

119TH CONGRESS
1ST SESSION

H. R. 2564

To amend title 18, United States Code, to prohibit the production or distribution of digital forgeries of intimate visual depictions of identifiable individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2025

Ms. MACE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit the production or distribution of digital forgeries of intimate visual depictions of identifiable individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Victims of Dig-
5 ital Exploitation and Manipulation Act of 2025”.

1 **SEC. 2. DIGITAL FORGERIES OF INTIMATE VISUAL DEPIC-**
2 **TIONS.**

3 (a) IN GENERAL.—Chapter 88 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 1802. Prohibition of production or distribution of**
7 **digital forgeries of intimate visual depic-**
8 **tions of identifiable individuals**

9 “(a) OFFENSE.—Except as provided in subsection
10 (b), whoever, in any circumstance described in subsection
11 (c), acts with reckless disregard to produce or distribute,
12 or causes to be produced or distributed, a digital forgery
13 of an identifiable individual, without the consent of the
14 identifiable individual, shall be fined under this title, im-
15 prisoned not more than 5 years, or both.

16 “(b) EXCEPTIONS.—

17 “(1) IN GENERAL.—This section shall not apply
18 with respect to a distribution made in good faith—

19 “(A) to a law enforcement officer or agen-
20 cy;

21 “(B) as part of a legal proceeding;

22 “(C) as part of medical education, diag-
23 nosis, or treatment; or

24 “(D) in the reporting or investigation of—

25 “(i) unlawful content; or

1 “(ii) unsolicited or unwelcome con-
2 duct.

3 “(2) SERVICE PROVIDERS.—This section shall
4 not apply to any provider of a communications serv-
5 ice with regard to content provided by another infor-
6 mation content provider unless the provider of the
7 communications service recklessly distributes content
8 in violation of this section.

9 “(c) CIRCUMSTANCES DESCRIBED.—For the pur-
10 poses of subsection (a), the circumstances described in this
11 subsection are that the digital forgery is produced or dis-
12 tributed using a means, channel, facility, or instrumen-
13 tality of interstate or foreign commerce or traveled in or
14 affected interstate or foreign commerce.

15 “(d) EXTRATERRITORIAL APPLICATION.—This sec-
16 tion applies if the individual who has violated subsection
17 (a) or the identifiable individual who is a victim of the
18 violation of subsection (a) is a national of the United
19 States (as such term is defined in section 101(a) of the
20 Immigration and Nationality Act).

21 “(e) DEFINITIONS.—In this section:

22 “(1) CONSENT.—The term ‘consent’ means an
23 affirmative, conscious, competent, and voluntary au-
24 thorization made by the individual free from force,

1 fraud, misrepresentation, or coercion, whether or not
2 the individual is a public figure.

3 “(2) DIGITAL FORGERY.—The term ‘digital for-
4 gery’ means any intimate visual depiction of an indi-
5 vidual created through the use of software, machine
6 learning, artificial intelligence, or any other com-
7 puter-generated means, including by adapting, modi-
8 fying, manipulating, or altering an authentic visual
9 depiction, to appear to a reasonable person to be an
10 authentic visual depiction of the individual.

11 “(3) IDENTIFIABLE INDIVIDUAL.—The term
12 ‘identifiable individual’ means an individual whose
13 body appears in whole or in part in an intimate vis-
14 ual depiction and who is identifiable by virtue of the
15 person’s face, likeness, or other distinguishing char-
16 acteristic, such as a unique birthmark or other rec-
17 ognizable feature, or from information displayed in
18 connection with the visual depiction.

19 “(4) INTIMATE VISUAL DEPICTION.—The term
20 ‘intimate visual depiction’ means a visual depiction,
21 as that term is defined in section 2256(5), that de-
22 picts—

23 “(A) the uncovered genitals, pubic area,
24 anus, or female nipple of an identifiable indi-
25 vidual;

1 “(B) the display or transfer of bodily sex-
2 ual fluids—

3 “(i) on to any part of the body of an
4 identifiable individual; or

5 “(ii) from the body of an identifiable
6 individual; or

7 “(C) an identifiable individual engaging in
8 sexually explicit conduct.

9 “(5) SEXUALLY EXPLICIT CONDUCT.—The term
10 ‘sexually explicit conduct’ has the meaning given the
11 term in subparagraph (A) of section 2256(2).

12 “(6) COMMUNICATIONS SERVICE.—The term
13 ‘communications service’ means—

14 “(A) a service provided by a person that is
15 a common carrier, as that term is defined in
16 section 3 of the Communications Act of 1934,
17 insofar as the person is acting as a common
18 carrier;

19 “(B) an electronic communication service,
20 as that term is defined in section 2510;

21 “(C) an information service, as that term
22 is defined in section 3 of the Communications
23 Act of 1934; and

(b) CLERICAL AMENDMENT.—The table of sections for chapter 88 of title 18, United States Code, is amended by adding at the end the following:

11 **SEC. 3. SEVERABILITY.**

12 The provisions of this Act, or an amendment made
13 by this Act, shall be severable. If any provision of this
14 Act, or any application thereof, is found unconstitutional,
15 that finding shall not affect any provision or application
16 of the Act not so adjudicated.

