Hampshire primary on the Republican side, a video was released with fake AI-generated images of former President Trump hugging Dr. Fauci. That wasn't true. We have seen AI being used to generate viral misleading content about our colleagues in this Chamber, including a fake video with ELIZABETH WARREN—that wasn't really ELIZABETH WARREN—telling people that she didn't think that Republicans should be allowed to vote. Complete lie. It wasn't her. But it looked like her and talked like her.

We have seen this all over the country, and that is why States have been acting; 18 States across the country have already passed laws in this area, including my home State of Minnesota, which banned deepfakes of candidates 90 days before an election. Texas has a ban on deepfake videos of candidates. And that passed unanimously; the Minnesota bill, I think, one person voted against it. Democrats and Republicans joined together to say: We are not going to have these deepfakes because they could happen on either side, and our citizens aren't going to know who they are looking at and if it is the real Donald Trump or if it is the real KAMALA HARRIS or if it is the real AMY KLOBUCHAR or the real Senator FISCHER.

Other States who have done something on this: Alabama—these have been mostly disclaimers—Alabama, Arizona, California, Colorado, Florida, Hawaii, Idaho, Indiana, Michigan, Mississippi, New Mexico, New York, Oregon, Utah, Washington, and Wisconsin. If you listen to those States, you are not like, Oh, those are all blue states. Oh, those are all red states. Those are Governors and legislatures that decided we cannot just take this as it is not going to be a problem, and it is all fun and games. They have decided that: We have got to make sure our citizens know, for State political advertising, what is going on here.

Some tech companies are also taking action because they know that this technology has a potential to sow chaos in elections, but we cannot rely on a patchwork of State laws for just about half the States—probably what it will end up being—and voluntary commitments, as important as those are.

That is why as chair of the Rules Committee, we held a markup in May where we passed three bipartisan bills to take this head on.

I am calling on the Senate today to pass, first of all, the bipartisan bill with Senator HAWLEY, the lead Republican with me on this bill; with Senator COONS, Senator SUSAN COLLINS, Senator BENNET, and many others to ban AI-generated deepfakes of Federal candidates, within the framework of the Constitution.

So what does that mean? Well, that means an exception for parody and satire as well as reporting by news organizations. So we drafted this bill with Democratic and Republican lawyers in a way that it could be upheld in court under the Constitution.

Our bill is supported by a bipartisan group of more than 40 national security experts and current former government officials, including former Secretaries of Defense Chuck Hagel, a Republican, and Leon Panetta, a Democrat, and Secretaries of State from both parties. It was also endorsed by the former Republican Chairman of the Federal Election Commission, Trevor Potter, as well as tech companies like OpenAI, Microsoft, IBM, and Salesforce.

These companies actually want to be able to say: This is a deepfake. It is not the actual candidate, and there is a law that says we have to take it down.

That is what this is about, as well as allowing the defamed candidate—the person who it is not really the person in the video or the ad or the robocall—to sue whoever has done this to them. That is the way in other areas in our law we are able to stop bad conduct.

In the House, a bipartisan companion bill is led by Representative DEREK KILMER of Washington and TONY GONZALES of Texas.

With election day approaching, we have the opportunity to come together on a bipartisan basis to counter the threats that AI poses to our elections and protect public trust and faith in our democracy.

Now, there is a second bill that I will call for in a moment that deals with things that are maybe parody or things that don't rise to the level of the deepfakes or are in a different category that could complement this bill as well. But this is for the worst of the worst. And that is why we have had strong support from a conservative like Senator HAWLEY, who certainly is aware of what the Constitution says and what our rights are; moderate Republican like Senator SUSAN COLLINS; and many others to support this bill. So now I will call for this bill.

As if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 388, S. 2770; further, that the committee-reported substitute amendment be agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Madam President, reserving the right to object, could I have the Senator please clarify which bill she called up.

Ms. KLOBUCHAR. Yes. This was the bill—

Mrs. FISCHER. 2770?

Ms. KLOBUCHAR. 2770, which is the deepfake bill. The other bill is 3875, the Klobuchar-Murkowski bill, which is the disclaimer bill.

Mrs. FISCHER. Thank you.

Madam President, like many of my colleagues, I am concerned about arti-ficial intelligence-generated deepfakes in the context of political speech and election administration. But the Protect Elections From Deceptive AI Act is not a solution to this problem. The bill recycles provisions from the partisan For the People Act. It is overly broad, and it would prohibit the distribution of political ads that include AI-generated audio or visuals, including commonly used image and video editing programs. It greatly expands the regulation of protected speech and uses vague terms that will inevitably chill that speech.

This bill does not balance First Amendment rights with the evolving challenges that we have with the digital age; and, therefore, Madam President, I object.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The objection is heard.

Ms. KLOBUCHAR. Madam President, I will note again that Senator HAWLEY is the lead Republican on this bill, and I don't think for a minute that he would allow for a bill that is something that he disagrees with when it comes to being radical or broad or anything like that. He simply agrees with me, as does Senator COLLINS, that we have a major, major issue here with these deepfakes that are going to extend to, say, what happened in New Hampshire, which involved a fake robocall ad from President Biden that people believed was him calling on people not to vote. That case is, of course, being investigated by a Republican Attorney General, and a case is being brought in New Hampshire.

But the point is this is just the beginning. We haven't even entered the general election yet. That will start at the end of August. And so that is why time is of the essence here, and that is also why we drafted this bill with Democratic and Republican lawyers in a method that was narrowly tailored so that it would abide by the Constitution.

UNANIMOUS CONSENT REQUEST—S. 3875

Madam President, there is a second bill which is S. 3875, that Senator MURKOWSKI and I have. And, again, these two bills can mesh together. This is a bill that requires disclaimers on political ads substantially generated by AI. And I note "substantially generated by AI." This is not about changing a hair color or doing a minor thing.

While we must ban the most deceptive deepfakes, as I have just described, in our elections, it is also critical that voters know if ads they are seeing are made with this technology. This would especially help in cases of parody; in cases where, for instance, the video that was recently posted this last weekend by Elon Musk—which is a lengthy video—which takes the voice of candidate KAMALA HARRIS, Vice President KAMALA HARRIS, and puts her exact voice into words and sentences that she did not say. And while it is a parody and it wouldn't fall under the deepfake ban, it should require—even by X's own rules—a disclaimer

placed on this video; yet there was no disclaimer. And I am very afraid that if we are going to allow this stuff—believe me, some people see that and they need to be told it is generated by AI because when they only watch a few sentences of it and they actually think it is her saying these things—which, of course, it wasn't—because they piece together and scrape together her voice to say things that she didn't say, they are not going to know what it is.

And I talked to colleagues on both sides of the aisle who have seen these kind of things that are done with some humor so they don't make the cut for the deepfakes, but they believe that they should say that it is prepared by AI so that people at least realize it is not the real voice of the candidate they like or the candidate they don't like.

This bill, the bill with Senator MURKOWSKI, is about making sure that voters can make their own decisions about what they are seeing and hearing and how it is being used to influence their vote.

It is on solid Constitutional ground with the Supreme Court having repeatedly upheld disclosure laws. I just don't think, in the world, you are going to be able to say that this isn't Constitutional when the Supreme Court has held up these disclosure laws, and it simply gives our citizenry a way to evaluate whether or not that is a candidate's real voice or not.

There are days where—I cannot even believe I am saying this—when all of these conservative States like Mississippi have actually put these laws into place for their own State political advertising. But in this Chamber, when it comes to Federal candidates for the congressional seats and the Senate and the Presidency, we have just decided: Nope, we are just going to let this go. Let's see what happens. Let's not know if our citizens are going to understand if it is us or not. We are not even going to give them the courtesy of letting them know with a disclaimer that it is done with AI.

This bill incorporates feedback that we heard at a Rules Committee hearing by making clear that it does not apply when AI is used in minor ways, like for cosmetic adjustments, color editing, cropping.

Of the 18 States that have passed the laws to regulate AI in election, 8 States—across the political spectrum, as I noted, including Utah which passed this law unanimously—have enacted laws to require disclaimers for AI-generated political ads.

That would include the State of Florida. The State of Florida has put this in place. I never thought I would say that the State of Florida was more ahead of the Federal Government when it came to making sure that at least their citizens understood what they were seeing when they watched an ad.

Indiana, Idaho, New York, Oregon, Wisconsin, and Washington have all passed similar laws to this one.

So unless we are going to claim those laws, that DeSantis signed a law that was unconstitutional—my colleagues, if they want to claim that, I don't believe for a minute it is unconstitutional.

And while some tech companies now have policies to require disclaimers on ads like this, with this year's election approaching, we need a consistent standard. That is why this bill was endorsed by the same group of over 40 national security experts and current and former senior government officials on both sides of the aisle.

For these reasons, I urge my colleagues to join me in supporting this bipartisan measure to increase transparency in our elections and ensure voters are informed as they cast their ballot later this year.

Senator FISCHER and I have worked together very well, chair and ranking member of this committee; and I am still hopeful that, at least for this bill, when we come back in the fall, that we will be able to work something out so at least disclaimers are required.

Madam President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 389, S. 3875; further, that the committee-reported substitute amendment be agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Madam President, reserving the right to object, the AI Transparency in Elections Act echoes the Honest Ads Act and the DISCLOSE Act.

Those bills failed to become law because they created new Federal burdens on the foundational right of Americans to free speech. Adding a new definition of AI to these partisan bills does not resolve these concerns.

I would welcome a thoughtful policy proposal to address the actual concerns posed by AI-generated deepfakes. Instead, my colleagues are attempting to recycle an already failed proposal, and, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, with this year's election now in less than 100 days, we must put in place commonsense rules of the road to address the risk that AI poses for our democracy.

The risks are clear: We have heard repeatedly about the potential for AI to upend our elections. All of our witnesses, from both parties, agreed that this was a threat when we had our Rules Committee hearing.

And at the bipartisan AI forum, led by Leader SCHUMER, with Senators ROUNDS, HEINRICH, and YOUNG, we heard consensus that Federal legislation is necessary; that disclaimers are necessary for certain ads. And for others, we simply must take them down when they are pretending to be a candidate and deliberately and intentionally misleading voters. I don't care what party does it. I don't care what super PAC does it. There is absolutely no way—and these State legislatures have agreed with me, nearly unanimously, that we shouldn't at least have a disclaimer on them, much less to ban them, which is what Senators HAWLEY and COLLINS and COONS and I are suggesting in the deepfake bill.

This is a hair-on-fire moment. AI has the potential to turbocharge the spread of disinformation and deceive voters. This is why we must take action. And I hope that when people see what is going on through August, when sometimes early voting has started, we will give at least the tools to the platforms to be able to point to a Federal law—most of these other State laws have just been adopted in the last few months—and say this is not OK; that they have a right to at least require a disclaimer on these ads, just like they do on TV for various things—and we have all seen it—so that we know what is going on.

Democracy dies in the darkness, as one newspaper has said. And we are literally putting a veil over people's faces if we are not allowing them to assess whether or not the person is really the person that they are looking at on their phone or hearing in a robocall.

I just think it is outrageous if we let this continue. And I appreciate that there are Republican Governors in States and Republican legislatures who have actually seen this as I see it and that there is bipartisan support for this in the U.S. Senate. And I hope that in the fall we will revisit this.

The PRESIDING OFFICER. The Republican whip.

Mr. THUNE. Madam President, America has always been a place where, if you work hard, you can get ahead. But it is a lot more challenging in the Biden economy.

Inflation has dealt working families a series of setbacks that have made it harder to get ahead, and it is, in large part, due this administration's reckless spending.

Madam President, 3½ years ago, Vice President HARRIS cast her first tiebreaking votes in the Senate to advance a $1.9 trillion spending bill under the guise of pandemic relief.

She and our Democratic colleagues had been warned that that level of spending risked setting off inflation unlike any we had seen in a generation, but they passed it anyway.

And inflation began to take off almost immediately. And 3 years later, prices have gone up more than 20 percent; groceries are up 21 percent; the cost of car repairs are up 31 percent; energy costs have gone up 40 percent.

Nearly every aspect of daily life is more expensive in the Biden-Harris economy, and Americans are struggling to make ends meet. More than