



July 23, 2026

Dear Representative,

On behalf of the members and supporters of the American Association of University Women (AAUW), **we urge you to cosponsor the Disrupt Explicit Forged Images and Non-Consensual Edits (DEFIANCE) Act (H.R. 3562)**. AAUW is committed to advancing gender equity by strengthening access to higher education, equal opportunity in the workplace, and strong civil rights protections for women and girls nationwide. Survivors lacking the means to hold perpetrators who have created sexually explicit, non-consensual deepfakes accountable threatens this progress.

Sexually explicit deepfakes are multiplying, and they disproportionately impact women. The proliferation of artificial intelligence (AI) tools has enabled the creation of highly realistic, non-consensual, sexually explicit images and videos, called “deepfakes,” that cause severe and lasting harm to victims. Available evidence demonstrates that deepfake sexual abuse is a distinctly gendered phenomenon. Over 90% of deepfakes are sexually explicit and overwhelmingly target women.¹ Although perpetrators initially focused on creating explicit deepfakes of celebrity women, this form of abuse has since expanded to affect all women.²

Creating sexually explicit deepfakes is now fast, inexpensive, and widely accessible. The accessibility of creating such nonconsensual deepfakes has increased dramatically in recent years, driven by the proliferation of apps and AI tools. 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.³ Due to such 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.⁴

Sexually explicit deepfakes 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 for victims. Existing laws have not kept pace with these developments, leaving many survivors without meaningful avenues for accountability.⁵ This is incredibly dangerous, as an online

¹ 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

² 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>

³ 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>

⁴ 2023 state of deepfakes: Realities, threats, and impact (n.d.). Retrieved April 22, 2026, from <https://www.securityhero.io/state-of-deepfakes/#key-findings>

⁵ 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>



market has also emerged where individuals profit from producing sexually explicit deepfakes of victims for others.⁶

Survivors urgently need legal means to hold perpetrators accountable. Survivors consistently report profound harms, such as anxiety, depression, reputation damage, loss of employment, loss of educational opportunities, and persistent fear of re-victimization due to the permanence and replicability of digital content.⁷ 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. Takedown and criminal approaches alone are insufficient, particularly given the anonymity, scale, and interstate nature of deepfake abuse.⁸ Additionally, state laws remain inconsistent and often fail to address synthetic sexual imagery directly.

The DEFIANCE Act (H.R. 3562) would fill critical gaps in the law by giving survivors a direct civil remedy against perpetrators. It would provide them with tools to mitigate the ongoing harm caused by non-consensual explicit AI-generated images. The bill would safeguard women's dignity and their ability to live without fear by punishing individual perpetrators. Moreover, the bill would protect free speech, innovation, and not burden AI companies, which is why it is supported by tech giants such as OpenAI, Snap (Snapchat), Bumble, Microsoft, and Mozilla (Firefox).⁹

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 by creating clear legal consequences for those who exploit emerging technologies to commit image-based sexual abuse.

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 without meaningful repercussions.

⁶ 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>

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/>; McGlynn & Tuna Toparlak, 2024

⁸ Mak, 2026.

⁹ "Durbin, Graham Announce First Artificial Intelligence Company Endorsement Of DEFIANCE Act." *United States Senate Committee on the Judiciary*, 24 June 2026, <https://www.judiciary.senate.gov/press/dem/releases/durbin-graham-announce-first-artificial-intelligence-company-endorsement-of-defiance-act>.



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. **Now, AAUW urges you to cosponsor the DEFIANCE Act (H.R. 3562) and call for 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 with any questions.

Sincerely,

A handwritten signature in purple ink that reads "Meghan Kissell". The signature is written in a cursive, flowing style.

Meghan Kissell, MSW
Senior Director, Policy & Member Advocacy