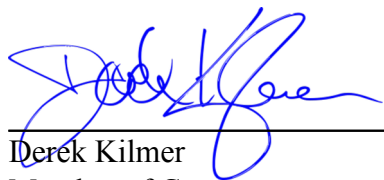Julia Brownley
Member of Congress

Kevin Mullin
Member of Congress

Glenn Ivey
Member of Congress

Anna G. Eshoo
Member of Congress

Derek Kilmer
Member of Congress

C. A. Dutch Ruppersberger
Member of Congress

Eleanor Holmes Norton
Member of Congress

Mike Thompson
Member of Congress

James P. McGovern
Member of Congress

Mark Pocan
Member of Congress

Jamaal Bowman, Ed.D.
Member of Congress

Sean Casten
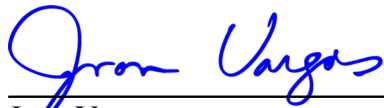Member of Congress

Colin Z. Allred
Member of Congress

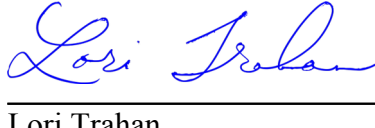Juan Vargas
Member of Congress
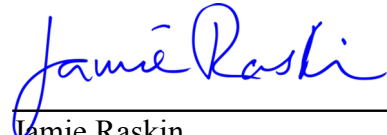
Jason Crow
Member of Congress

Jake Auchincloss
Member of Congress

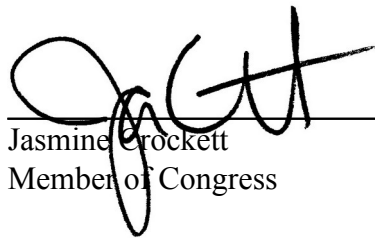Chris Deluzio
Member of Congress

Lori Trahan
Member of Congress

Jamie Raskin
Member of Congress

Robert C. "Bobby" Scott
Member of Congress

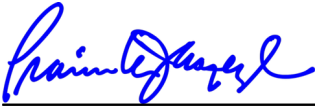Jasmine Crockett
Member of Congress

Summer Lee
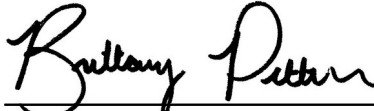Member of Congress

Pramila Jayapal
Member of Congress

Brittany Pettersen
Member of Congress

Angie Craig
Member of Congress

Kim Schrier, M.D.
Member of Congress