

118TH CONGRESS
2D SESSION

H. R. 7116

To strengthen certain provisions relating to restrictions on robocalls and telemarketing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2024

Mr. PALLONE (for himself, Ms. MATSUI, Ms. SCHAKOWSKY, Mr. SORENSEN, and Mr. SOTO) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To strengthen certain provisions relating to restrictions on robocalls and telemarketing, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Do Not Disturb Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEDERAL COMMUNICATIONS COMMISSION

Sec. 101. Robocall restrictions.

Sec. 102. Text message authentication and trace back study.

- Sec. 103. Annual robocall report.
 Sec. 104. Disclosure required for robocalls using AI.
 Sec. 105. Enhanced penalties for violations involving AI voice or text message impersonation.
 Sec. 106. Certain requirements for VoIP service providers.
 Sec. 107. Tracking of top 100 illegal robocall campaigns.
 Sec. 108. Offering of robocall-blocking service at no charge to customer.
 Sec. 109. Telephone solicitation.
 Sec. 110. Commission defined.

TITLE II—FEDERAL TRADE COMMISSION

- Sec. 201. Addition of text message to the definition of telemarketing.
 Sec. 202. Adoption of regulations on inbound telephone calls and expanded calling time restrictions.
 Sec. 203. Disclosure required for telemarketing using AI.
 Sec. 204. Enhanced penalties for violations of telemarketing rules involving AI voice or text message impersonation.
 Sec. 205. Commission defined.

1 **TITLE I—FEDERAL** 2 **COMMUNICATIONS COMMISSION**

3 **SEC. 101. ROBOCALL RESTRICTIONS.**

4 (a) DEFINITIONS.—Section 227(a) of the Commu-
 5 nications Act of 1934 (47 U.S.C. 227(a)) is amended—

6 (1) by striking paragraph (1);

7 (2) by redesignating paragraph (2) as para-
 8 graph (1);

9 (3) by inserting before paragraph (3) the fol-
 10 lowing:

11 “(2) ROBOCALL.—

12 “(A) IN GENERAL.—The term ‘robocall’
 13 means a call made or text message sent—

14 “(i) using equipment, whether hard-
 15 ware, software, or a combination thereof
 16 and including an automatic telephone dial-

1 ing system, that makes a call or sends a
2 text message to—

3 “(I) stored telephone numbers; or

4 “(II) telephone numbers pro-
5 duced using a random or sequential
6 number generator; or

7 “(ii) using an artificial or prerecorded
8 voice or an artificially generated message.

9 “(B) LIMITATION.—For purposes of sub-
10 paragraph (A)(i), the term ‘robocall’ does not
11 include a call made or text message sent using
12 equipment that requires substantial human
13 intervention to make or send the call or text
14 message.”;

15 (4) by redesignating paragraph (5) as para-
16 graph (7); and

17 (5) by inserting after paragraph (4) the fol-
18 lowing:

19 “(5) TEXT MESSAGE.—

20 “(A) IN GENERAL.—The term ‘text mes-
21 sage’ means a message consisting of text, im-
22 ages, sounds, or other information that is trans-
23 mitted to or from a device that is identified as
24 the receiving or transmitting device by means of
25 a 10-digit telephone number, N11 service code,

1 short code telephone number, or email address,
2 or that is transmitted through application-to-
3 person messaging, and includes—

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

6 “(ii) a multimedia message service
7 (commonly referred to as ‘MMS’) message;
8 and

9 “(iii) a rich communication service
10 (commonly referred to as ‘RCS’) message.

11 “(B) LIMITATION.—The term ‘text mes-
12 sage’ does not include a real-time, two-way
13 voice or video communication.

14 “(6) TEXT MESSAGING SERVICE.—The term
15 ‘text messaging service’ means a service that enables
16 the transmission or receipt of a text message, includ-
17 ing a service provided as part of or in connection
18 with a voice service.”.

19 (b) RESTRICTIONS ON USE OF ROBOCALLS.—Section
20 227(b) of the Communications Act of 1934 (47 U.S.C.
21 227(b)) is amended—

22 (1) in the subsection heading, by striking
23 “AUTOMATED TELEPHONE EQUIPMENT” and insert-
24 ing “ROBOCALLS”;

25 (2) in paragraph (1)—

1 (A) in subparagraph (A)—

2 (i) in the matter preceding clause

3 (i)—

4 (I) by striking “any call” and in-
5 serting “a robocall”;

6 (II) by striking “a call” and in-
7 serting “a robocall”; and

8 (III) by striking “using any auto-
9 matic telephone dialing system or an
10 artificial or prerecorded voice”; and

11 (ii) in clause (iii), by striking “call”
12 each place it appears and inserting
13 “robocall”;

14 (B) in subparagraph (B)—

15 (i) by striking “any telephone call”
16 and inserting “a robocall”;

17 (ii) by striking “using an artificial or
18 prerecorded voice to deliver a message”;

19 and

20 (iii) by striking “the call” and insert-
21 ing “the robocall”; and

22 (C) in subparagraph (D), by striking “use
23 an automatic telephone dialing system” and in-
24 serting “make robocalls”; and

25 (3) in paragraph (2)—

1 (A) in subparagraph (A), by striking “calls
2 made using an artificial or prerecorded voice”
3 and inserting “robocalls”;

4 (B) in subparagraph (B), by striking
5 “calls” each place it appears and inserting
6 “robocalls”;

7 (C) in subparagraph (C), by striking
8 “calls” and inserting “robocalls”;

9 (D) in subparagraph (H), by striking
10 “calls” and inserting “robocalls”; and

11 (E) in subparagraph (I)—

12 (i) by striking “calls” each place it
13 appears and inserting “robocalls”; and

14 (ii) by striking “be called” and insert-
15 ing “receive such robocalls”.

16 (c) TECHNICAL AND PROCEDURAL STANDARDS.—
17 Section 227(d) of the Communications Act of 1934 (47
18 U.S.C. 227(d)) is amended—

19 (1) in paragraph (1)(A)—

20 (A) by striking “any telephone call using
21 any automatic telephone dialing system” and
22 inserting “a robocall”; and

23 (B) by striking “or automatic telephone di-
24 aling system” and inserting “or robocall sys-
25 tem”; and

1 (2) in paragraph (3)—

2 (A) in the paragraph heading, by striking
3 “ARTIFICIAL OR PRERECORDED VOICE” and in-
4 serting “ROBOCALL”;

5 (B) in the matter preceding subparagraph
6 (A), by striking “any artificial or prerecorded
7 voice message via telephone” and inserting
8 “robocalls”;

9 (C) in subparagraph (A)—

10 (i) by striking “artificial or
11 prerecorded telephone messages” and in-
12 serting “robocalls using an artificial or
13 prerecorded voice or an artificially gen-
14 erated message”; and

15 (ii) by striking “the call” and insert-
16 ing “the robocall”; and

17 (D) in subparagraph (B), by striking “to
18 make or receive other calls”.

19 (d) PROHIBITION ON PROVISION OF MISLEADING OR
20 INACCURATE CALLER IDENTIFICATION INFORMATION.—

21 Section 227(e)(8) of the Communications Act of 1934 (47
22 U.S.C. 227(e)(8)) is amended—

23 (1) by striking subparagraphs (C) and (D); and

24 (2) by redesignating subparagraph (E) as sub-
25 paragraph (C).

1 (e) EFFECT ON STATE LAW.—Section 227(f)(1) of
2 the Communications Act of 1934 (47 U.S.C. 227(f)(1))
3 is amended—

4 (1) in subparagraph (B)—

5 (A) by striking “automatic telephone dial-
6 ing systems” and inserting “robocalls”; and

7 (B) by adding “or” at the end;

8 (2) by striking subparagraph (C); and

9 (3) by redesignating subparagraph (D) as sub-
10 paragraph (C).

11 (f) ANNUAL REPORT TO CONGRESS ON ROBOCALLS
12 AND TRANSMISSION OF MISLEADING OR INACCURATE
13 CALLER IDENTIFICATION INFORMATION.—Section
14 227(h)(2) of the Communications Act of 1934 (47 U.S.C.
15 227(h)(2)) is amended—

16 (1) in subparagraph (A)—

17 (A) in clause (i), by striking “that a con-
18 sumer received a call in violation” and inserting
19 “a violation”;

20 (B) in clause (ii), by striking “that a con-
21 sumer received a call in violation” and inserting
22 “a violation”; and

23 (C) in clause (iii), by striking “that a con-
24 sumer received a call in connection with which
25 misleading or inaccurate caller identification in-

1 formation was transmitted in violation” and in-
2 serting “a violation”;

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

5 (3) in subparagraph (G)—

6 (A) by striking “short-duration calls” and
7 inserting “short-duration calls or high-volume,
8 unlawful text messages”; and

9 (B) by striking “calls made in violation”
10 each place it appears and inserting “violations”.

11 (g) INFORMATION SHARING.—Section 227(i) of the
12 Communications Act of 1934 (47 U.S.C. 227(i)) is amend-
13 ed—

14 (1) by striking paragraph (2);

15 (2) by striking “SHARING” and all that follows
16 through “Not later than” and inserting “SHAR-
17 ING.—Not later than”; and

18 (3) by redesignating subparagraphs (A) and
19 (B) as paragraphs (1) and (2), respectively (and
20 conforming the margins accordingly).

21 (h) ROBOCALL BLOCKING SERVICE.—Section 227(j)
22 of the Communications Act of 1934 (47 U.S.C. 227(j))
23 is amended—

24 (1) by striking paragraph (2);

1 (2) by striking “SERVICE” and all that follows
2 through “Not later than” and inserting “SERV-
3 ICE.—Not later than”;

4 (3) by redesignating subparagraphs (A), (B),
5 and (C) as paragraphs (1), (2), and (3), respectively
6 (and conforming the margins accordingly); and

7 (4) by redesignating clauses (i) and (ii) as sub-
8 paragraphs (A) and (B), respectively (and con-
9 forming the margins accordingly).

10 (i) REGULATIONS.—Not later than 270 days after the
11 date of the enactment of this Act, the Commission shall
12 promulgate regulations to implement this section, includ-
13 ing the amendments made by this section.

14 **SEC. 102. TEXT MESSAGE AUTHENTICATION AND TRACE**
15 **BACK STUDY.**

16 (a) STUDY.—The Commission shall conduct a study
17 to determine the feasibility of—

18 (1) creating an authentication framework with
19 respect to text messages; and

20 (2) requiring responses, from enforcement au-
21 thorities, with respect to requests to trace back the
22 origin of text messages.

23 (b) CONSULTATION.—In conducting the study under
24 subsection (a), the Commission shall consult with relevant

1 stakeholders, including representatives of private industry,
2 public interest organizations, and academia.

3 (c) REPORT.—Not later than 18 months after the
4 date of the enactment of this Act, the Commission shall
5 submit to the Committee on Energy and Commerce of the
6 House of Representatives and the Committee on Com-
7 merce, Science, and Transportation of the Senate a report
8 on the findings of the study conducted under subsection
9 (a).

10 (d) TEXT MESSAGE DEFINED.—In this section, the
11 term “text message” has the meaning given that term in
12 section 227(a) of the Communications Act of 1934 (47
13 U.S.C. 227(a)), as amended by this Act.

14 **SEC. 103. ANNUAL ROBOCALL REPORT.**

15 (a) NOTICE BY THE COMMISSION SEEKING REG-
16 ISTRATIONS.—Section 13(d)(2) of the Pallone-Thune
17 Telephone Robocall Abuse Criminal Enforcement and De-
18 terrence Act is amended—

19 (1) in the paragraph heading, by striking “AN-
20 NUAL NOTICE” and inserting “NOTICE”; and

21 (2) by striking “annually” and inserting “every
22 3 years”.

23 (b) SUSPECTED UNLAWFUL ROBOCALL.—Section
24 13(f)(3) of the Pallone-Thune Telephone Robocall Abuse
25 Criminal Enforcement and Deterrence Act is amended by

1 inserting “(not including a text message)” after “means
2 a call”.

3 **SEC. 104. DISCLOSURE REQUIRED FOR ROBOCALLS USING**
4 **AI.**

5 Section 227 of the Communications Act of 1934 (47
6 U.S.C. 227) is amended by adding at the end the fol-
7 lowing:

8 “(k) DISCLOSURE REQUIRED FOR ROBOCALLS
9 USING AI.—If a person making a robocall uses artificial
10 intelligence to emulate a human being, such person shall
11 disclose at the beginning of the call or text message the
12 fact that artificial intelligence is being used.”.

13 **SEC. 105. ENHANCED PENALTIES FOR VIOLATIONS INVOLV-**
14 **ING AI VOICE OR TEXT MESSAGE IMPERSON-**
15 **ATION.**

16 (a) IN GENERAL.—Section 227 of the Communica-
17 tions Act of 1934 (47 U.S.C. 227), as amended by the
18 preceding provisions of this Act, is further amended by
19 adding at the end the following:

20 “(l) ENHANCED PENALTIES FOR VIOLATIONS IN-
21 VOLVING AI VOICE OR TEXT MESSAGE IMPERSON-
22 ATION.—In the case of a violation of this section with re-
23 spect to which the party making the call or sending the
24 text message uses artificial intelligence to impersonate an

1 individual or entity with the intent to defraud, cause
2 harm, or wrongfully obtain anything of value—

3 “(1) the maximum amount of the forfeiture
4 penalty that may be imposed under subsection (b)(4)
5 or (e)(5)(A) of this section or subsection (b) of sec-
6 tion 503 (as the case may be) shall be twice the
7 maximum amount that may be imposed for such vio-
8 lation under such subsection without regard to this
9 subsection; and

10 “(2) the maximum amount of the criminal fine
11 that may be imposed under subsection (e)(5)(B) of
12 this section or section 501 (as the case may be) shall
13 be twice the maximum amount that may be imposed
14 for such violation under such subsection or section
15 without regard to this subsection.”.

16 (b) **APPLICABILITY.**—The amendment made by sub-
17 section (a) shall apply with respect to violations occurring
18 after the date of the enactment of this Act.

19 **SEC. 106. CERTAIN REQUIREMENTS FOR VOIP SERVICE**
20 **PROVIDERS.**

21 Section 227 of the Communications Act of 1934 (47
22 U.S.C. 227), as amended by the preceding provisions of
23 this Act, is further amended by adding at the end the fol-
24 lowing:

1 “(m) CERTAIN REQUIREMENTS FOR VOIP SERVICE
2 PROVIDERS.—

3 “(1) REGULATIONS.—Not later than 1 year
4 after the date of the enactment of this subsection,
5 the Commission shall promulgate regulations that do
6 the following:

7 “(A) Require a provider of covered VoIP
8 service to do the following:

9 “(i) Verify the identity of each cus-
10 tomer of the provider.

11 “(ii) Proactively and continuously
12 monitor and analyze traffic on the service
13 of the provider to determine whether any
14 customer of the provider has engaged or is
15 engaging in a pattern or practice of mak-
16 ing robocalls using the service of the pro-
17 vider.

18 “(iii) If the provider ascertains,
19 through the monitoring and analysis re-
20 quired under clause (ii) or other means,
21 that a customer of the provider has en-
22 gaged or is engaging in a pattern or prac-
23 tice of making robocalls using the service
24 of the provider, conduct an investigation to
25 determine expeditiously whether there is

1 substantial evidence that the customer has
2 committed or is committing any violation
3 of this section, or any other applicable law
4 or regulation, with respect to such
5 robocalls.

6 “(iv) If the provider determines in an
7 investigation conducted under clause (iii)
8 that there is substantial evidence that the
9 customer has committed or is committing
10 any violation described in such clause, not
11 later than 10 days after making the deter-
12 mination—

13 “(I) take affirmative, effective
14 measures to mitigate the origination
15 or transmission of such robocalls; and

16 “(II) submit to the Robocall
17 Mitigation Database of the Commis-
18 sion a public report containing such
19 evidence and describing such inves-
20 tigation and measures.

21 “(B) Provide that the directors and offi-
22 cers (or any other individuals holding similar
23 positions) and covered owners of a provider of
24 covered VoIP service are jointly and severally

1 liable with the provider for any failure to com-
2 ply with—

3 “(i) the regulations promulgated
4 under this subsection; or

5 “(ii) if the provider or any such direc-
6 tor, officer, other individual, or covered
7 owner knew or should have known that the
8 service of the provider was being used to
9 facilitate robocalls in violation of any other
10 regulation promulgated by the Commission
11 or law enforced by the Commission, such
12 regulation or law.

13 “(C) Establish a process by which, if a
14 provider of covered VoIP service receives notice
15 of suspected illegal traffic under the rules of the
16 Commission and fails to sufficiently respond to
17 the notice and mitigate the suspected illegal
18 traffic, the provider can be temporarily sus-
19 pended from the Robocall Mitigation Database
20 of the Commission and have the traffic of the
21 provider blocked by downstream voice service
22 providers and intermediate providers, pending a
23 final determination by the Commission of
24 whether to remove the provider of covered VoIP
25 service from the Robocall Mitigation Database.

1 “(2) DEFINITIONS.—In this subsection:

2 “(A) COVERED OWNER.—The term ‘cov-
3 ered owner’ means, with respect to a provider
4 of covered VoIP service, any individual or entity
5 that owns an equity interest (or the equivalent
6 thereof) in the provider of 50 percent or great-
7 er.

8 “(B) COVERED VOIP SERVICE.—The term
9 ‘covered VoIP service’ means any of the fol-
10 lowing:

11 “(i) An interconnected VoIP service.

12 “(ii) A non-interconnected VoIP serv-
13 ice.”.

14 **SEC. 107. TRACKING OF TOP 100 ILLEGAL ROBOCALL CAM-**
15 **PAIGNS.**

16 (a) FRAMEWORK AND TRACKING SYSTEM.— Not
17 later than 1 year after the date of the enactment of this
18 Act, the Commission shall develop a framework and track-
19 ing system to monitor the top 100 robocall campaigns that
20 primarily involve robocalls that are illegal or suspected to
21 be illegal.

22 (b) MONTHLY REPORT.—Not later than 1 month
23 after developing the framework and tracking system re-
24 quired by subsection (a), and monthly thereafter, the
25 Commission shall make available to the public on the

1 website of the Commission a report, with respect to the
2 preceding 1-month period, on the campaigns described in
3 such subsection.

4 (c) ROBOCALL DEFINED.—In this section, the term
5 “robocall” has the meaning given such term in section
6 227(a) of the Communications Act of 1934 (47 U.S.C.
7 227(a)), as amended by this Act.

8 **SEC. 108. OFFERING OF ROBOCALL-BLOCKING SERVICE AT**
9 **NO CHARGE TO CUSTOMER.**

10 Section 227 of the Communications Act of 1934 (47
11 U.S.C. 227), as amended by the preceding provisions of
12 this Act, is further amended by adding at the end the fol-
13 lowing:

14 “(n) OFFERING OF ROBOCALL-BLOCKING SERVICE
15 AT NO CHARGE TO CUSTOMER.—

16 “(1) REGULATIONS.—Not later than 180 days
17 after the date of the enactment of this subsection,
18 the Commission shall promulgate regulations that
19 require a provider of voice service to offer a robocall-
20 blocking service to each customer of the provider, at
21 no additional charge to the customer.

22 “(2) DEFINITIONS.—In this subsection:

23 “(A) ROBOCALL-BLOCKING SERVICE.—The
24 term ‘robocall-blocking service’ means a service
25 that gives a customer of a provider of voice

1 service the ability to block robocalls that are
2 highly likely to be illegal.

3 “(B) VOICE SERVICE.—The term ‘voice
4 service’ has the meaning given such term in
5 section 4(a) of the Pallone-Thune TRACED
6 Act (47 U.S.C. 227b(a)).”.

7 **SEC. 109. TELEPHONE SOLICITATION.**

8 Section 227(a) of the Communications Act of 1934
9 (47 U.S.C. 227(a)), as amended by the preceding provi-
10 sions of this Act, is further amended by striking para-
11 graph (4) and inserting the following:

12 “(4) TELEPHONE SOLICITATION.—

13 “(A) IN GENERAL.—The term ‘telephone
14 solicitation’ means the initiation of a telephone
15 call or text message, transmitted to a person,
16 for the purpose of—

17 “(i) deception, fraud, or wrongfully
18 obtaining anything of value; or

19 “(ii) encouraging the purchase, sale,
20 or rental of, or investment in, property,
21 goods, or services, including referral or hir-
22 ing services.

23 “(B) LIMITATION.—With respect to sub-
24 paragraph (A)(ii), the term ‘telephone sollicita-
25 tion’ does not include a call or message—

1 “(i) to any person with that person’s
2 prior express invitation or permission;

3 “(ii) to any person with whom the
4 caller has an established business relation-
5 ship; or

6 “(iii) by a tax exempt nonprofit orga-
7 nization.”.

8 **SEC. 110. COMMISSION DEFINED.**

9 In this title, the term “Commission” means the Fed-
10 eral Communications Commission.

11 **TITLE II—FEDERAL TRADE**
12 **COMMISSION**

13 **SEC. 201. ADDITION OF TEXT MESSAGE TO THE DEFINITION**
14 **OF TELEMARKETING.**

15 Section 7 of the Telemarketing and Consumer Fraud
16 and Abuse Prevention Act (15 U.S.C. 6106) is amended—

17 (1) in paragraph (4), by inserting “or text mes-
18 sage” after “telephone call”; and

19 (2) by adding at the end the following new
20 paragraph:

21 “(5) TEXT MESSAGE.—

22 “(A) IN GENERAL.—The term ‘text mes-
23 sage’ means a message consisting of text, im-
24 ages, sounds, or other information that is trans-
25 mitted to or from a device that is identified as

1 the receiving or transmitting device by means of
2 a 10-digit telephone number, N11 service code,
3 short code telephone number, or email address,
4 or that is transmitted through application-to-
5 person messaging, and includes—

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

8 “(ii) a multimedia message service
9 (commonly referred to as ‘MMS’) message;

10 and

11 “(iii) a rich communication service
12 (commonly referred to as ‘RCS’) message.

13 “(B) LIMITATION.—The term ‘text mes-
14 sage’ does not include a real-time, two-way
15 voice or video communication.”.

16 **SEC. 202. ADOPTION OF REGULATIONS ON INBOUND TELE-**
17 **PHONE CALLS AND EXPANDED CALLING**
18 **TIME RESTRICTIONS.**

19 (a) INBOUND TELEPHONE CALLS.—Not later than 1
20 year after the date of the enactment of this Act, the Com-
21 mission shall revise the Telemarketing Sales Rule (part
22 310 of title 16, Code of Federal Regulations), to prohibit
23 deceptive or other abusive telemarketing acts or practices
24 relating to inbound telephone calls, subject to the exemp-
25 tion relating to catalogs (as provided for in the Tele-

1 marketing Sales Rule as of the date of the enactment of
2 this Act).

3 (b) **CALLING TIME RESTRICTIONS.**—Not later than
4 1 year after the date of the enactment of this Act, the
5 Commission shall revise the Telemarketing Sales Rule
6 (part 310 of title 16, Code of Federal Regulations), to ex-
7 pand the calling time restrictions contained in the Tele-
8 marketing Sales Rule such that it shall be an abusive tele-
9 marketing act or practice and a violation of the Tele-
10 marketing Sales Rule for a telemarketer to engage in out-
11 bound telephone calls to a person’s residence at any time
12 other than between 9:00 a.m. and 5:00 p.m. local time
13 at the called person’s location.

14 **SEC. 203. DISCLOSURE REQUIRED FOR TELEMARKETING**
15 **USING AI.**

16 (a) **IN GENERAL.**—Not later than 180 days after the
17 date of the enactment of this Act, the Commission shall
18 revise the Telemarketing Sales Rule (part 310 of title 16,
19 Code of Federal Regulations) so as to add a requirement
20 that, if a person makes a call or sends a text message
21 with respect to telemarketing and uses artificial intel-
22 ligence in such call or text message to emulate a human
23 being, such person shall disclose at the beginning of such
24 call or text message the fact that artificial intelligence is
25 being used.

1 (b) DEFINITIONS.—In this section, the terms “tele-
2 marketing” and “text message” have the meanings given
3 such terms in section 7 of the Telemarketing and Con-
4 sumer Fraud and Abuse Prevention Act (15 U.S.C. 6106),
5 as amended by this Act.

6 **SEC. 204. ENHANCED PENALTIES FOR VIOLATIONS OF**
7 **TELEMARKETING RULES INVOLVING AI**
8 **VOICE OR TEXT MESSAGE IMPERSONATION.**

9 (a) IN GENERAL.—Section 6 of the Telemarketing
10 and Consumer Fraud and Abuse Prevention Act (15
11 U.S.C. 6105) is amended by adding at the end the fol-
12 lowing:

13 “(e) ENHANCED PENALTIES FOR VIOLATIONS IN-
14 VOLVING AI VOICE OR TEXT MESSAGE IMPERSON-
15 ATION.—

16 “(1) PENALTIES UNDER FEDERAL TRADE COM-
17 MISSION ACT.—Notwithstanding subsection (b), in
18 the case of a violation described in paragraph (2),
19 the maximum amount of the civil penalty that may
20 be imposed for such violation under subsection (l) or
21 (m) (as the case may be) of section 5 of the Federal
22 Trade Commission Act (15 U.S.C. 45) shall be twice
23 the maximum amount that may be imposed for such
24 violation under such subsection without regard to
25 this subsection.

1 “(2) VIOLATIONS DESCRIBED.—The violations
2 described in this paragraph are the following:

3 “(A) A violation of a rule prescribed by the
4 Commission under section 3 with respect to
5 which the party making the call or sending the
6 text message uses artificial intelligence to im-
7 personate an individual or entity with the intent
8 to defraud, cause harm, or wrongfully obtain
9 anything of value.

10 “(B) A violation of a cease-and-desist
11 order issued by the Commission under section
12 5(b) of the Federal Trade Commission Act (15
13 U.S.C. 45(b)) with respect to a violation de-
14 scribed in subparagraph (A).”.

15 (b) APPLICABILITY.—The amendment made by sub-
16 section (a) shall apply with respect to violations occurring
17 after the date of the enactment of this Act.

18 **SEC. 205. COMMISSION DEFINED.**

19 In this title, the term “Commission” means the Fed-
20 eral Trade Commission.

○