April 7, 2025

The Honorable Brett Guthrie
Chairman
House Energy & Commerce Committee
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
House Energy & Commerce Committee
Washington, DC 20515

Dear Chairman Guthrie and Ranking Member Pallone,

The U.S. Chamber of Commerce ("Chamber") supports H.R. 633, the "Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks (TAKE IT DOWN) Act" and urges you to favorably report it out of Committee. We applaud Representative Salazar and Senator Cruz for their leadership in combatting harmful and exploitive deepfake images online.

Artificial intelligence (AI) is providing substantial benefits today that will only expand. In drug discovery, "AI-driven methods have shown success rates of 80-90% in early clinical trials, compared to historical averages of 40-65%.[1]" In consumer protection, businesses using comprehensive machine learning tools see a 40% improvement in fraud detection accuracy[2]", effectively stopping fraudsters. Additionally, generative AI tools are boosting small business productivity and helping generate growth.[3]"

As with any new tool, there can be harmful uses that current laws do not adequately address. One example is the proliferation of non-consensual intimate images generated by AI users, which violates privacy and brings about concrete emotional and reputational harm for both adults and children. A 2023 report highlighted that "[d]eepfake pornography constitutes 98% of all deepfake videos online[4]."

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[1] ACI Infotech. "AI in Medicine: Faster Drug Discovery and Better Care." (2025) *available at* https://www.aciinfotech.com/blogs/ai-in-medicine-faster-drug-discovery-and-better-care.

[2] Drenik, Gary. "Generative AI Is Democratizing Fraud: What Can Companies and Their Consumers Do to Prevent Being Scammed?" Forbes, (October 11, 2023) *available at* https://www.forbes.com/sites/garydrenik/2023/10/11/generative-ai-is-democratizing-fraud-what-can-companies-and-their-consumers-do-to-prevent-being-scammed/.

[3] U.S. Chamber of Commerce, "Empowering Small Business" (September 2024) *available at* https://www.uschamber.com/assets/documents/Impact-of-Technology-on-Small-Business-Report-2024.pdf.

[4] SecurityHero. "State of Deepfakes: Key Findings." SecurityHero, 2025, *available* at https://www.securityhero.io/state-of-deepfakes/#key-findings. Accessed (April 2. 2025).

Last year, the bipartisan House AI Task Force's report noted a significant increase in AI users generating child sexual abuse material (CSAM) and non-consensual intimate imagery (NCII). The report stated that "the legal framework surrounding the protection of individuals presents a complex landscape characterized by federal and state-level laws, as well as notable gaps and ongoing legislative efforts to address emerging challenges.[5]" For this reason, Congress must provide robust protections like those offered in the TAKE IT DOWN Act to protect against deepfake CSAM and NSCII.

In 2023, the U.S. Chamber's AI Commission called for risk-based regulations to combat AI-generated harms like those addressed in the TAKE IT Down Act after policymakers first determine current law fails to address them. The Commission's report stated, "AI has also created entirely new situations that current legislation does not cover. Deepfakes, for example, are often used as revenge porn. Currently, there are few laws surrounding deepfakes used in this way.[6]" The Commission highlighted that legislators should fill legal gaps by amending current law to criminalize the unlawful distribution of deepfake revenge images, which is the approach taken by H.R. 633.

Given the urgent need and the current lack of federal authority to combat non-consensual deepfake images, the Chamber urges the Committee to send the TAKE IT DOWN Act to the House floor for final passage.

Sincerely,

Jordan Crenshaw
Senior Vice President
Chamber Technology Engagement Center
U.S. Chamber of Commerce

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[5] United States, Congress, House, Committee on Science, Space, and Technology. Artificial Intelligence Task Force Report, (December 2024), *available at* https://www.speaker.gov/wp-content/uploads/2024/12/AI-Task-Force-Report-FINAL.pdf.
[6] U.S. Chamber of Commerce. Artificial Intelligence Commission Report at 30 (March 2023) *available at* https://www.uschamber.com/assets/documents/CTEC_AICommission2023_Report_v5.pdf.