

119TH CONGRESS
1ST SESSION

S. 3495

To prevent fraud enabled by artificial intelligence, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2025

Ms. KLOBUCHAR (for herself and Mrs. CAPITO) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To prevent fraud enabled by artificial intelligence, 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 “Artificial Intelligence
5 Scam Prevention Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In 2024, scammers stole over
9 \$1,400,000,000 through phone and text message
10 scams from people in the United States.

(2) Artificial intelligence presents many opportunities for advancement. But some emerging technologies—including artificial intelligence-generated deepfakes and chatbots—are turbocharging scams, creating new types of scams, giving them broader reach, and making them easier to commit. The Federal Trade Commission has committed to using all of its tools to detect, deter, and halt impersonation fraud.

(3) Scammers only need a short sample of an individual’s voice and information readily available on the internet to generate an authentic-seeming imitation.

(4) Federal, State, and local law enforcement, as well as the general public, need updated laws to hold perpetrators accountable under the law.

**SEC. 3. IMPERSONATION AND ARTIFICIAL INTELLIGENCE-
ENABLED FRAUD PREVENTION.**

(a) IMPERSONATION SCAMS.—

(1) IN GENERAL.—It shall be unlawful for any person to—

(A) engage in a deceptive act or practice in or affecting commerce by impersonating a government, business, or any official thereof;

(B) replicate any individual's image or voice, including through the use of artificial intelligence, with the intent to defraud; or

(C) provide substantial assistance to another person in violating subparagraphs (A) or (B) when they know or should reasonably know that such person is engaging in conduct described in subparagraph (A) or (B).

(2) ENFORCEMENT BY THE FTC.—

(A) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this subsection shall be treated as a violation of a rule defining an unfair or deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(B) POWERS OF THE FTC.—

(i) IN GENERAL.—The Federal Trade Commission shall enforce this subsection in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subsection.

1 (ii) PRIVILEGES AND IMMUNITIES.—

2 Any person who violates this subsection
3 shall be subject to the penalties and enti-
4 tled to the privileges and immunities pro-
5 vided in the Federal Trade Commission
6 Act (15 U.S.C. 41 et seq.).

7 (iii) AUTHORITY PRESERVED.—Noth-
8 ing in this subsection shall be construed to
9 limit the authority of the Federal Trade
10 Commission under any other provision of
11 law.

12 (b) SENIORS FRAUD ADVISORY OFFICE.—Section
13 122(a)(2)(A) of the Seniors Fraud Prevention Act of 2022
14 (15 U.S.C. 45e(a)(2)(A)) is amended by inserting “infor-
15 mation about scams enabled by artificial intelligence and”
16 after “including”.

17 **SEC. 4. TEXT MESSAGING AND VIDEO CONFERENCING.**

18 (a) TELEMARKETING AND CONSUMER FRAUD AND
19 ABUSE PREVENTION ACT.—

20 (1) DEFINITIONS.—Section 7 of the Tele-
21 marketing and Consumer Fraud and Abuse Preven-
22 tion Act (15 U.S.C. 6106) is amended—

23 (A) in paragraph (4), by inserting “, text
24 message, or video conference call” after “inter-
25 state telephone call”; and

1 (B) by adding at the end the following new
2 paragraphs:

3 “(5) The term ‘text message’—

4 “(A) means a message consisting of text,
5 images, sounds, or other information that is
6 transmitted—

7 “(i) to or from a device that is identi-
8 fied as the receiving or transmitting device
9 by means of a 10-digit telephone number,
10 N11 service code, short code telephone
11 number, or email address; or

12 “(ii) through application-to-person
13 messaging; and

14 “(B) includes—

15 “(i) a short message service (com-
16 monly referred to as ‘SMS’) message;

17 “(ii) a multimedia message service
18 (commonly referred to as ‘MMS’) message;
19 or

20 “(iii) a rich communication service
21 (commonly referred to as ‘RCS’) message;
22 and

23 “(C) does not include a real-time, 2-way
24 voice or video communication.

1 “(6) The term ‘video conference call’ means a
 2 real-time, video or audio communication between 2
 3 or more individuals but does not include a telephone
 4 call with no video capabilities.”.

5 (2) REQUIRED DISCLOSURE FOR TELE-
 6 MARKETING USING ARTIFICIAL INTELLIGENCE.—
 7 Section 3(a)(3) of the Telemarketing and Consumer
 8 Fraud and Abuse Prevention Act (15 U.S.C.
 9 6102(a)(3)) is amended—

10 (A) in subparagraph (C), by striking “;
 11 and” and inserting a comma;

12 (B) in subparagraph (D), by striking the
 13 period at the end and inserting “, and”; and

14 (C) by inserting after subparagraph (D)
 15 the following new paragraph:

16 “(E) a requirement that any person that
 17 makes or transmits a telephone call or text
 18 message that employs artificial intelligence to
 19 emulate a human being shall promptly and
 20 clearly disclose to the person receiving the call
 21 or text message that such artificial intelligence
 22 is being used.”.

23 (b) COMMUNICATIONS ACT OF 1934.—The Commu-
 24 nications Act of 1934 (47 U.S.C. 151 et seq.) is amend-
 25 ed—

1 (1) in section 227 (47 U.S.C. 227)—

2 (A) in subsection (a)—

3 (i) by redesignating paragraphs (1),
4 (2), (3), (4), and (5) as paragraphs (2),
5 (3), (4), (5), and (8), respectively;

6 (ii) by inserting before paragraph (2),
7 as so redesignated, the following:

8 “(1) The term ‘artificial or prerecorded voice’
9 includes any technological representation of speech
10 or conduct that—

11 “(A) is generated—

12 “(i) by any machine or computer; or

13 “(ii) through the use of artificial intel-
14 ligence; and

15 “(B) appears to authentically depict the
16 speech or conduct of an individual who did not
17 actually engage in that speech or conduct.”;

18 (iii) in paragraph (2), as so redesign-
19 nated—

20 (I) in subparagraph (A), by in-
21 serting after “called” the following:
22 “(or to have text messages sent to”;
23 and

1 (II) in subparagraph (B), by in-
2 serting “, or send text messages to,”
3 after “to dial”; and

4 (iv) by inserting after paragraph (5),
5 as so redesignated, the following:

6 “(6) The term ‘text message’—

7 “(A) means a message consisting of text,
8 images, sounds, or other information that is
9 transmitted—

10 “(i) to or from a device that is identi-
11 fied as the receiving or transmitting device
12 by means of a 10-digit telephone number,
13 N11 service code, short code telephone
14 number, or email address; or

15 “(ii) through application-to-person
16 messaging;

17 “(B) includes—

18 “(i) a short message service (com-
19 monly referred to as ‘SMS’) message;

20 “(ii) a multimedia message service
21 (commonly referred to as ‘MMS’) message;
22 or

23 “(iii) a rich communication service
24 (commonly referred to as ‘RCS’) message;
25 and

1 “(C) does not include a real-time, 2-way
2 voice or video communication.

3 “(7) The term ‘text messaging service’ means a
4 service that enables the transmission or receipt of a
5 text message, including a service provided as part of
6 or in connection with a voice service.”;

7 (B) in subsection (b)(1)—

8 (i) in subparagraph (A), in the matter
9 preceding clause (i)—

10 (I) by inserting “or send any text
11 message” after “make any call”; and

12 (II) by inserting “or text mes-
13 sage” after “(other than a call”;

14 (ii) in subparagraph (B), by striking
15 “residential”; and

16 (iii) in subparagraph (C), in the mat-
17 ter preceding clause (i), by inserting “or to
18 a mobile device as a text message,” after
19 “to send, to a telephone facsimile ma-
20 chine,”; and

21 (C) by adding at the end the following:

22 “(k) DISCLOSURES REGARDING THE USE OF ARTIFI-
23 CIAL INTELLIGENCE.—If a person makes or transmits a
24 call, or sends a text message, that is delivered using an
25 automatic telephone dialing system, or that uses artificial

1 intelligence to emulate a human being, the person shall
 2 include a disclosure at the beginning of the call or text
 3 message disclosing the fact that the automatic telephone
 4 dialing system or artificial intelligence, as applicable, is
 5 being used in that manner.”; and

6 (2) in section 230(e) (47 U.S.C. 230(e)), by
 7 adding at the end the following:

8 “(6) NO EFFECT ON THE TELEMARKETING AND
 9 CONSUMER FRAUD AND ABUSE PREVENTION ACT.—
 10 Nothing in this section shall be construed to limit
 11 the application of the Telemarketing and Consumer
 12 Fraud and Abuse Prevention Act (15 U.S.C. 6101
 13 et seq.) or part 310 of title 16, Code of Federal Reg-
 14 ulations (or any successor regulations).”.

15 **SEC. 5. REPORTING AND OTHER IMPROVEMENTS.**

16 (a) IMPROVING REPORTING AND INCREASING
 17 AWARENESS OF ARTIFICIAL INTELLIGENCE AND OTHER
 18 SCAMS.—The Federal Trade Commission, in consultation
 19 with the Attorney General and the Federal Communica-
 20 tions Commission, may—

21 (1) as soon as practicable after the date of en-
 22 actment of this Act, update the web portal of the
 23 Federal Trade Commission to include the latest in-
 24 formation, searchable by region and type of scam, on
 25 scams enabled by artificial intelligence, including

1 contacts for relevant law enforcement and adult pro-
2 tective service agencies;

3 (2) establish procedures to—

4 (A) log and acknowledge the receipt of
5 complaints by individuals who believe they have
6 been a victim of mail, television, internet, tele-
7 marketing, and robocall fraud in the Consumer
8 Sentinel Network, and shall make those com-
9 plaints immediately available to Federal, State,
10 and local law enforcement authorities; and

11 (B) provide to individuals described in sub-
12 paragraph (A), and to any other persons, spe-
13 cific and general information on mail, television,
14 internet, telemarketing, and robocall fraud, in-
15 cluding descriptions of the most common
16 schemes using such methods of communication;
17 and

18 (3) work with media outlets and law enforce-
19 ment to distribute the information included in the
20 web portal of the Federal Trade Commission pursu-
21 ant to paragraph (1) to senior citizens and their
22 families and caregivers.

23 (b) FTC AND FCC JOINT ARTIFICIAL INTEL-
24 LIGENCE SCAM PREVENTION ADVISORY GROUP.—

1 (1) ESTABLISHMENT.—There is established an
2 Artificial Intelligence Scams Advisory Group (re-
3 ferred to in this subsection as the “Advisory
4 Group”).

5 (2) MEMBERS.—

6 (A) IN GENERAL.—The Advisory Group
7 shall be composed of the following individuals
8 or the designees of those individuals:

9 (i) The Chair of the Federal Trade
10 Commission.

11 (ii) The Chair of the Federal Commu-
12 nications Commission.

13 (iii) The Secretary of the Treasury.

14 (iv) The Attorney General.

15 (v) The Director of the Consumer Fi-
16 nancial Protection Bureau.

17 (vi) Representatives from each of the
18 following sectors, including trade associa-
19 tions, to be selected by the Federal Trade
20 Commission in consultation with the Fed-
21 eral Communications Commission:

22 (I) Retail.

23 (II) Gift cards.

1 (III) Telecommunications (in-
2 cluding voice over internet protocol
3 service providers).

4 (IV) Wire-transfer services.

5 (V) Consumer advocacy organiza-
6 tions focused on preventing consumer
7 scams.

8 (B) CHAIR.—The Advisory Group shall be
9 chaired by the Chair of the Federal Trade Com-
10 mission and the Chair of the Federal Commu-
11 nications Commission.

12 (3) NO COMPENSATION FOR MEMBERS.—A
13 member of the Advisory Group shall serve without
14 compensation in addition to any compensation re-
15 ceived for the service of the member as an officer or
16 employee of the United States, if applicable.

17 (4) DUTIES.—

18 (A) IN GENERAL.—The Advisory Group
19 shall—

20 (i) collect information on the exist-
21 ence, use, and success of educational mate-
22 rials and programs for retailers, financial
23 services, and wire-transfer companies,
24 which—

1 (I) are used as a guide to edu-
2 cate employees on how to identify and
3 prevent scams that are enabled by ar-
4 tificial intelligence; and

5 (II) include—

6 (aa) useful information for
7 retailers, financial services, and
8 wire transfer companies for the
9 purpose described in subclause
10 (I);

11 (bb) training for employees
12 on ways to identify and prevent
13 scams;

14 (cc) best practices for keep-
15 ing employees up to date on cur-
16 rent scams;

17 (dd) the most effective sign-
18 age and placement of signage in
19 retail locations to warn about the
20 use of gift cards, prepaid cards,
21 and wire transfer services by
22 scammers;

23 (ee) best practices for col-
24 laborative community education
25 campaigns;

1 (ff) available technology to
2 assist in identifying possible
3 scams at the point of sale; and

4 (gg) other information that
5 is helpful to retailers, wire trans-
6 fer companies, financial institu-
7 tions, and their employees as
8 they work to prevent scams; and

9 (ii) based on the findings in clause
10 (i)—

11 (I) identify inadequacies, omis-
12 sions, or deficiencies in those edu-
13 cational materials and programs for
14 the purposes listed in such clause and
15 their execution in teaching employees
16 to protect consumers; and

17 (II) create model materials, best
18 practices, guidance, or recommenda-
19 tions to fill those inadequacies, omis-
20 sions, or deficiencies that may be used
21 by industry and others to help protect
22 consumers from scams.

23 (B) ENCOURAGED USE.—The Chair of the
24 Federal Trade Commission and the Chair of the
25 Federal Communications Commission shall—

1 (i) make the materials or guidance
2 created by the Advisory Group publicly
3 available; and

4 (ii) encourage the use and distribution
5 of the materials or guidance created by the
6 Advisory Group to government agencies
7 and the private sector to prevent scams af-
8 fecting consumers.

9 (5) REPORT.—Not later than 1 year after the
10 date of enactment of this Act, and annually there-
11 after until the date described in paragraph (6), the
12 Advisory Group shall submit to the Committee on
13 Commerce, Science, and Transportation of the Sen-
14 ate and the Committee on Energy and Commerce of
15 the House of Representatives a report on the work
16 of the Advisory Group, together with the rec-
17 ommendations of the Advisory Group for such legis-
18 lation and administrative actions as the Advisory
19 Group considers appropriate.

20 (6) TERMINATION.—The Advisory Group shall
21 terminate on the date that is 5 years after the date
22 of enactment of this Act.

23 (c) FTC REPORT ON ARTIFICIAL INTELLIGENCE EN-
24 ABLED SCAMS.—Not later than 180 days after the date
25 of enactment of this Act, and annually thereafter, the Fed-

1 eral Trade Commission shall submit to Congress a report
2 that includes—

3 (1) a description of the number and types of
4 scams identified by the Federal Trade Commission
5 that use artificial intelligence; and

6 (2) policy recommendations to prevent such
7 scams, especially as such scams relate to voice clone
8 impersonation.

9 (d) ANNUAL REPORT TO CONGRESS ON ROBOCALLS
10 AND TRANSMISSION OF MISLEADING OR INACCURATE
11 CALLER IDENTIFICATION INFORMATION.—

12 (1) IN GENERAL.—Section 227(h)(2) of the
13 Communications Act of 1934 (47 U.S.C. 227(h)(2))
14 is amended—

15 (A) in subparagraph (A)—

16 (i) in clause (i), by striking “that a
17 consumer received a call in violation” and
18 inserting “a violation”;

19 (ii) in clause (ii), by striking “that a
20 consumer received a call in violation” and
21 inserting “a violation”; and

22 (iii) in clause (iii), by striking “that a
23 consumer received a call in connection with
24 which misleading or inaccurate caller iden-

1 tification information was transmitted in
2 violation” and inserting “a violation”;

3 (B) in subparagraph (F), by striking “calls
4 made in violation” and inserting “violations”;
5 and

6 (C) in subparagraph (G)—

7 (i) by inserting “(or high-volume, un-
8 lawful text messages)” after “unlawful,
9 short-duration calls”; and

10 (ii) by striking “calls made in viola-
11 tion” each place that term appears and in-
12 serting “violations”.

13 (2) INFORMATION SHARING.—Section 227(i) of
14 the Communications Act of 1934 (47 U.S.C. 227(i))
15 is amended—

16 (A) by striking paragraph (2);

17 (B) by striking “SHARING” in the sub-
18 section heading and all that follows through
19 “Not later than” and inserting the following:
20 “SHARING.—Not later than”; and

21 (C) by redesignating subparagraphs (A)
22 and (B) as paragraphs (1) and (2), respectively,
23 and adjusting the margins accordingly.

1 (3) ROBOCALL BLOCKING SERVICE.—Section
 2 227(j) of the Communications Act of 1934 (47
 3 U.S.C. 227(j)) is amended—

4 (A) by striking paragraph (2);

5 (B) by striking “SERVICE” in the sub-
 6 section heading and all that follows through
 7 “Not later than” and inserting the following:
 8 “SERVICE.—Not later than”;

9 (C) by redesignating subparagraphs (A),
 10 (B), and (C), as paragraphs (1), (2), and (3),
 11 respectively, and adjusting the margins accord-
 12 ingly; and

13 (D) by redesignating clauses (i) and (ii) as
 14 subparagraphs (A) and (B), respectively, and
 15 adjusting the margins accordingly.

16 (4) REGULATIONS.—Not later than 270 days
 17 after the date of enactment of this Act, the Federal
 18 Communications Commission shall promulgate regu-
 19 lations to implement the amendments made by this
 20 subsection.

○