April 28, 2025

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
H-232, Capitol
Washington, DC 20515

The Honorable Steve Scalise
Majority Leader
U.S. House of Representatives
H-329, The Capitol
Washington, DC 20515

Dear Speaker Johnson and Majority Leader Scalise,

The undersigned organizations write to express our support for you bringing S. 146 the "Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks (TAKE IT DOWN) Act," to the floor, which was reported by the House Energy & Commerce Committee with overwhelming bipartisan support on April 8, 2025 and is on the suspension calendar for the week of April 28, 2025. This legislation is critical to protecting Americans against exploitative deepfake images from being distributed online.

While AI offers significant societal benefits, as with any new tool, there are possible 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[1]."

The bipartisan House AI Task Force's report last year underscored this problem, noting a significant increase in AI-generated 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.[2]" We concur with the task force's assessment of the need to address these gaps to protect against specific harms arising from the increasing adoption of this technology.

Given the current lack of authority to combat non-consensual deepfake images, we, the undersigned organizations, support your work to bring S. 146 up for floor consideration and support its passage.

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[1] SecurityHero. "State of Deepfakes: Key Findings." SecurityHero, 2025, *available* at https://www.securityhero.io/state-of-deepfakes/#key-findings. Accessed (April 2. 2025).
[2] United States, Congress, House, Committee on Science, Space, and Technology. Artificial Intelligence Task Force Report. 2025, https://republicans-science.house.gov/_cache/files/a/a/aa2ee12f-8f0c-46a3-8ff8-8e4215d6a72b/A163BDBF496ADA741F831E5BEBBCA06699B6AFF8CC34F4FDC4065BDA298295DF.ai-task-force-report-final.pdf. Accessed 2 Apr. 2025.

Sincerely,

BSA | The Software Alliance
Business Roundtable
HR Policy Association
Information Technology Industry Council (ITI)
Software & Information Industry Association (SIIA)
U.S. Chamber of Commerce