



March 5, 2026

Dear Representative,

On behalf of the American Association of University Women (AAUW), representing members and supporters across the country, **we urge you to support the Disrupt Explicit Forged Images and Non-Consensual Edits (DEFIANCE) Act (H.R. 3562) and to ensure that it receives a vote in the House before Sexual Assault Awareness Month in April.**

The rapid proliferation of artificial intelligence tools has enabled the creation of highly realistic, non-consensual, sexually explicit deepfake images and videos that cause severe and lasting harm to victims. These materials are frequently distributed without consent online, are difficult to remove once shared, and can result in emotional distress, economic harm, reputational damage, and safety risks. Legal analysis demonstrates that existing laws have not kept pace with these developments, leaving many survivors without meaningful avenues for accountability.<sup>1</sup>

Available evidence demonstrates that deep-fake sexual abuse is a distinctly gendered phenomenon. Research finds that over 90% of deepfakes are sexually explicit and overwhelmingly target women.<sup>2</sup> Although the phenomenon initially focused on explicit deepfakes of celebrity women, it has since been expanded to affect all women.<sup>3</sup> The accessibility of this abuse has increased dramatically. Creating sexually explicit deepfakes is now fast, inexpensive, and widely accessible. Perpetrators can now superimpose a victim's likeness onto existing explicit content and create entirely new material.<sup>4</sup> The use of these applications surged in 2023, including documented cases in schools across the globe. In parallel, an online market has emerged in which individuals profit from producing sexually explicit deepfakes of victims for others.<sup>5</sup>

Data further shows that deep-fake sexual abuse is rapidly increasing in scale. A recent analysis found that the number of deepfake pornographic videos available online increased by 550% between 2019 and 2023, with 99% of identified videos featuring female subjects. Reporting in 2024 also revealed a sharp increase in copyright and takedown requests related to deepfake pornography, reflecting both increased prevalence and the difficulties survivors face in removing this material once it circulates online.<sup>6</sup> Survivors consistently report profound harms, such as anxiety, depression, reputation damage, loss of employment

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<sup>1</sup> McGlynn, C., & Tuna Toparlak, R. (2024). *Creating Sexually Explicit Deepfakes: Options for Criminal Law Reform*. <https://hateaid.org/wp-content/uploads/2024/11/McGlynn-Toparlak-Deepfakes-Briefing-August-2024-FINAL.pdf>

<sup>2</sup> Rousay, V. R. (2023). *Sexual Deepfakes and Image-Based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms* [MA Thesis, Harvard University]. [https://www.researchgate.net/publication/370324689\\_Sexual\\_Deepfakes\\_and\\_Image-Based\\_Sexual\\_Abuse\\_Victim-Survivor\\_Experiences\\_and\\_Embodied\\_Harms](https://www.researchgate.net/publication/370324689_Sexual_Deepfakes_and_Image-Based_Sexual_Abuse_Victim-Survivor_Experiences_and_Embodied_Harms)

<sup>3</sup> Furizal, Ma'arif, A., Maghfiroh, H., Suwarno, I., Prayogi, D., Kariyamin, Lonang, S., & Sharkawy, A.-N. (2025). Social, legal, and ethical implications of AI-Generated deepfake pornography on digital platforms: A systematic literature review. *Social Sciences & Humanities Open*, 12, 101882. <https://doi.org/10.1016/j.ssaho.2025.101882>

<sup>4</sup> *The Impact of Deepfakes, Synthetic Pornography, & Virtual Child Sexual Abuse Material*. (2025, March). American Academy of Pediatrics. <https://www.aap.org/en/patient-care/media-and-children/center-of-excellence-on-social-media-and-youth-mental-health/qa-portal/qa-portal-library/qa-portal-library-questions/the-impact-of-deepfakes-synthetic-pornography--virtual-child-sexual-abuse-material/>

<sup>5</sup> Mak, A. (2026, January). AI deepfakes on X raise a major policy question. *POLITICO*. <https://www.politico.com/newsletters/digital-future-daily/2026/01/05/ai-deepfakes-on-x-could-raise-a-major-policy-question-00711344>

<sup>6</sup> McGlynn & Tuna Toparlak, 2024



or educational opportunities, and persistent fear of re-victimization due to the permanence and replicability of digital content.<sup>7</sup> These issues strike at the core of AAUW's mission, as they undermine women's economic stability, mental health, dignity, and fundamental civil rights. Continued inaction would result in long-term, potentially irreparable harm to women across the country.

While the Take It Down Act (S. 146, now Public Law 119-12) has strengthened platform-based takedown mechanisms for non-consensual intimate imagery, survivors continue to lack a clear and consistent federal civil pathway to hold individual perpetrators accountable. Scholars emphasize that takedown and criminal approaches alone are insufficient, particularly given the anonymity, scale, and interstate nature of deepfake abuse.<sup>8</sup> Additionally, state laws remain inconsistent and often fail to address synthetic sexual imagery directly. The DEFIANCE Act (H.R. 3562) fills these critical gaps by giving survivors a direct civil remedy against perpetrators and providing tools to mitigate the ongoing harm caused by non-consensual explicit AI-generated images.

The DEFIANCE Act addresses these gaps by:

- Establishing a federal civil cause of action for individuals whose likeness is used in non-consensual, sexually explicit deepfake images or videos.
- Allowing survivors to seek statutory damages and injunctive relief against individuals who knowingly create, distribute, solicit, or possess such material.
- Providing consistent baseline protections nationwide, regardless of variations in state law.
- Deterring future abuse through creating clear legal consequences for those who exploit emerging technologies to commit image-based sexual abuse.

The U.S. Senate has already passed the DEFIANCE Act (S. 1837) by unanimous consent, reflecting bipartisan recognition that existing legal frameworks are inadequate to address the documented harms associated with non-consensual deepfake imagery.

Congress has a responsibility to ensure that advances in artificial intelligence do not come at the expense of the personal privacy, dignity, and safety of women across the nation. The DEFIANCE Act represents a targeted and urgently needed response to a growing and well-documented form of technologically facilitated sexual abuse. Failure to act would leave victims nationwide with lifelong harm, while perpetrators continue to exploit AI technology without meaningful repercussions.

For these reasons, **AAUW urges you to support the DEFIANCE Act (H.R. 3562) and work with leadership to ensure its prompt consideration, and vote in favor when it comes to the House floor.** Votes associated with this issue may be scored in the AAUW Action Fund *Congressional Voting Record* for the 119th Congress. Please do not hesitate to contact me at 202-728-3300 or [kissellm@aauw.org](mailto:kissellm@aauw.org) with any questions.

Sincerely,

A handwritten signature in purple ink that reads "Meghan Kissell".

Meghan Kissell, MSW  
Senior Director, Policy & Member Advocacy

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<sup>7</sup> Ibid.

<sup>8</sup> Mak, 2026.