



(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require disclosure of the use of content by Federal officials that is created or manipulated using generative artificial intelligence in their publications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. FOSTER introduced the following bill; which was referred to the
Committee on _____

A BILL

To require disclosure of the use of content by Federal officials that is created or manipulated using generative artificial intelligence in their publications, 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 “Responsible and Eth-
5 ical AI Labeling Act” or the “REAL Act”.

1 **SEC. 2. DISCLOSURE OF CONTENT CREATED OR MANIPU-**
2 **LATED USING GENERATIVE ARTIFICIAL IN-**
3 **TELLIGENCE.**

4 (a) DISCLOSURE REQUIREMENT.—

5 (1) PROHIBITION ON NON-DISCLOSURE.—A
6 Federal official may not publish, disseminate, or oth-
7 erwise release content created or manipulated using
8 generative artificial intelligence unless such content
9 includes a disclaimer described in paragraph (2).

10 (2) DISCLAIMER REQUIREMENTS.—The dis-
11 claimer described in this paragraph—

12 (A) is clear, conspicuous, and prominently
13 displayed or communicated with the content.

14 (B) is written in plain language that is
15 easily understandable to the general public; and

16 (C) includes the following:

17 (i) A statement that informs the read-
18 er the content was created or manipulated
19 using generative artificial intelligence.

20 (ii) A brief explanation of how the
21 content was generated or altered.

22 (iii) A brief explanation of the tech-
23 nology or method used to create or manip-
24 ulate the content.

25 (3) EXCEPTIONS.—This subsection does not
26 apply to the following:

1 (A) Any communication not intended for
2 public release.

3 (B) Content created for any classified pur-
4 pose, if a summary or description of the content
5 that complies with this section is retained by
6 the publishing agency to accompany any unclas-
7 sified publication of the content.

8 (C) Content that includes any basic graph-
9 ic or visual element, such as a text overlay, for-
10 matting, or other minor adjustment to visual
11 media (such as brightness, contrast, or crop-
12 ping) that does not materially alter the meaning
13 or context of the content and the content does
14 not otherwise contain content created or manip-
15 ulated using generative artificial intelligence.

16 (D) Any routine textual draft or other
17 text-based document prepared using a digital
18 tool, including text drafting software enabled by
19 generative artificial intelligence, if such tool is
20 used to enhance efficiency and the draft or doc-
21 ument is reviewed by agency staff prior to pub-
22 lication.

23 (E) With respect to any content published,
24 disseminated, or otherwise released by a Fed-
25 eral official, if such content is—

- 1 (i) not related to the official duties of
2 the officer or employee; and
3 (ii) that is so published, disseminated,
4 or otherwise released on a personal, non-
5 Government social media account or other
6 medium.

7 (b) IMPLEMENTATION AND ENFORCEMENT.—

8 (1) RULEMAKING AUTHORITY.—Not later than
9 180 days after the date of the enactment of this Act,
10 the Director of the Office of Management and Budget
11 et shall issue regulations or policies—

12 (A) to ensure compliance with this section
13 by Federal officials; and

14 (B) that establish specific guidelines for
15 the formatting, placement, and wording of the
16 disclaimer described in subsection (a)(2) across
17 various media formats.

18 (2) AUDITS AND REPORTING.—Not later than
19 180 days after the date of the enactment of this Act,
20 and annually thereafter, the President, Vice Presi-
21 dent, and the head of each agency shall submit to
22 Congress and make available on, with respect to the
23 President or Vice President, a public website of the
24 White House, and with respect to an agency, the

1 public website of the agency, an audit that describes
2 compliance with this section.

3 (3) CORRECTION.—If the President, Vice Presi-
4 dent, or the head of the agency, or the Comptroller
5 General, determines that the President, Vice Presi-
6 dent, or any officer or employee of an agency has
7 published content created or manipulated using gen-
8 erative artificial intelligence in violation of this sec-
9 tion, the President, Vice President, or the head of
10 the agency (as the case may be) shall—

11 (A) to the greatest extent possible, retract
12 such content; and

13 (B) issue a communication that includes—

14 (i) a statement that indicates the con-
15 tent was issued in violation this section;

16 (ii) a description of factors that led to
17 the publication of the content; and

18 (iii) if appropriate, a version of the
19 content that has been revised to be in com-
20 pliance with this section, which shall be
21 made publicly available on the applicable
22 website and disseminated, to the extent
23 possible, to the same audience as the initial
24 content.

25 (c) PENALTIES.—

1 (1) NON-COMPLIANCE.—

2 (A) CORRECTIVE ACTION PLAN RE-
3 QUIRED.—Not later than 30 days after the date
4 on which an individual is found by the Comp-
5 troller General or an Inspector General to be in
6 violation of this section, the President, Vice
7 President, or head of that agency (as the case
8 may be) shall submit to the Director of the Of-
9 fice of Management and Budget and Congress
10 a plan that outlines the corrective action that
11 will be taken to ensure compliance with this
12 section.

13 (B) OVERSIGHT.—If a plan is not sub-
14 mitted pursuant to subparagraph (A), or a Fed-
15 eral official does not comply with such plan or
16 is in violation of this section after implementa-
17 tion of such plan, the Comptroller General shall
18 review the internal controls and procedures of
19 the President, Vice President, or applicable
20 agency and, not later than 30 days after the
21 date of the violation, issue corrective actions
22 that shall be carried out not later than 30 days
23 after the date of issuance of such corrective ac-
24 tions.

25 (2) ACCOUNTABILITY.—

1 (A) FEDERAL EMPLOYEE.—Any Federal
2 official who violates this section may be subject
3 to appropriate disciplinary action, including dis-
4 ciplinary action under chapter 75 of title 5,
5 United States Code.

6 (B) CONTRACTORS.—Any Federal con-
7 tractor responsible for non-compliance with this
8 section may face disciplinary action, including
9 restriction on public-facing communication, con-
10 tract termination, or other corrective action, as
11 determined necessary by the head of the con-
12 tracting agency.

13 (d) DEFINITIONS.—In this section:

14 (1) AGENCY.—The term “agency” has the
15 meaning given that term in section 551 of title 5,
16 United States Code, and includes the Executive Of-
17 fice of the President.

18 (2) FEDERAL OFFICIAL.—The term “Federal
19 official” means—

20 (A) the President and the Vice President;
21 and

22 (B) any officer or employee of an agency.

23 (3) GENERATIVE ARTIFICIAL INTELLIGENCE.—
24 The term “generative artificial intelligence” means
25 any algorithmic system that uses parameters derived

1 from previously observed or generated data to non-
2 deterministically create or modify digital content, in-
3 cluding text, image, video, sound, or any combina-
4 tion thereof.

5 (e) EFFECTIVE DATE.—This section shall take effect
6 90 days after the date of the enactment of this Act.