



Office of the Director
Bureau of Consumer Protection

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

May 20, 2026

Via [Email]

[Recipient name]

[Recipient contact information, such as email address]

Re: TAKE IT DOWN Act

Dear [Insert recipient name]:

The Federal Trade Commission (“FTC” or “Commission”) is a federal agency whose mission is to protect Americans from unfair, deceptive, and anticompetitive business practices, without unduly burdening legitimate business activity. As part of that mission, we work to educate businesses about their rights and responsibilities, and where necessary, initiate investigations and enforcement actions.

I write to you regarding the Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act (“TAKE IT DOWN Act” or “TIDA”).¹ The FTC has authority under Section 5 of the FTC Act, 15 U.S.C. § 45(a), to investigate unfair or deceptive acts or practices in or affecting commerce. The FTC enforces Section 3 of the TAKE IT DOWN Act and treats violations of TIDA as violations of a rule defining an unfair or deceptive act or practice under Section 18(a)(1)(B) of the FTC Act, 15 U.S.C. § 57a(a)(1)(B).

Section 3 of the TAKE IT DOWN Act applies to covered platforms, which are defined as websites, online services, online applications, or mobile applications (i) that serve the public; and (ii) (I) that primarily provide a forum for user-generated content, including messages, videos, images, games, and audio files; or (II) for which it is in the regular course of trade or business of the website, online service, online application, or mobile application to publish, curate, host, or make available content of nonconsensual intimate visual depictions.² Section 3 of TIDA mandates that covered platforms have a process for individuals to request the removal of nonconsensual intimate visual depictions. Covered platforms that receive a valid removal request are required by the law to remove that content and known identical copies within 48 hours. Under TIDA, covered platforms were required to comply with these requirements by May 19, 2026.

Based on information Commission staff has reviewed, it has reason to believe that [platform name] is a “covered platform” under the TAKE IT DOWN Act and has failed to come into compliance with TIDA’s requirements. Staff has identified potential violations on [platform

¹ Pub. L. No. 119-12, available at <https://www.ftc.gov/legal-library/browse/statutes/tools-address-known-exploitation-immobilizing-technological-deepfakes-websites-networks-act-take-it>.

² Section 4(3)(A), definition of “covered platform.”

name], including the failure to provide individuals with a process through which they can request the removal of nonconsensual intimate visual depictions appearing on the platform.

While this letter does not reflect a formal determination that you have violated TIDA, you are advised to immediately come into compliance with the TAKE IT DOWN Act. Staff is monitoring the marketplace for potentially violative acts or practices relating to TIDA and will take additional action as warranted. Deceptive or unfair acts or practices that violate the FTC Act may be subject to legal action and court injunctions. In addition, covered platforms that violate TIDA may be subject to an FTC enforcement action and civil penalties of up to \$53,088 per violation pursuant to Section 5(m)(1)(A) of the FTC Act.

This letter is not intended to be a comprehensive statement of concerns that may exist in connection with your platform under TIDA or other laws and rules enforced by the Commission.³ As always, it is your company's responsibility to comply with all requirements of federal law, including Section 5 of the FTC Act, TIDA, and other laws and rules enforced by the Commission. You should immediately review your practices and cease and desist any conduct that could violate these legal requirements.

Within 48 hours, please contact [redacted] to discuss [platform name]'s plan to come into compliance with the TAKE IT DOWN Act. Please include the subject of this letter in your email's subject line. You may also direct any inquiries concerning this letter to [redacted].

Respectfully,

Christopher G. Mufarrige
Director, Bureau of Consumer Protection

Enclosure: Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act

³ For example, the Commission in 2018 alleged that it was a violation of the FTC Act to disclose intimate images and personal information of individuals without their consent. *FTC v. Emp Media Inc.*, Case No. 2:18-cv-00035 (D. Nev. 2018). Note that the nonconsensual distribution of intimate images can include sharing an intimate image or video of someone that was created with artificial intelligence. Federal Trade Commission, *Image-Based Abuse: What To Know and Do*, available at <https://consumer.ftc.gov/articles/image-based-abuse-what-know-and-do>.