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The Honorable Mike Johnson
Speaker of the House
568 Cannon House Office Building
Washington, DC 20510

The Honorable Hakeem Jeffries
House Minority Leader
2433 Rayburn House Office Building
Washington, DC 20510

The Honorable Jim Jordan
Chair, House Judiciary
2056 Rayburn House Office Building
Washington, DC 20515

The Honorable Jerrold Nadler
Ranking Member, House Judiciary
2132 Rayburn HOB
Washington, DC 20515

The Honorable Steve Scalise
House Majority Leader
2049 Rayburn House Office Building
Washington, DC 10515

cc:

The Honorable Charles E. Schumer
Senate Majority Leader
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Mitch McConnell
Senate Minority Leader
317 Russell Senate Office Building
Washington, DC 20510

December 2nd, 2024

Dear Speaker Johnson, Leader Jeffries, Chair Jordan, and Ranking Member Nadler,

We, the undersigned organizations, urge you to pass the Disrupt Explicit Forged Images and Non-Consensual Edits (DEFIANCE) Act (S.3696), which would establish a federal civil remedy for victims of synthetic non-consensual intimate imagery (NCII). **With DEFIANCE passing the Senate by unanimous consent, leadership now has a critical opportunity to take action on common sense protections for everyday Americans.**

In the last few years the technology used to create AI-generated NCII has become a widely accessible technology. Perpetrators can simply upload clothed images of someone to freely available websites and generate intimate images in seconds, often without the knowledge or consent of the person depicted. That change has allowed bad actors around the world to rob victims of their privacy and personhood through the creation of synthetic NCII.

Deepfake intimate images of high-profile celebrities like Taylor Swift have spread like wildfire on social media, generating over 45 million views before being taken down.[1] 96% of all deepfake content online is pornographic, and 99% of it targets women.[2] Just last year, the ten leading deepfake porn websites had monthly traffic of over 34 million users, and there are over 9,500 other websites dedicated to deepfake porn.[3] In the same year, one in ten adults reported being a victim of or knowing a victim of AI-generated non-consensual NCII.[4]

Disturbingly, AI-generated NCII is also becoming shockingly common in American schools. More than one in ten *children* (15%) say they know of other children who have created or been a victim of synthetic NCII in their own school *just in the last year*.[5] More cases are surfacing everyday, from Beverly Hills, California to Aledo, Texas. Victims often grapple with anxiety, shame, isolation, and deep fears about reputational harm, future career repercussions, and the ever-present risk that photos might reappear at any time.

The DEFIANCE Act would respond by clarifying the existing Violence Against Women Act federal civil cause of action for the non-consensual distribution of intimate images to include victims of AI-generated images. By establishing a federal civil remedy, the DEFIANCE Act would ensure that abusers are held accountable, returning power to the hands of victims.

We urge you to pass this critical legislation during the lame duck session. The technology enabling this abuse is not waiting, and neither should Congress. Every day of delay means more victims, more trauma, and more lives upended by this devastating form of sexual exploitation.

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Sexual Violence Prevention Association (SVPA)
Software & Information Industry Association (SIIA)
Center for Democracy and Technology (CDT)
National Education Association (NEA)
Common Sense Media
Public Knowledge
InnovateEDU
Institute for Strategic Dialogue (ISD)
Youth Power Project
All Girls Allowed, Inc.
Catholic Sister
Equality Now
ISTE+ASCD
Paving the Way Foundation
Project Evident
The AI Education Project: aiEDU
Wealth Management Ministries-Prevention Works Joint Task Force & Coalition

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[1] Sarah H. Davis, "Taylor Swift and the Dangers of Deepfake Pornography," NSVRC, January 19, 2024, https://www.nsvrc.org/blogs/feminism/taylor-swift-and-dangers-deepfake-pornography.

[2] Kan, Michael. "The Internet Is Full of Deepfakes, and Most of Them Are Porn." PCMag, September 13, 2023.

[3] "State of Deepfakes," SecurityHero, https://www.securityhero.io/state-of-deepfakes/.

[4] "Nearly Two-Thirds of Women Worry About Being a Victim of Deepfake Pornography, ESET UK Research Reveals," ESET, https://www.eset.com/uk/about/newsroom/press-releases/nearly-two-thirds-of-women-worry-about-being-a-victim-of-deepfake-pornography-eset-uk-research-reveals/.

[5] Civic Tech. (2024). 2024 Civic Tech fall polling research. Center for Democracy & Technology. https://cdt.org/wp-content/uploads/2024/09/2024-09-26-final-Civic-Tech-Fall-Polling-research-1.pdf