



## The FCC's Strategic Focus on AI: Addressing Robocalls and Political Advertisements

September 30, 2024

Reading Time : **2 min**

By: Jennifer L. Richter, Douglas I. Brandon, Steven A. Rowings, Joseph S. Calascione, Virginia Hiner Antypas, Sharanya Sriram

The Federal Communications Commission (FCC) in recent months has stepped up its scrutiny of artificial intelligence (AI) in the communications sector, focusing on AI-generated robocalls and political advertisements. The increased attention is part of a larger effort to boost transparency and guard consumers and voters against misinformation and undue influence.

### AI-Generated Robocalls: A Growing Concern

The FCC, acknowledging the threat posed by AI-generated robocalls, has been taking action against their proliferation. These calls, which use generative AI to fabricate human speech for malicious purposes, such as the dissemination of disinformation and interference with democratic processes, have led to significant regulatory responses. After issuing a declaratory ruling clarifying that calls or text messages made using AI-generated voices or recordings qualify as “artificial or prerecorded voice” and therefore subject to existing Telephone Consumer Protection Act (TCPA) restrictions on calls to wireless numbers and on prerecorded telemarketing calls to residential lines, the Commission now seeks comment on how to address other robocalls that can be made using AI.

Its measures have included punitive actions such as the recent Lingo Telecom settlement, which involved a \$1 million civil penalty for the origination of spoofed robocalls using generative AI voice cloning technology intended to mislead voters in the New Hampshire presidential primary, and the \$6 million fine for political consultant Steve Kramer for similar violations. These cases underscore the FCC’s commitment to deterring the use of illegal robocalls.

## Political Advertisements and AI Transparency

The FCC's activities in the realm of AI extend beyond robocalls to encompass political advertising. Acknowledging the capacity of AI-generated content to deceive the electorate, the FCC has introduced fresh transparency stipulations for political advertisements broadcast on the radio and television. These regulations, if enacted, would require explicit acknowledgments of the application of AI in such promotional content to ensure voters are apprised of its nature.

The Commission has voted along party lines in support of the proposal, with the three Democratic commissioners asserting the necessity of these steps to protect the integrity of elections. In contrast, the two Republican commissioners have expressed reservations about the FCC's authority to regulate in this area, as well as concerns regarding potential impacts on political speech. Nonetheless, the FCC is pursuing a balance that capitalizes on the benefits of AI in the political advertisement space while mitigating the potential for misinformation.

## Looking Ahead: The FCC's Ongoing Commitment

As the AI landscape rapidly evolves, the FCC will continue to focus on AI-generated robocalls and political advertisements, acting to protect consumers and the democratic process from the potential negative impacts of AI. Although the path forward may be fraught with changing legislative and political tides, the FCC Chairwoman Jessica Rosenworcel remains resolute in her dedication to transparency and safeguarding consumer interests.

The FCC's attention to AI within the communications sector is a significant indicator of the regulatory steps required to manage the risks of this emerging technology. As the FCC's approach continues to develop, it is essential for stakeholders to remain engaged and informed as they navigate the evolving landscape of AI regulation.

To learn more, please find our detailed analysis linked [here](#).

## Categories

Lobbying & Public Policy      Policy & Regulation      Technology

Telecommunications      Artificial Intelligence      Emerging Technologies

Regulatory      Robocalls & Robotexts      AI/ML Devices

© 2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such. Prior results do not guarantee a similar outcome. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin Gump network operates worldwide, please see our Legal Notices page.