



May 7, 2026

Dear Representative,

On behalf of the American Association of University Women (AAUW), representing members and supporters across the country, **we urge you to cosponsor the Disrupt Explicit Forged Images and Non-Consensual Edits (DEFIANCE) Act (H.R. 3562).**

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 online without consent, 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>

### **Sexually Explicit Deepfakes are Multiplying, and they Disproportionately Impact Women**

Available evidence demonstrates that deep-fake sexual abuse is a distinctly gendered phenomenon. 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 expanded to affect women from all walks of life.<sup>3</sup> The accessibility of creating such nonconsensual deepfakes has also increased dramatically in recent years, driven by the proliferation of apps and AI tools. Due to highly accessible tools, the number of deepfake pornographic videos available online increased by 550% between 2019 and 2023, with 99% of the individuals targeted in these videos being women.<sup>4</sup>

Creating sexually explicit deepfakes is now fast, inexpensive, and widely accessible. Perpetrators can now superimpose a victim's likeness with zero cost, using as few as one or two photos of the victim, onto existing explicit content or create entirely new material within minutes.<sup>5</sup> In parallel, an online market has emerged where individuals profit from producing sexually explicit deepfakes of victims for others.<sup>6</sup>

### **Survivors Urgently Need Legal Means to Hold Perpetrators Accountable**

Survivors consistently report profound harms, such as anxiety, depression, reputation damage, loss of employment 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 to advance gender equity. Continued inaction would result in long-term 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.

### **Why Support the DEFIANCE Act?**

The DEFIANCE Act (H.R. 3562) fills 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. Moreover, the bill was intentionally written to punish individual perpetrators without infringing on free speech, harming AI innovation, or burdening AI companies, and is supported by tech companies such as Snap (Snapchat), Microsoft, and Mozilla (Firefox).



The DEFIANCE Act would hold perpetrators accountable 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 passed the DEFIANCE Act (S. 1837) by unanimous consent earlier this year, 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 cosponsor the DEFIANCE Act (H.R. 3562) and to work with leadership to ensure its prompt consideration on 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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2. 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)
3. 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>
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5. McGlynn, C., & Toparlak, R. T. (2025). The 'new voyeurism': Criminalizing the creation of 'deepfake porn.' *Journal of Law and Society*, 52(2), 204–228. <https://doi.org/10.1111/jols.12527>; *2023 state of deepfakes: Realities, threats, and impact. (n.d.)*. Retrieved April 22, 2026, from <https://www.securityhero.io/state-of-deepfakes/#key-findings>
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7. *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/>
8. Mak, 2026.