



COMBATTING IMAGE-BASED SEXUAL ABUSE (IBSA):

Three Key Bills in the 118th Congress

No federal law criminalizes IBSA or gives victims a right to sue people who create or distribute non-consensual, sexually explicit digital content. Platforms often ignore victims trying to get IBSA removed. This year, we can change that by getting Congress to pass:

SHIELD ACT (S.412/H.R. 3686)



Criminalizes the distribution of non-consensually shared explicit images.



Criminalizes sexually exploitative images of children that do not meet the current definition of CSAM.



Criminalizes the individual who shared the image, but does not apply to platforms.

DEFIANCE ACT (S.3696/H.R. 7569)



Creates a civil cause of action for AI-generated sexual abuse material of any identifiable person—meaning, the victim can sue.



Applies to those who produce, disclose, or solicit the image.



Permits the court to award damages and other relief against the individual who uploaded, but does not apply to platforms.



Establishes a 10-year statute of limitations for individuals to bring a cause of action.

TAKE IT DOWN ACT (S.4569/HR. 8989)



Criminalizes publishing or threatening to publish IBSA and AI-generated explicit imagery.



Requires platforms to remove the imagery and any similar imagery within 48 hours of the victim or victim's representative reporting it.



Criminalizes the individual who published, or threatened to publish, as well as platforms.

