

Oct. 16, 2023

Federal Election Commission

1050 First Street, N.E.

Washington, D.C. 20463

RE: Comment on REG 2023-02

Dear Commissioners:

The Institute for Strategic Dialogue (ISD) urges the Federal Election Commission (FEC) to use its authority under the Federal Election Campaign Act (52 USC § 30124) to regulate AI-generated deepfakes in campaign advertisements. The Commission has the authority to regulate fraudulent misrepresentation that prohibits candidates, political parties, and associated employees from willfully participating in misrepresenting the actions or speech of other candidates, political parties, or associated employees.

ISD is an independent think tank that conducts sector-leading research and analysis of information operations and disinformation campaigns across mainstream and alt-tech platforms. Analysis conducted by ISD has found that social media product features are already amplifying election disinformation, harming candidates, and assisting the organizing efforts of those disseminating false and harmful claims.

Artificial Intelligence technology can produce synthetic images and audio of candidates, generating wholly artificial scenarios to further a political agenda. These types of AI-generated deceptive media, also known as deepfakes, are now so realistic that it is becoming nearly impossible for the average voter to discern fact from fiction. Deepfakes are already being deployed by candidates and political parties. Elections are particularly vulnerable to disinformation driven by AI.

For these reasons it is imperative that the FEC exercise its existing authority to protect elections against fraud. We strongly encourage the Commission to scrutinize the public comments received on REG 2023-02 and proceed to clarify that deepfakes fall within the scope of the law and regulations against fraudulent misrepresentation.

Sincerely,
Dixon Osburn

Comments provided by :
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