

HR 2395

DEEP FAKES Accountability Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Apr 8, 2021

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Oct 19, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/2395>

Sponsor

Name: Rep. Clarke, Yvette D. [D-NY-9]

Party: Democratic • **State:** NY • **Chamber:** House

Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Apr 8, 2021
Del. Plaskett, Stacey E. [D-VI-At Large]	D · VI		Apr 8, 2021
Rep. Adams, Alma S. [D-NC-12]	D · NC		Apr 8, 2021
Rep. Bass, Karen [D-CA-37]	D · CA		Apr 8, 2021
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Apr 8, 2021
Rep. Carson, Andre [D-IN-7]	D · IN		Apr 8, 2021
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Apr 8, 2021
Rep. Cohen, Steve [D-TN-9]	D · TN		Apr 8, 2021
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Apr 8, 2021
Rep. Green, Al [D-TX-9]	D · TX		Apr 8, 2021
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Apr 8, 2021
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Apr 8, 2021
Rep. Kelly, Robin L. [D-IL-2]	D · IL		Apr 8, 2021
Rep. Krishnamoorthi, Raja [D-IL-8]	D · IL		Apr 8, 2021
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Apr 8, 2021
Rep. Lawson, Al, Jr. [D-FL-5]	D · FL		Apr 8, 2021
Rep. Malinowski, Tom [D-NJ-7]	D · NJ		Apr 8, 2021
Rep. McGovern, James P. [D-MA-2]	D · MA		Apr 8, 2021
Rep. Moore, Gwen [D-WI-4]	D · WI		Apr 8, 2021
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Apr 8, 2021
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Apr 8, 2021
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Apr 8, 2021
Rep. Wilson, Frederica S. [D-FL-24]	D · FL		Apr 8, 2021

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Apr 9, 2021
Homeland Security Committee	House	Referred to	Apr 9, 2021
Judiciary Committee	House	Referred to	Oct 19, 2021

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Summary (as of Apr 8, 2021)

Defending Each and Every Person from False Appearances by Keeping Exploitation Subject to Accountability Act of 2021 or the DEEP FAKEs Accountability Act

This bill establishes requirements for advanced technological false personation records (i.e., deep fakes) and establishes criminal penalties for related violations.

Specifically, it requires producers of deep fakes to generally comply with certain digital watermark and disclosure requirements (e.g., verbal and written statements).

It establishes new criminal offenses related to (1) the production of deep fakes which do not comply with related watermark or disclosure requirements, and (2) the alteration of deep fakes to remove or meaningfully obscure such required disclosures. A violator is subject to a fine, up to five years in prison, or both.

It also establishes civil penalties and permits individuals to bring civil actions for damages.

Additionally, it revises the criminal offense of fraud in connection with certain identification documents to include deep fakes.

The bill also directs the Department of Justice to take certain actions, such as publishing a report related to deep fakes that includes a description of the efforts of Russia and China to use technology to impact elections.

Software manufacturers who reasonably believe software will be used to produce deep fakes must ensure it has the technical capability to insert watermarks and disclosures.

Finally, the bill directs the Department of Homeland Security to establish a task force to, among other things, advance efforts of the federal government to combat the national security implications of deep fakes.

Actions Timeline

- **Oct 19, 2021:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Apr 9, 2021:** Referred to the Subcommittee on Consumer Protection and Commerce.
- **Apr 9, 2021:** Referred to the Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation.
- **Apr 8, 2021:** Introduced in House
- **Apr 8, 2021:** Referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Homeland Security, 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.