TAKE IT DOWN Act (Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act)

US-TAKEITDOWN-2025 · US · binding regulation

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Summary

The TAKE IT DOWN Act (Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act), Public Law 119-12 (139 Stat. 55), signed May 19, 2025, is one of the few binding federal AI-specific statutes in the United States. It has two operative halves. First, it criminalizes the knowing publication of nonconsensual intimate visual depictions of identifiable adults (obtained under a reasonable expectation of privacy and intended to cause, or causing, harm) and of minors (under a stricter intent standard), and it expressly reaches AI-generated 'digital forgeries' — intimate depictions created through software, machine learning, or artificial intelligence that are indistinguishable from authentic images; four of its seven offenses are deepfake-specific, with penalties up to two years' imprisonment (adults) or three years (minors) plus mandatory restitution and forfeiture. Second, it requires 'covered platforms' (user-generated-content websites, online services, and applications) to establish a notice-and-removal process and remove a reported nonconsensual intimate depiction — including a deepfake — within 48 hours of a valid request; platforms had until May 19, 2026 to implement the process. Non-compliance is enforced by the Federal Trade Commission as an unfair or deceptive act or practice under the FTC Act; there is no private right of action. The Act is deliberately takedown-focused — it imposes no watermarking, labeling, or content-provenance duty.

At a glance

Adopted

2025-05-19

Effective

2025-05-19

Status

in force

Primary source

TAKE IT DOWN Act, Pub. L. No. 119-12, 139 Stat. 55 (2025) (platform notice-and-removal at 47 U.S.C. § 223 / § 223a note (Communications Act of 1934 § 223), FTC-enforced under the FTC Act (15 U.S.C. § 57a); criminal provisions at 18 U.S.C. §§ 2252, 2256, 2264; the borrowed 'intimate visual depiction' definition is from 15 U.S.C. § 6851)

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CHICAGO

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HARVARD

Policy Window (2025) 'TAKE IT DOWN Act (Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act)', Wiki article — Instrument, available at: https://policywindow.org/wiki/take-it-down-act.

OSCOLA

Policy Window, 'TAKE IT DOWN Act (Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act)' (Wiki article — Instrument, 2025) <https://policywindow.org/wiki/take-it-down-act> accessed [date].

BIBTEX

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